

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

706 B



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 26, 2012

SUBJECT: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623.

RECOMMENDED MOTION:

ADOPTION of RESOLUTION NO. 2012 – 036 amending the Riverside County General Plan in accordance with the Board's previous actions taken on December 13, 2011 concerning General Plan Amendment (GPA) No. 910; and

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials:
CSL:ar

(continued on next page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ N/A	In Current Year Budget:	N/A
	Current F.Y. Net County Cost:	\$ N/A	Budget Adjustment:	N/A
	Annual Net County Cost:	\$ N/A	For Fiscal Year:	11/12

SOURCE OF FUNDS: NOT APPLICABLE

Positions To Be Deleted Per A-30	<input type="checkbox"/>
Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

APPROVE
BY *Tina Grande*

Tina Grande

County Executive Office Signature

MINUTES OF THE BOARD OF SUPERVISORS

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

Ayes: Buster, Tavaglione, Stone, Benoit and Ashley
Nays: None
Absent: None
Abstain: None
Date: February 7, 2012
xc: Planning, Building and Safety, Applicant, COB, MC, Recorder

Kecia Harper-Ihem
Clerk of the Board
By: *Kecia Harper-Ihem*
Deputy

Prev. Agn. Ref. 16.1/12-13-11 | **District:** 4/4 | **Agenda Number:**

3.27

UNAPPROVED COUNTY COUNSEL
 BY: *Tiffany N. North*
 DATE: 1/30/12
 Departmental Concurrence

Policy
 Policy
 Consent
 Consent

Dep't Recomm.:
 Per Exec. Ofc.:

The Honorable Board of Supervisors

RE: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623

Page 2 of 3

ADOPTION of **RESOLUTION NO. 2012 – 040** Certifying Environmental Impact Report No. 514 and Adopting Specific Plan No. 375 (Travertine Point) in accordance with the Board of Supervisors' previous actions on December 13, 2011; and

ADOPTION of **ORDINANCE NO. 348.4737** for Change of Zone No. 7623 amending the zoning classification for the subject property from Light Agriculture with a 5, 10 and 20 Acre Minimum (A-1-5, A-1-10, A-1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), Controlled Development (W-2) to Specific Plan (SP) as shown on Map No. 41.086 and to incorporate the Specific Plan Zoning Ordinance text in accordance with Board's previous actions on December 13, 2011.

BACKGROUND:

Specific Plan No. 375, General Plan Amendment No. 910 and Change of Zone No. 7623 were processed concurrently before the Planning Commission and the Board of Supervisors and collectively comprise the Travertine Point project.

General Plan Amendment No. 910 proposes to amend the Land Use Element of the General Plan as it applies to the project site. General Plan Amendment No. 910 is comprised of several components. The first component is a Technical Amendment to clarify and eliminate a source of confusion with regard to the sovereign lands within the project. The second component is an Entitlement/Policy Amendment to amend the Land Use Map designations from Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space–Water (OS-W) to Specific Plan No. 375 – Travertine Point. The third component of General Plan Amendment No. 910 is an Agriculture Foundation Component amendment utilizing the County's 7% conversion allowed under the Administration Element of the General Plan. Specific Plan No. 375 is a Community Development Foundation Component Specific Plan which establishes Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential (MHDR), Very High Density Residential (VHDR), Highest Density Residential (HDR), Public Facility (PF), Open Space–Recreation (OS-R), Open Space Conservation (OS-C), and Open Space–Water (OS-W) designations, as reflected on the Specific Plan Land Use Plan.

Specific Plan No. 375 (Travertine Point) is a 4,918 acre master planned community, located along the east and west sides of California State Route (SR-86S), and spanning three different jurisdictions, Riverside County, Imperial County and the sovereign Nation of the Torres Martinez Desert Cahuilla Indians. Overall, the entire project proposes the construction of 16,655 residential units on approximately 2,853 acres, and 5,029,500 square feet of non-residential development (retail, office, industrial, etc.) on approximately 668 acres (including mixed use acres), as well as parks, open space and public facilities. 3,938 acres is within Riverside County and 980 acres is within Imperial County. Approximately 1,410 acres of the total Specific Plan area consists of land located under the jurisdiction of the sovereign Nation of the Torres

The Honorable Board of Supervisors

RE: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623

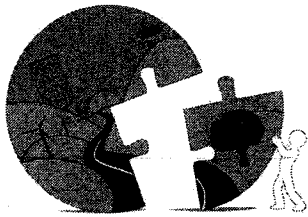
Page 3 of 3

Martinez Desert Cahuilla Indians, 763 acres of which is in Riverside County and 647 acres in Imperial County. While the project includes all three jurisdictions, the total acreage under the direct jurisdiction of Riverside County and the subject of this requested Board action is approximately 3,175 acres.

On December 13, 2011, at the close of the public hearing, the Board of Supervisors tentatively certified Environmental Impact Report No. 514, tentatively approved Specific Plan No. 375, and tentatively approved Change of Zone No. 7263.

In response to late comment letters submitted at the December 13, 2011 Board of Supervisors' public hearing, the applicant submitted supplemental rebuttal information regarding affordability in support of the Board of Supervisors' findings certifying Environmental Impact Report ("EIR") No. 514, which has been independently peer-reviewed and validated by a third party consultant, Pacific Municipal Consultants ("PMC"). In addition, several typos and internal inconsistencies in the text of the Final EIR have been corrected in an Errata. None of the supplemental rebuttal information, or text revisions in the Final EIR reflected in the Errata, have changed any conclusions previously set forth in the Final EIR, which was tentatively certified by the Board of Supervisors on December 13, 2011.

The supplemental information submitted by the applicant, the peer-review memo by PMC, and the Errata to the Final EIR, are attached to this Form 11; additionally, the Errata is available on the Planning Department website for public review.



RIVERSIDE COUNTY PLANNING DEPARTMENT

Carolyn Syms Luna
Director

Office of Planning and Research
Department of Planning and Community Development
City of Riverside

2/9/12

ICB

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, 12th 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. 375 (Travertine Point Specific Plan), General Plan Amendment No. 00910, Change of Zone No. 07623, Environmental Impact Report No. 514
Project Title/Case Numbers

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

2007101145
State Clearinghouse Number (if submitted to the State Clearinghouse)

Black Emerald LLC 91711 82nd Avenue, Thermal, CA, 92274
Project Applicant Address

The proposed Project within Riverside County is located along both the east and west sides of California State Route 86S between 81st Avenue and the Riverside/Imperial County line. The site is generally located west of the Salton Sea, south of the community of Mecca, and northeast of Anza-Borrego Desert State Park. The proposed Project site is located along the northwest shore of the Salton Sea.
Project Location

The Specific Plan proposes to arrange 4,918 acres into 5 planning districts for residential, business park, mixed use commercial, regional commercial, resort/tourism, and open space uses, and is currently proposing 16,655 residential units. The General Plan Amendment proposes to amend the Riverside County General Plan Land Use Element as it applies to the project site to eliminate the land use designations of Agriculture: Agriculture (AG), Community Development, Commercial Tourist (CT), Public Facilities (PF), Indian Land, and Open Space - Water (OS-W) and would establish Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential (MHDR), High Density Residential (HDR), Very High Density Residential (VHDR), Highest Density Residential (HHDR), Public Facility (PF), Open Space- Recreation (OS-R), Open Space-Conservation (OS-C), and Open Space- Water (OS-W) designations as reflected on the Specific Plan Land Use Plan. The Change of Zone proposes to redesignate the site from Light Agriculture with a 5, 10 and 20 Acre Minimum (A-1-5, A-1-10, A-1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), Controlled Development (W-2) to Specific Plan (SP). The Environmental Impact Report will analyze the impacts of the project.
Project Description

This is to advise that the Riverside County Board of Supervisors, as the lead agency, has approved the above-referenced project on February 7, 2012, 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 (\$2,919+64).
3. Mitigation measures WERE made a condition of the approval of the project.
4. A Mitigation Monitoring and Reporting Plan/Program WAS adopted.
5. A statement of Overriding Considerations WAS adopted for the project.
6. Findings were made pursuant to the provisions of CEQA.

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, 12th Floor, Riverside, CA 92501.


Signature

Board Assistant
Title

2/7/12
Date

Date Received for Filing and Posting at OPR: _____

02.07.12 3.27

Please charge deposit fee case#: ZEA ZCFG04952

FOR COUNTY CLERK'S USE ONLY

**RESOLUTION NO. 2012-036
AMENDING THE RIVERSIDE COUNTY
GENERAL PLAN**

(Second Cycle General Plan Amendments for 2012 – General Plan Amendment No. 910)

WHEREAS, pursuant to the provisions of Government Code Section 65350 et seq., public hearings were held before the Riverside County Board of Supervisors in Riverside, California, on August 16, 2011 and December 13, 2011, and before the Riverside County Planning Commission in La Quinta, California on May 25, 2011, and in Perris, California on June 15, 2011, to consider a proposed amendment to the Land Use Element of the Eastern Coachella Valley Area Plan of the Riverside County General Plan; and,

WHEREAS, all provisions of the California Environmental Quality Act (“CEQA”) and Riverside County CEQA implementing procedures have been satisfied; and,

WHEREAS, the proposed general plan amendment was discussed fully with testimony and documentation presented by the public and affected government agencies; and,

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside in regular session assembled on February 7, 2012 that:

A. A. General Plan Amendment No. 910 (GPA No. 910) is a proposal to amend the Land Use Element by amending the Eastern Coachella Valley Area Plan Land Use Map designation for the project site. General Plan Amendment No. 910 is comprised of several components. The first component is a Technical Amendment to clarify and eliminate a source of confusion with regard to the sovereign lands within the project. Specifically, the Eastern Coachella Valley Area Plan Land Use Map depicts some properties as “Areas Subject to Indian Jurisdiction” or “IND”. At the time of adoption of the General Plan, properties so depicted were, according to best available records, either located within the boundaries of Indian reservations or owned by Indian tribes. This depiction in the General Plan as “Areas Subject to Indian Jurisdiction” is specifically designed to acknowledge the sovereignty of the various Tribes relative to state and local government. General Plan Amendment No. 910 indicates discrepancies in ownership and the use of the “Areas Subject to Indian Jurisdiction” depiction for some

BY:  TIFANY N. NORTH
DATE: 2/13/12

1 properties within the subject General Plan Amendment project site and clarifies and corrects such
2 discrepancies. The second component of General Plan Amendment No. 910 is an Entitlement/Policy
3 Amendment which would allow the development of the Specific Plan as described below in more detail.
4 The third component of General Plan Amendment No. 910 is an Agriculture Foundation Component
5 amendment utilizing the County's 7% conversion allowed under the Administration Element of the
6 General Plan.

7 Specifically, General Plan Amendment No. 910 would amend the Land Use Map designation from
8 Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF) and Open
9 Space-Water (OS-W) to Specific Plan No. 375 – Travertine Point on approximately 3,175 acres located
10 easterly and westerly of Highway 86 South, northerly of the Imperial County line and southerly of 81st
11 Avenue in the Lower Coachella Valley Zoning District of the Fourth Supervisorial District, as shown on
12 the exhibit entitled "GPA00910 Proposed General Plan, Exhibit 6" a copy of which is attached hereto and
13 incorporated herein by reference. Specific Plan No. 375 is a Community Development Foundation
14 Component Specific Plan which establish Business Park (BP), Commercial Retail (CR), Commercial
15 Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential
16 (MHDR), Very High Density Residential (VHDR), Highest Density Residential (HDR), Public Facility
17 (PF), Open Space-Recreation (OS-R), Open Space Conservation (OS-C), and Open Space-Water (OS-W)
18 designations, as reflected on the Specific Plan Land Use Plan.

19 General Plan Amendment No. 910 also proposes to amend Figure 3 of the Eastern Coachella
20 Valley Plan to show the boundary of the Specific Plan No. 375 – Travertine Point and to amend Table 3
21 of the Eastern Coachella Valley Area Plan to list Specific Plan No. 375. General Plan Amendment No.
22 910 is associated with Specific Plan No. 375 - Travertine Point, Change of Zone No. 7623 and
23 Environmental Impact Report (EIR) No. 514, which were considered concurrently with this amendment at
24 the public hearings before the Planning Commission and the Board of Supervisors.

25 Specific Plan No. 375 is a 4,918 acre master planned community, located along the east and west
26 sides of California State Route (SR-86S), and spanning three different jurisdictions, Riverside County,
27 Imperial County and the sovereign Nation of the Torres Martinez Desert Cahuilla Indians. 3,938 acres is
28 within Riverside County and 980 acres is within Imperial County. Approximately 1, 410 acres of the total

1 Specific Plan acreage consists of land located under the jurisdiction of the sovereign Nation of the Torres
2 Martinez Desert Cahuilla Indians, 763 acres of which is in Riverside County and 647 acres in Imperial
3 County. While the Specific Plan will include all three jurisdictions, the total acreage under the direct
4 jurisdiction of Riverside County and the subject of this resolution is approximately 3,175 acres. The
5 portion of the project within the Riverside County extends from 81st Avenue to the Imperial County line.
6 Overall, the entire Specific Plan project proposes the construction of 16,655 residential units on
7 approximately 2,853 acres, and 5,029,500 square feet of non-residential development (retail, office,
8 industrial, etc.) on approximately 668 acres (including mixed use acres), as well as parks, open space and
9 public facilities. The portion of the Specific Plan project located within the jurisdiction of Riverside
10 County consists of up to 14,640 residential units and 3,443,100 square feet of non-residential
11 development. Change of Zone Case No. 7623 proposes to change the existing zoning classifications of
12 Light Agriculture with a 10 and 20 Acre Minimum (A-1-10, A-1-20), Heavy Agriculture with a 10 and 20
13 Acre Minimum (A-2-10, A-2-20), and Controlled Development (W-2), to Specific Plan (SP). The SP
14 zoning designation would establish those development standards required to implement the Specific Plan.
15 The Planning Commission recommended approval of GPA No. 910 on June 15, 2011 and the Board of
16 Supervisors tentatively adopted GPA No. 910 on December 13, 2011. Resolution No. 2012-040
17 Certifying Environmental Impact Report No. 514 and Adopting Specific Plan No. 375, a copy of which is
18 attached hereto and incorporated herein by reference, was adopted by the Board of Supervisors on
19 February 7, 2012.

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented on
21 this matter, both written and oral, including Environmental Impact Report No. 514, that:

- 22 1. The site is located in the Eastern Coachella Valley Area Plan.
- 23 2. The Eastern Coachella Valley Area Plan Land Use Map determines the extent, intensity,
24 and location of land uses within the Eastern Coachella Area.
- 25 3. The site is currently designated Agriculture (AG) (10 acre minimum), Commercial Tourist
26 (CT) (0.20 -.35 FAR), Public Facilities (PF) (< 0.60 FAR), Indian Lands (IND), and Open
27 Space Water (OS-W) allowing 10 acre minimum lots, Commercial and Public Facility

28

1 development, with property subject to open space and Indian Land jurisdiction within the
2 Agriculture, Community Development, and Open Space Foundation Components.

- 3 4. General Plan Amendment No. 910 proposes to amend the Eastern Coachella Valley Area
4 Plan Land Use Map for the project site from Agriculture (AG) (10 acre minimum),
5 Commercial Tourist (CT) (0.20 – 0.35 FAR), Public Facilities (PF) (< 0.60 FAR), and
6 Open Space Water (OS-W) within the Agriculture, Community Development and Open
7 Space Foundation Components to Specific Plan No. 375 – Travertine Point. Specific Plan
8 No. 375 is a Community Development Foundation Component Specific Plan which
9 establish Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed
10 Use (MU), Medium Density Residential (MDR), Medium High Density Residential
11 (MHDR), Very High Density Residential (VHDR), Highest Density Residential (HDR),
12 Public Facility (PF), Open Space–Recreation (OS-R), Open Space Conservation (OS-C),
13 and Open Space–Water (OS-W) designations, as reflected on the Specific Plan Land Use
14 Plan on approximately 4,918 acres (3,938 in Riverside County, of which 3,175 is under
15 Riverside County’s jurisdiction).
- 16 5. Surrounding land use designations include: Agriculture: Agriculture (AG), Community
17 Development: Commercial Tourist (CD:CT), Commercial Retail (CR), Medium Density
18 Residential (MDR), and Indian Land (IND) to the north, Open Space – Water (OS-W) to
19 the east in the Eastern Coachella Valley Area Plan. The County of Imperial is located to
20 the south.
- 21 6. The site is currently zoned Light Agriculture with a 10 and 20 Acre Minimum (A-1-10, A-
22 1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), and
23 Controlled Development (W-2).
- 24 7. The associated Change of Zone No. 7623 proposes to change the zoning on the site to SP
25 (Specific Plan Zone).
- 26 8. The site is surrounded by properties zoned Heavy Agriculture with a 10 and 20 acre
27 minimum (A-2-10 and A-2-20) to the north, east and west, Controlled Development (W-2)
28

1 to the north, east and west, Watercourse, Watershed & Conservation Areas (W-1) to the
2 northeast, and Imperial County to the south.

- 3 9. The site is currently being used as agricultural and vacant land.
- 4 10. Surrounding land uses include agriculture, limited commercial and single family uses to
5 the north, south, east and west.
- 6 11. General Plan Amendment No. 910 includes changes to the Agriculture Foundation of the
7 General Plan. General Plan Amendment No. 910 proposes to remove 2,541 acres from the
8 Agriculture Foundation. The following findings support the Agriculture Foundation
9 Amendment:
- 10 a. The proposed amendment contributes to the purposes of the General Plan, or at a
11 minimum, is not detrimental to them. The purposes of the General Plan are guided
12 by the Vision and Policies contained in the General Plan. The policies are arranged
13 into different categories intended to first create policies that cater to an area plan
14 level, then a community level and finally down to a specific project level, such as
15 subdivisions or use permits. The General Plan explains these as macro, medium
16 and micro levels. The macro level, entitled the "efficient use of land" in the
17 General Plan has only one policy, LU 2.1, which has several different components.
18 General Plan No. 910 and its associated Specific Plan No. 375 and Change of Zone
19 No. 7623 (hereinafter collectively referred to as "the Project"), satisfies these
20 components, lettered a through g. The policy components of LU 2.1 require a
21 broad range and mix in land uses provided at the area plan level, supported by
22 infrastructure and evaluation of impacts to the environment. The Project satisfies
23 this requirement for Land Use diversity which is supported by the development of
24 Planning Area Plans combined with design standards that ensure the maximization
25 of land uses and zoning through the development of a master planned community.
26 The Specific Plan developed a comprehensive infrastructure plan, which includes a
27 master storm water, and drainage plan, circulation plan, parks and recreation plan,
28 land use plan, and energy efficiency plan. The Project proposes a master planned

1 community wherein the land use plan offers a variety of densities and housing
2 opportunities which is supported by a comprehensive infrastructure plan to
3 minimize land uses that are not utilized to their highest and best use under the
4 proposal of the Specific Plan. These requirements are provided through the
5 Specific Plan document, analyzed in the EIR for potentially significant impacts,
6 and all mitigation measures and land use proposals are implemented through the
7 establishment of project Conditions of Approval and Specific Plan Planning and
8 Development Standards. LU 2.1 requires site development to capitalize on multi
9 modal transportation opportunities. The proposed Project includes over 40 miles of
10 walking and bike trails and includes provisions for use of Neighborhood Electric
11 Vehicles (NEVs). Further, smaller commercial areas have been required
12 throughout the Project to encourage limited car use and maximize pedestrian use.
13 These are required to be at least a quarter mile of all residential units. A park is
14 also required within a quarter mile of all residential units. Lastly, the downtown
15 area of the Project has been required to design with pedestrian's needs first and
16 limit distances between uses for pedestrians. The Project is designed consistently
17 with LU Policy 2.1, which prohibits inappropriate development in areas that are
18 environmentally sensitive or subject to severe natural hazards. The Project has
19 completed an Environmental Impact Report which address impacts to
20 environmentally sensitive areas or areas that are subject to severe natural hazards
21 through mitigation of the project design and Conditions of Approval. LU 2.1 also
22 requires that growth should cluster near community centers that provide a mixture
23 of commercial, employment, entertainment, recreation, civic, and cultural uses.
24 The Specific Plan creates its own community center; a downtown area is a
25 requirement of the Project with mixed use planned throughout to foster residential
26 density, keeping activity in the area throughout the day, and to create a center for
27 the project area, both physically and socially. Component e. of LU 2.1 explains
28 that growth should concentrate near or within existing urban and suburban areas to

1 maintain the rural and open space character of Riverside County to the greatest
2 extent possible. Clustering development density in a master plan fashion allows the
3 Project to capitalize on design aspects, while accommodating the needs of the
4 development in a way that will enable the Project to be a new town. Increased
5 density, structured around a master plan, will help discourage traditional mid-sized
6 suburban development that traditionally threatens rural areas.

7 b. The General Plan establishes Agriculture Foundation Amendment Cycles in 2 ½
8 year increments. Within each cycle, up to 7% of all land designated as Agriculture
9 may be changed to other foundation and land use designations without additional
10 review by the Agricultural Task Force established for this purpose. The General
11 Plan divides the County into three areas subject to the 7% threshold: (1) the area
12 covered by the Palo Verde and Desert Center Area Plans and the Eastern Desert
13 Land Use Plan; (2) the area covered by the Eastern Coachella Valley and Western
14 Coachella Valley Area Plans; and (3) the area covered by all other Area Plans. The
15 proposed amendment is located within the “area covered by the Eastern Coachella
16 Valley and Western Coachella Valley Area Plans.” General Plan Amendment No.
17 910 proposes to remove 2,541 acres from the Agriculture Foundation. Pursuant to
18 a GIS analysis, 920.10 acres of property located within the Agriculture Foundation
19 component has been removed and converted to another foundation consistent with
20 the Administration Element of the General Plan from October 1, 2003 to December
21 31, 2010 among all three sub-areas as listed above. This amount is well below the
22 7% threshold in any sub-area during the first 2 ½ - year cycle and the County is
23 currently within our third, 2 ½ - year, review cycle. Therefore, the adoption of
24 GPA No. 910 will not result in the 7% threshold being exceeded, within the third
25 Agriculture Foundation review cycle.

26
27 12. General Plan Amendment No. 910 includes a Technical Amendment to the General Plan.
28 Specifically, the proposed amendment identifies discrepancies in ownership and properties

1 that have been depicted on the General Plan as “Areas Subject to Indian Jurisdiction” or
2 “IND” within the Project site. The following findings support the Technical Amendment:

3 a. The proposed technical amendment would not change any policy direction or intent
4 of the General Plan. The intent of the “Areas Subject to Indian Jurisdiction” or
5 “IND” descriptions as used in the General Plan, was to indicate where tribal land
6 was located. The proposed amendment identifies discrepancies in ownership and
7 properties that were described as IND within the Project site. The intent of the
8 Technical Amendment component of General Plan Amendment No. 910 is to
9 correct these discrepancies in ownership where the IND description was incorrectly
10 applied during the 2003 County General Plan; the technical correction will correct
11 these errors and clarify the intent of the General Plan relative to the portions of the
12 Specific Plan that are labeled with the IND description.

13 b. The proposed technical amendment will correct an error in the General Plan due to
14 an omission based upon a lack of data about the ownership of the subject
15 properties. Such correction will properly reflect the policy intent of the General
16 Plan. Properties that were incorrectly labeled as IND in the General Plan but have
17 now been determined to be under the County’s jurisdiction will be properly
18 reflected as part of the Community Development Specific Plan.

19 13. General Plan Amendment No. 910 includes an Entitlement/Policy amendment to the
20 General Plan. As described herein, General Plan Amendment No. 910 proposes to amend
21 the Land Use Map designation for the project site from Agriculture (AG), Community
22 Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space–Water
23 (OS-W) to Specific Plan No. 375 – Travertine Point on approximately 3,175 acres. The
24 following findings support the Entitlement/Policy Amendment:

25 a. The proposed amendment will not involve a change in or conflict with the
26 Riverside County Vision. The Riverside County Vision explains that random
27 sprawl is discouraged and development should follow transportation and open
28 space corridors, with concentrations of development, in other words, important

1 open space and transportation corridors should define growth areas. Population
2 growth should be focused where it can best be accommodated. And while the
3 Vision goes on to explain that leapfrog development (development that “skips
4 over” developable land and establishes inefficient development patterns) is
5 discouraged, it also explains that development proposed at some distance from
6 existing communities should occur because of a conscious commitment to a new
7 community there, and these types of projects must demonstrate self-sufficiency in
8 terms of public facilities and services. Indeed, the Vision explains that new
9 communities should demonstrate methods for achieving efficient development and
10 building a sense of community from the very beginning. The Project develops
11 methods and zoning to achieve an efficiency of land use and establishes a self-
12 sufficient community through the development of Specific Plan Standards. The
13 design of the project and the Conditions of Approval have been crafted to assure
14 that the project will be self-sufficient and efficient in ways that are not possible
15 without a large scale master planning effort intended to create a new town.

16 b. The proposed amendment will not involve a change in or conflict with any General
17 Plan Principle as shown herein and detailed further in the Planning Area Design
18 Standards listed in Board of Supervisors’ Resolution No. 2012-040 Certifying
19 Environmental Impact Report No. 514 and Adopting Specific Plan No. 375, a copy
20 of which is attached hereto and incorporated herein by reference in its entirety.

21 c. The proposed amendment will not involve a change in or conflict with any
22 Foundation Component designation in the General Plan. Although General Plan
23 Amendment No. 910 includes an Agriculture Foundation Component amendment,
24 the Board of Supervisors has made findings set forth above to support the change.
25 All other changes proposed by General Plan Amendment No. 910 are within the
26 Community Development Foundation Component and are compatible with the
27 Community Development Foundation Component.
28

1 d. The proposed amendment would either contribute to the achievement of the
2 purposes of the General Plan or, at a minimum, would not be detrimental to them as
3 shown herein and detailed further in the Planning Area Design Standards listed in
4 Board of Supervisors' Resolution No. 2012-040 Certifying Environmental Impact
5 Report No. 514 and Adopting Specific Plan No. 375, a copy of which is attached
6 hereto and incorporated herein by reference in its entirety.

7 e. Special circumstances or conditions have emerged that were unanticipated in
8 preparing the General Plan. There are three special circumstances or conditions
9 that have changed since the approval of the General Plan in 2003. The first special
10 circumstance is the application for the Project. The County has discouraged
11 smaller General Plan amendments in the desert areas in an attempt to curb further
12 urban sprawl. In 2003, the General Plan gave special consideration for three larger
13 scale Specific Plan projects in the desert areas that were in the design phase at the
14 time. Specific Plan No. 375 was not one of the three; however, the inclusion of the
15 three, along with the General Plan recognizing the possibility of the creation of new
16 towns, implies that new large scale communities do not constitute sprawl and
17 would be permitted by the General Plan. Following this logic, the accumulation of
18 land holdings and landowner consent to form a large scale community sized project
19 is something that was not foreseen by the General Plan, and is a special
20 consideration in and of itself. The Community Development changes include a 15
21 acre parcel going from Commercial Tourist to Specific Plan, and a 166 acre parcel
22 going from Public Facilities to Specific Plan. These proposed changes must be
23 taken in context of the entire proposal which because of its size, will grant the
24 opportunity to be a new community. The General Plan permits new communities,
25 so long as they are separated by natural boundaries, located along transportation
26 corridors, and can provide adequate public facilities. The Project makes such
27 provisions. The second special circumstance or condition that has emerged and
28 was unanticipated is the ability to continue viable agriculture production has been

1 diminished. As evidenced by an additional report included in the Specific Plan,
2 substantial evidence exists to show that the Project area is not a viable location for
3 the continuation of agricultural uses. The conditions described in the report have
4 accelerated since the General Plan adoption in 2003. Additionally, competition
5 from foreign agriculture production has further impacted the ability to viably
6 produce agricultural products. Thus, the Project site is less viable for produce
7 production than it was in 2003 and constitutes a special circumstance or condition.
8 The third special circumstance or condition that has emerged and was unanticipated
9 is the further deterioration of the Salton Sea since 2003 which has contributed to a
10 need for both funding and infrastructure to assist in the revitalization of the Salton
11 Sea, a vital resource to the economy and community infrastructure of the Eastern
12 Coachella Valley Area Plan. The Project is required to create a Infrastructure
13 Financing District and annually contribute to their efforts. This IFD is specifically
14 created with assisting in Salton Sea restoration efforts.

15 14. General Plan Amendment No. 910 will not be detrimental to public health, safety, and
16 welfare as shown herein and detailed further by the mitigations measures listed in Board of
17 Supervisors' Resolution No. 2012-040 Certifying Environmental Impact Report No. 514
18 and Adopting Specific Plan No. 375, a copy of which is attached hereto and incorporated
19 herein by reference in its entirety.

20 15. The following potentially significant environmental impacts associated with the proposed
21 amendment and related cases (Specific Plan No. 375 and Change of Zone No. 7623) were
22 identified in Environmental Impact Report No. 514:

23 a. The following impacts were identified in Environmental Impact Report No. 514 as
24 potentially significant - Biology, Geology and Soils, Hazards and Hazardous
25 Materials, Hydrology and Water Quality, Mineral Resources, Population and
26 Housing, and Utilities. These impacts will be avoided or substantially lessened
27 (reduced to a level of insignificance) by the mitigations measures listed in Board of
28 Supervisors' Resolution No. 2012-040 Certifying Environmental Impact Report

1 No. 514 and Adopting Specific Plan No. 375, a copy of which is attached hereto
2 and incorporated herein by reference in its entirety.

3 b. Environmental Impact Report No. 514 also addressed significant and unavoidable
4 impacts on Aesthetics, Agricultural Resources, Air Quality, Cultural Resources,
5 Land Use and Planning, Noise, Public Services, Transportation and Traffic, and
6 Greenhouse Gases which will be only partially avoided or lessened by the
7 mitigation measures listed in Resolution No. 2012-040. According, overriding
8 findings were prepared in Resolution No. 2012-040 which are incorporated herein
9 by reference.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** Environmental
11 Impact Report No. 514 ("EIR") and finds that the EIR has been completed in compliance with CEQA and
12 that the EIR was presented to, reviewed, and considered by the Board of Supervisors prior to rendering its
13 decision and that the EIR reflects the independent judgment and analysis of the Board of Supervisors

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the findings
15 required by Public Resources Code Section 21081 with respect to each of the significant environmental
16 impacts of the project identified in the EIR, including the Statement of Overriding Considerations which
17 are set forth in Resolution 2012-040 and incorporated herein by reference.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
19 on this matter, including Environmental Impact Report No. 514, that it **ADOPTS** General Plan
20 Amendment No. 910 from "Agriculture: Agriculture (AG) (10 acre minimum), Community Development:
21 Commercial Tourist (CT) (0.20 – 0.35 FAR), Public Facilities (PF) (< 0.60 FAR), and Open Space –
22 Water (OS-W) to Specific Plan No. 375 – Travertine Point, a Community Development Specific Plan as
23 described herein and shown on the attached exhibits.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
25 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County
26 Planning Department, and that such documents are located at 4080 Lemon Street, Riverside, California.

27 ROLL CALL:

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

The foregoing is certified to be a true copy of a
resolution duly adopted by said Board of Super-
visors on the date therein set forth.

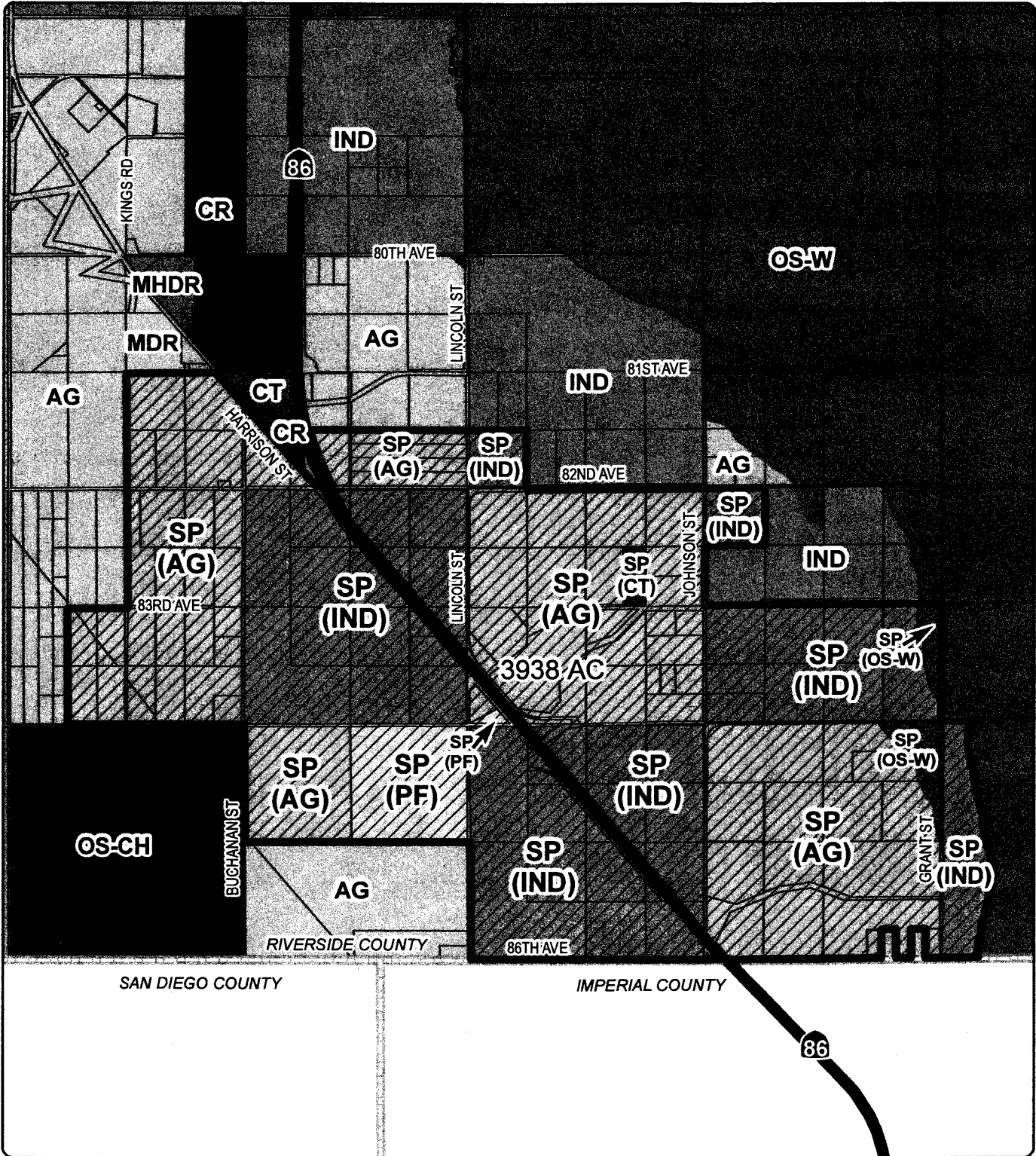
KECIA HARPER-IHEM Clerk of said Board

By _____ Deputy

RIVERSIDE COUNTY PLANNING DEPARTMENT
GPA00910 CZ07623 SP00375 EIR514
PROPOSED GENERAL PLAN

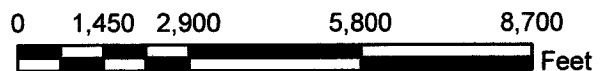
Supervisor Benoit
 District 4

Date Drawn: 8/15/11
 Exhibit 6



Zoning District: Lower Coachella Valley
 Township/Range: T8SR8E & T8SR9E
 Section: 19, 20, 25, 28, 29, 31, 32, 33, & 34

Assessors Bk. Pg. 737-09 > 29, 755-27 > 31
 Thomas Bros. Pg. 683 E5
 Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.tlma.co.riverside.ca.us/index.html>

RESOLUTION NO. 2012-040

CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514

AND ADOPTING SPECIFIC PLAN NO. 375

(TRAVERTINE POINT)

WHEREAS, pursuant to the provisions of *Government Code* Section 65450, *et seq.*, public hearings were held before the Riverside County Board of Supervisors in Riverside, California, on August 16, 2011 and December 13, 2011, and before the Riverside County Planning Commission in La Quinta, California on May 25, 2011, and in Perris, California on June 15, 2011, to consider Specific Plan No. 375 (Travertine Point); and

WHEREAS, all of the provisions of the California Environmental Quality Act ("CEQA") and the Riverside County CEQA Implementing Procedures have been satisfied, and Environmental Impact Report (EIR) No. 514, prepared in connection with Specific Plan No. 375 and related cases (referred to alternatively herein as "the project"), is sufficiently detailed so that all the potentially significant effects of the project on the environment, and all feasible measures to avoid or substantially lessen such effects have been evaluated in accordance with the above-referenced Act and Implementing 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 February 7, 2012 that:

A. The above recitations are true and constitute findings of the Board of Supervisors with respect to the project.

B. Specific Plan No. 375 (Travertine Point) is a 4,918 acre master planned community, located along the east and west sides of California State Route (SR-86S), and spanning three different jurisdictions, Riverside County, Imperial County and the sovereign Nation of the Torres Martinez Desert Cahuilla Indians. 3,938 acres is within Riverside County and 980 acres is within Imperial County. Approximately 1,410 acres of the total Specific Plan acreage consists of land located under

FORM APPROVED COUNTY COUNSEL
BY:  DATE: 2/11/12
TIFFANY N. NORTH

1 the jurisdiction of the sovereign Nation of the Torres Martinez Desert Cahuilla Indians, 763 acres of
2 which is in Riverside County and 647 acres in Imperial County. While the project will include all
3 three jurisdictions, the total acreage under the direct jurisdiction of Riverside County and the subject
4 of this resolution is approximately 3,175 acres. The portion of the project within the Riverside
5 County extends from 81st Avenue to the Imperial County line. Overall, the entire project proposes
6 the construction of 16,655 residential units on approximately 2,853 acres, and 5,029,500 square feet
7 of non-residential development (retail, office, industrial, etc.) on approximately 668 acres (including
8 mixed use acres), as well as parks, open space and public facilities. The portion of the project located
9 within the jurisdiction of Riverside County, and the only portion approved by this Resolution,
10 consists of up to 14,640 residential units and 3,443,100 square feet of non-residential development.

11 C. Specific Plan No. 375 is associated with General Plan Amendment No. 910, which
12 was considered concurrently at the public hearings before the Planning Commission and Board of
13 Supervisors. General Plan Amendment No. 910 proposes to amend the Land Use Element of the
14 General Plan as it applies to the project site. General Plan Amendment No. 910 is comprised of
15 several components. The first component is a Technical Amendment to clarify and eliminate a
16 source of confusion with regard to the sovereign lands within the project. The second component is
17 an Entitlement/Policy Amendment to amend the Land Use Map designations from Agriculture (AG),
18 Community Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space–Water
19 (OS-W) to Specific Plan No. 375 – Travertine Point. Specific Plan No. 375 is a Community
20 Development Foundation Component Specific Plan which establishes Business Park (BP),
21 Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential
22 (MDR), Medium High Density Residential (MHDR), Very High Density Residential (VHDR),
23 Highest Density Residential (HDR), Public Facility (PF), Open Space–Recreation (OS-R), Open
24 Space Conservation (OS-C), and Open Space–Water (OS-W) designations, as reflected on the
25 Specific Plan Land Use Plan. The third component of General Plan Amendment No. 910 is an
26 Agriculture Foundation Component amendment utilizing the County’s 7% conversion allowed under
27 the Administration Element of the General Plan.

28 D. Specific Plan No. 375 is also associated with Change of Zone Case No. 7623, which

1 was considered concurrently at the public hearings before the Planning Commission and the Board of
2 Supervisors. Change of Zone Case No. 7623 proposes to change the existing zoning classifications
3 of Light Agriculture with a 10 and 20 Acre Minimum (A-1-10, A-1-20), Heavy Agriculture with a 10
4 and 20 Acre Minimum (A-2-10, A-2-20), and Controlled Development (W-2), to Specific Plan (SP).
5 The SP zoning designation would establish those development standards required to implement the
6 Specific Plan.

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Riverside, in
8 regular session assembled on February 7, 2012, that certain environmental impacts associated with
9 the project are potentially significant, but will be avoided or mitigated to a less than significant level—
10 to the maximum extent feasible – by the mitigation measures that have been required in, or
11 incorporated into, the project, as fully set forth in Section IV of the “CEQA Findings and Statement
12 of Overriding Considerations of the Board of Supervisors of Riverside County for the Travertine
13 Point Specific Plan Revised Draft Environmental Impact Report No. 514” (“CEQA Findings”),
14 attached hereto as Exhibit A and incorporated herein by this reference.

15 **BE IT FURTHER RESOLVED** by the Board of Supervisors that certain environmental
16 impacts associated with the project cannot be mitigated to a level of less than significant, and will be
17 only partially avoided or lessened by the mitigation measures that have been required in, or
18 incorporated into, the project, as fully set forth in Section III of the attached CEQA Findings. Further
19 or additional mitigation for such impacts is deemed infeasible for the reasons specified in *Public*
20 *Resources Code* section 21081(a)(3). A Statement of Overriding Considerations is hereby adopted
21 for each of these significant and unavoidable impacts, as fully set forth in Section VII of the attached
22 CEQA Findings.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that certain potential
24 environmental impacts associated with the project will be less than significant, and thus do not
25 require the imposition of any mitigation measures, as fully set forth in Section V of the attached
26 CEQA Findings.

27 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has considered the
28 project alternatives identified in the EIR No. 514, in light of the environmental impacts of the project

1 that cannot be mitigated to a level of less than significant, and it is rejecting those alternatives
2 because the alternatives: (1) fail to substantially lessen or avoid all of the significant and unavoidable
3 impacts of the project; (2) have one or more impacts that are more severe than the project; and/or (3)
4 fail to adequately achieve some of the basic project objectives, as fully set forth in Section VI of the
5 attached CEQA Findings.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has balanced the
7 benefits of the project against the unavoidable adverse environmental effects thereof, and has
8 determined that the economic, legal, social, technological, or other benefits of the project, including
9 region-wide or state-wide benefits, outweigh the unavoidable adverse environmental effects of the
10 project, thus making such effects acceptable, as fully set forth in Section VII of the attached CEQA
11 Findings.

12 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 375 will
13 implement applicable elements of the Riverside County General Plan as follows:

14 A. Land Use Element

15 The Land Use Element designates the general distribution and intensity of all uses of
16 the land in the County. This includes residential, commercial, industrial, public
17 facilities, and open space uses. It also provides development standards related to each
18 land use category, and general policy level direction for an array of land use-related
19 issues such as hillside development and community design. The project concentrates
20 development along the northwestern shore of the Salton Sea, and will accommodate
21 expected population growth in the area with a wide variety of housing and
22 employment options. The project consists of sustainable, compact new development
23 with substantial on-site jobs and a mobility plan that links roadways, trails, and future
24 mass transit stops in an effort to reduce vehicle miles traveled. The project's
25 sustainable design and critical mass of residents and businesses will significantly
26 reduce greenhouse gas emissions from both mobile and stationary sources, as
27 compared to conventional or "business as usual" development. The concentration of
28 development also promotes the preservation of substantial open space and agricultural

1 operations within the project and surrounding area by preserving sensitive habitat
2 areas and avoiding urban sprawl. The project is participating in regional
3 transportation improvements and other major circulation improvements in the area.
4 Project related employment opportunities, recreational facilities, open space, flood
5 control facilities, water and sewer facilities, and commercial and residential uses are
6 intended to serve both existing and future residents of the East Coachella Valley Area
7 Plan.

8 B. Administration Element

9 The Administration Element incorporates policies and procedures for administering
10 the General Plan, including providing for coordination with other jurisdictions in
11 approving land development actions of mutual interest and designing implementation
12 programs that ensure consistency with the General Plan. Here, the project's conditions
13 of approval require coordination with both Imperial County and the Torres Martinez
14 Desert Cahuilla Indians. In addition, the project incorporates development triggers
15 for both jobs and public facilities to ensure that future residents have adequate
16 facilities and services during buildout of the project, consistent with the Riverside
17 County Vision embodied within the General Plan. Finally, the project includes a
18 "District Refinement Plan" process so that as the project is developed, the individual
19 districts will be further reviewed by the County to ensure consistency with the General
20 Plan policies .

21 C. Circulation Element

22 The Circulation Element of the General Plan is intended to accommodate a pattern of
23 concentrated growth, rather than random sprawl, that incorporates transportation
24 corridors between distinct growth centers containing both jobs and housing, as well as
25 multimodal circulation systems that promote transit, pedestrian and bicycle facilities.
26 The project is consistent with these General Plan policies by concentrating planned
27 growth, incorporating a multimodal transportation plan that emphasizes transit and
28 other alternatives to the automobile, and requiring the creation of jobs to coincide with

1 residential development. In addition, the project will construct or contribute its fair
2 share of the cost of local and regional transportation improvement needed to serve the
3 project and future growth in the area, including the widening of State Route 86-S.

4 D. Housing Element

5 The Housing Element assesses current and projected housing needs, and sets out
6 policies and proposals for the improvement of housing and the provision of adequate
7 sites for housing to meet the needs of all economic segments of the County. The
8 project promotes the Housing Element goal of providing a selection of housing that is
9 decent, safe, in close proximity to jobs and daily activities, and which varies by
10 location, type, design, and price. The project includes a substantial affordable housing
11 requirement, and is designed to concentrate housing near job and transportation hubs.

12 E. Multipurpose Open Space Element

13 The Multipurpose Open Space Element of the General Plan recognizes the importance
14 to Riverside County of acquiring, preserving and protecting natural open space, as
15 well as preserving cultural resources and providing recreational opportunities. The
16 project promotes and implements the Open Space Element by preserving substantial
17 amounts of natural open space, including areas known to contain sensitive cultural
18 resources, and by protecting adjacent open space areas such as the Anza-Borrego
19 Desert State Park. In particular, the project includes physical barriers to inhibit
20 unauthorized access to the Anza-Borrego Desert State Park, including a steep
21 embankment in the drainage channel running along the western boundary of the
22 project, as well as fencing and landscaping with thorny native vegetation.

23 F. Safety Element

24 The Safety Element facilitates the identification and mitigation of hazards for new
25 development projects, including seismic hazards, slope and soil instability hazards,
26 flood hazards and fire hazards. The project implements these Safety Element policies
27 by incorporating mitigation measures to fully address these potential hazards, as set
28 forth in detail in the attached CEQA Findings and Final EIR.

1 G. Noise Element

2 The Noise Element provides a systematic approach for identifying and addressing
3 noise problems in the community, including policies, standards and criteria for
4 ensuring that new development does not create or expose future residents to excessive
5 noise levels. The project implements these policies by incorporating mitigation
6 measures to substantially lessen or avoid noise-related impacts to the maximum extent
7 feasible, as set forth in the attached CEQA Findings and Final EIR. As such, the
8 project is consistent with this General Plan Element.

9 H. Air Quality

10 The Air Quality Element identifies goals, policies and programs designed to balance
11 the County's land use decisions with their potential effects on air quality. The project
12 implements these policies by incorporating mitigation measures that substantially
13 reduce or avoid air quality impacts to the maximum extent feasible, as described in
14 detail in the attached CEQA Findings and Final EIR. These mitigation measures
15 substantially reduce emissions from grading and construction activities, stationary
16 sources, and mobile sources. In addition, the project design promotes the Air Quality
17 Element by concentrating planned growth in a new town that reduces overall vehicle
18 emissions by locating jobs near residences, and by promoting alternative
19 transportation options. Finally, the project will assist in the ongoing efforts of the
20 Salton Sea Authority to fund and implement restoration efforts that will minimize or
21 avoid dust impacts from the exposed Salton Sea playa. Therefore, the project is
22 consistent with the Air Quality Element.

23 I. Healthy Community Element

24 The Healthy Communities Element promotes quality of life within Riverside County
25 by incorporating public health elements into new communities. The project
26 implements these policies by creating a walkable town district that combines
27 commercial, civic and residential uses, and connects these uses to the rest of the
28 project through an extensive trails network. The project also includes a

1 comprehensive system of parks, trails and recreational amenities to promote active and
2 healthy living. Accordingly, the project is consistent with the Healthy Communities
3 Element.

4 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 375 is
5 consistent with the General Plan as amended by General Plan Amendment No. 910.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has reviewed and
7 considered the information contained in EIR No. 514 in evaluating the project, that EIR No. 514 is an
8 accurate and objective statement that complies with the California Environmental Quality Act and
9 reflects the Board of Supervisors' independent judgment, and that EIR No. 514 is incorporated herein
10 by this reference.

11 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it hereby **CERTIFIES**
12 EIR No. 514 and **ADOPTS** the Mitigation Monitoring and Reporting Program specified therein,
13 which describes the project's mitigation measures that will be made fully enforceable through
14 conditions of approval for Specific Plan No. 375, or the subdivision maps, conditional use permits or
15 other implementing development approvals filed thereunder, or through other enforceable measures
16 lawfully imposed by the County. The Mitigation Monitoring and Reporting Program is attached
17 hereto as Exhibit B and incorporated herein by this reference.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it hereby **ADOPTS**
19 Specific Plan No. 375, including the final conditions of approval and exhibits, as the Specific Plan of
20 Land Use for the real property described and shown in the Specific Plan, and said real property shall
21 be developed substantially in accordance with the Specific Plan, unless the Specific Plan is amended
22 by the Board.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of Specific Plan
24 No. 375 shall be placed on file in the Office of the Clerk of the Board, in the Office of the Planning
25 Director, and in the Office of the Building and Safety Director, and that no applications for
26 subdivision maps, conditional use permits or other development approvals shall be accepted for the
27 real property described and shown in the Specific Plan, unless such applications are substantially in
28 accordance therewith.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

BE IT FURTHER RESOLVED by the Board of Supervisors that the custodians of the documents upon which this decision is based are the Clerk of the Board of Supervisors and the County Planning Department, and that such documents are located at 4080 Lemon Street, Riverside, California.

ROLL CALL:

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

The foregoing is certified to be a true copy of a resolution duly adopted by said Board of Supervisors on the date therein set forth.

KECIA HARPER-IHEM, Clerk of said Board

By: _____
Deputy

1 uses identified under Section 6.1.b. shall also include multiple family dwellings;
2 recycling collection facilities; guest quarters; power generation and distribution
3 facilities, including solar, wind, geothermal, and other alternative forms to
4 traditional hydrocarbon-based energy; and walkable commercial uses subject to a
5 plot plan as defined in Section 2.a.(6) of this Ordinance. In addition, the permitted
6 uses identified under Section 6.1.c. of Ordinance No. 348 shall also include cell
7 towers concealed within architectural projections or similar structures; congregate
8 care residential facilities; day care centers; private schools; and walkable
9 commercial uses as defined in Section 2.a.(6) of this Ordinance.

- 10 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
11 Planning Areas 1-9, 1-14, 3-2 and 3-6, of Specific Plan No. 375 the uses permitted
12 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance
13 No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12),
14 (14) and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4),
15 (5), (6), (7), (9), (10) and (11) shall not be permitted.

16 No use, other than an agricultural use and any use incidental thereto permitted in
17 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject
18 to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-
19 9, 1-14, 3-2 and 3-6 of Specific Plan No. 375 until such time as Map Nos. 162, 171,
20 359 and 777 of Coachella Valley Agricultural Preserves Nos. 27, 31, and 97 have
21 been diminished or disestablished in the affected planning area and any
22 corresponding Williamson Act contract is no longer in effect for Planning Areas 1-
23 9, 1-14, 3-2 and 3-6. Prior to issuance of a grading permit for uses other than the
24 aforementioned agricultural uses within Planning Areas 1-9, 1-14, 3-2 and 3-6 of
25 Specific Plan No. 375, all agricultural uses including uses incidental thereto within
26 the affected planning area shall cease and shall no longer be a permitted use.
27
28

1 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
2 and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6 of
3 Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas
4 1-2, 1-3, 1-20, 2-1, 2-6, 2-10, 3-7 and 3-8 of Specific Plan No. 375.

5 (3) The development standards for interim agriculture uses within Planning Areas 1-2,
6 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 shall be the same
7 standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

8 (4) The development standards for one family dwellings, within Planning Areas 1-2,
9 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375
10 shall be the same standards as those identified in Article XVIII, Section 18.5 of
11 Ordinance No. 348 except that the development standards set forth in Article
12 XVIII, Section 18.5.b., c., and e. shall be deleted and replaced with the following:

13 A. Residential lot area shall be not less than three thousand five hundred
14 (3,500) square feet.

15 B. The minimum average width of each lot shall be forty feet (40') and the
16 minimum average depth shall be forty-five feet (45').

17 C. The minimum frontage of a lot along a straight street shall be thirty-five
18 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
19 frontage along curvilinear streets shall be measured at the building setback
20 in accordance with zone development standards.

21 D. The maximum building height shall be forty feet (40').

22 E. In no case shall more than eight-five percent (85%) of any lot be covered
23 by a dwelling.
24

25 ///

26 ///

27 ///

28 ///

- 1 F. The minimum space between buildings shall be ten feet (10').
- 2 G. The front yard shall be not less than five feet (5'), measured from the
3 existing street right-of-way or from any interior drive or future street right-
4 of-way.
- 5 H. Side yards on interior and through lots shall be not less than five feet (5').
6 Side yards on corner and reverse corner lots shall not be less than five feet
7 (5') from the existing street right-of-way or from any interior drive or
8 future street right-of-way as shown on any Specific Plan Circulation Plan,
9 whichever is nearer to the structure, upon which the main building sides.
- 10 I. The rear yard shall be not less than ten feet (10') from any property line or
11 interior drive, except that second floor living space and balconies located
12 in the rear yard shall be permitted within eight feet (8') of the rear property
13 line and garages shall be permitted within five feet (5') of the rear property
14 line.
- 15 J. Fireplaces, media niches, bay windows, porches, window boxes, and
16 similar architectural features shall be allowed to encroach a maximum of
17 two and one-half feet (2.5') into setbacks. At least one side of the
18 structure shall maintain a minimum four foot (4') side yard setback with
19 no encroachments. Media niches shall be a maximum of eight feet (8') in
20 width. No second floor structural encroachments shall be permitted within
21 eight feet (8') of the rear property line. No other structural encroachments
22 shall be permitted in the front, rear, or side yard setback except as
23 provided for in Section 18.19 of Ordinance No. 348.
- 24 K. The minimum private usable yard space per dwelling unit shall be three
25 hundred (300) square feet, with a minimum yard dimension of four (4) by
26 four (4) feet.
27
28

///

1 (5) The development standards for multiple family dwellings permitted in Planning
2 Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific
3 Plan No. 375, shall be the standards for Planned Residential Developments set
4 forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards
5 set forth in Section 18.5.b., c., and e. shall be deleted and replaced with the
6 following:

- 7 A. The maximum building height shall be forty-five feet (45').
- 8 B. No lot shall have more than sixty percent (60%) of its net area covered
9 with buildings or structures.
- 10 C. The minimum front and rear yard building setbacks from a project's
11 exterior streets and boundary lines shall be ten feet (10') and the minimum
12 side yard setback from a project's exterior streets and boundary lines shall
13 be five feet (5'). The minimum building setbacks from interior drives
14 shall be three feet (3'). Second floor living space and balconies shall be
15 permitted within eight feet (8') of the front, rear, or side property lines.
- 16 D. The distance between buildings shall be no less than fifteen feet (15')
17 where primary (e.g., front and/or rear) building setbacks are involved, and
18 no less than ten feet (10') where solely secondary (side) building setbacks
19 or accessory building setbacks are involved.
- 20 E. The minimum private usable yard space per residential unit shall be fifty
21 (50) square feet, with a minimum yard dimension of three (3) by (3) feet.
- 22 F. The maximum ratio of floor area to lot area shall not be greater than two to
23 one (2:1), not including basement floor area.

24 (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-
25 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
26 building square footage in any one planning area.
27
28

///

1 A. The following uses are permitted in a walkable commercial area of
2 Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and
3 3-8 of Specific Plan No. 375 provided a plot plan has been approved
4 pursuant to Section 18.30 of Ordinance No. 348: antique shops; art
5 galleries; art supply shops and studios; bakery shops, including baking
6 only when incidental to retail sales on the premises; banks and financial
7 institutions; bicycle sales and rentals; book stores and binders; clothing
8 stores; convenience stores, not including the sale of motor vehicle fuel;
9 delicatessens; florist's shops; food markets and frozen food lockers; gift
10 shops; golf cart sales and service; grocery, dry goods, health food, and
11 variety stores; hardware stores, including not more than one thousand
12 (1,000) square feet of outside storage lumber; hobby shops; ice cream
13 shops; interior decorating shops; jewelry stores, including incidental
14 repairs; laundries and laundromats; laundries, with dry cleaning shops;
15 leather goods stores; libraries; locksmith shops; meat markets, not
16 including slaughtering; music stores; neighborhood electric vehicle (NEV)
17 sales and service; news stores; non-profit community centers; notions or
18 novelty stores; nurseries and garden supply stores; parcel delivery services
19 (stores); pet shops and pet supply shops; post offices; produce markets;
20 real estate offices; residences, live-work dwellings; restaurants and other
21 eating establishments; shoe stores and repair shops; shoeshine stands; spas,
22 including day spas and medical spas; sporting goods stores; stationer
23 stores; studios for professional work in or teaching of any form of fine arts,
24 including but not limited to photography, music, drama, and dance, where
25 no stock of goods is maintained for sale; tailor shops; tourist information
26 centers; toy shops; travel agencies; utilities, both public and private; and
27 watch repair shops.
28

1 In addition, the following uses shall be permitted, provided a conditional
2 use permit has been approved pursuant to the provisions of Section 18.28
3 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns,
4 clinics, including but not limited to medical, dental and chiropractic; and
5 micro-breweries and micro-winerries.

6 B. The development standards for walkable commercial uses within Planning
7 Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of
8 Specific Plan No. 375, shall be the same standards as identified in Article
9 IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth
10 in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with
11 the following:

- 12 (a) No more than one walkable commercial use area shall be
13 permitted within each planning area.
- 14 (b) Walkable commercial uses may be located within and/or
15 adjacent to facilities owned and operated by a homeowners
16 association.
- 17 (c) The commercial building(s) and structure(s) that comprise the
18 walkable commercial use area shall be located at the
19 intersection of two streets on a corner lot with a minimum
20 distance of one thousand feet (1,000') between commercial
21 buildings or structures. Walkable commercial use building(s)
22 not located at an intersection shall require approval of a
23 conditional use permit.
- 24 (d) There shall be no minimum lot area for walkable commercial
25 uses. However, the maximum lot area shall be twenty thousand
26 (20,000) square feet. More than one use may be permitted on a
27 lot.
28

- 1 (e) Within any one walkable commercial use area, the total square
2 footage of commercial buildings shall not exceed ten thousand
3 (10,000) square feet.
- 4 (f) The minimum front yard setback and the minimum side yard
5 setback adjacent to any street shall be five feet (5'), measured
6 from the existing street right-of-way or from any future street
7 right-of-way
- 8 (g) The minimum side yard setback from a residential lot line shall
9 be ten feet (10').
- 10 (h) The minimum rear yard setback from a residential lot line shall
11 be ten feet (10'). The rear setback shall be measured from the
12 rear lot line or a recorded alley or easement unless the rear line
13 adjoins a street, in which case it shall be measured as required
14 for a front setback.
- 15 (i) All uses shall be conducted within buildings unless otherwise
16 expressly authorized by a plot plan or conditional use permit.
17 This requirement does not apply to off-street parking or loading
18 areas, automated teller machines, or outdoor seating areas for a
19 coffee shop, café, or restaurant.
- 20 (j) No outdoor storage shall be permitted.
- 21 (k) All trash areas and waste containers shall be enclosed within a
22 building or a fully-enclosed architectural structure that is
23 visually compatible with the main building.
- 24 (l) Hours of operation shall be limited from 6:00 A.M. to 10:00
25 P.M. except for automated tellers and similar operations.
- 26 (m) No commercial vehicle shall be parked on the street or on the
27 premises overnight except in an enclosed structure.
28

1 (n) Access for service vehicles should provide a direct route to
2 service and loading dock areas.

3 (7) Except as provided above, all other zoning requirements shall be the same as those
4 requirements identified in Article VI of Ordinance No. 348.

5
6 b. Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 (Medium-
7 High Density Residential).

8 (1) The uses permitted in Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-
9 11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those uses
10 permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses
11 permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); b.(1) and (5); and c.(1)
12 shall not be permitted. In addition, the permitted uses identified under Section
13 6.1.a. shall include community recreation and assembly buildings and facilities;
14 lakes, including the non-commercial fishing there from; second units provided a
15 second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348;
16 sport courts and recreational fields and facilities; and accessory buildings to a
17 specific use, provided that the accessory building is established as an incident to a
18 principal use, does not change the character of that use, and any applicable
19 provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition,
20 the permitted uses identified under Section 6.1.b. shall also include multiple
21 family dwellings; recycling collection facilities; guest quarters; power generation
22 and distribution facilities, including solar, wind, geothermal, and other alternative
23 forms to traditional hydrocarbon-based energy; and walkable commercial uses as
24 defined in Section 2.b.(6) of this Ordinance. In addition, the permitted uses
25 identified under Section 6.1.c. of Ordinance No. 348 shall also include cell towers
26
27
28

1 concealed within architectural projections or similar structures; congregate care
2 residential facilities; day care centers; private schools; and walkable commercial
3 uses as defined in Section 2.b.(6) of this Ordinance.

- 4
5 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
6 Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the
7 same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348.
8 No use, other than an agricultural use and any use incidental thereto permitted in
9 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
10 Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 until such time as
11 Map Nos.162, 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos.
12 27, 31, and 97 have been diminished or disestablished in the affected planning
13 area and any corresponding Williamson Act contract is no longer in effect for
14 Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4. Prior to issuance of a grading permit
15 for uses other than the aforementioned agricultural uses within Planning Areas 1-
16 13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375, all agricultural uses including
17 uses incidental thereto within the affected planning area shall cease and shall no
18 longer be a permitted use. Thereafter, the uses permitted on land formerly subject
19 to Agricultural Preserves and/or Williamson Act contracts within Planning Areas
20 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those
21 uses permitted in Planning Areas 1-1, 1-7, 1-8, 2-3, 2-8, 2-11 and 2-17 of Specific
22 Plan No. 375.
23
24

25
26 ///

27 ///

1 (3) The development standards for interim agriculture uses within Planning Areas 1-1,
2 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 shall be the same
3 standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

4 (4) The development standards for one family dwellings within Planning Areas 1-1, 1-
5 7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375
6 shall be the same standards as those identified in Article XVIII, Section 18.5 of
7 Ordinance No. 348 except that the development standards set forth in Article
8 XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:

9 A. Residential lot area shall be not less than three thousand five hundred
10 (3,500) square feet.

11 B. The minimum average width of each lot shall be forty feet (40') and the
12 minimum average depth shall be forty-five feet (45').

13 C. The minimum frontage of a lot along a straight street shall be thirty-five
14 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
15 frontage along curvilinear streets shall be measured at the building setback
16 in accordance with zone development standards.

17 D. The maximum building height shall be forty feet (40').

18 E. In no case shall more than eight-five percent (85%) of any lot be covered
19 by a dwelling.

20 F. The minimum space between buildings shall be ten feet (10').

21 G. The front yard shall be not less than five feet (5'), measured from the
22 existing street right-of-way or from any interior drive or future street right-
23 of-way. Porches at the front of the structure may encroach two and one-
24 half (2.5') into the front yard setback.

25 H. Side yards on interior and through lots shall be not less than five feet (5').
26 Side yards on corner and reverse corner lots shall not be less than five feet
27

28

1 (5') from the existing street right-of-way or from any interior drive or
2 future street right-of-way as shown on any Specific Plan Circulation Plan,
3 whichever is nearer to the structure, upon which the main building sides.

4 I. The rear yard shall be not less than ten feet (10') from any property line or
5 interior drive, except that second floor living space and balconies located
6 in the rear yard shall be permitted within eight feet (8') of the rear property
7 line, and garages shall be permitted within five feet (5') of the rear
8 property line.

9 J. Fireplaces, media niches, bay windows, porches, window boxes, and
10 similar architectural features shall be allowed to encroach a maximum of
11 two and one-half feet (2.5') into setbacks. At least one side of the
12 structure shall maintain a minimum four foot (4') side yard setback
13 regardless of encroachments. Media niches shall be a maximum of eight
14 feet (8') in width. No second floor structural encroachments shall be
15 permitted within eight feet (8') of the rear property line. No other
16 structural encroachments shall be permitted in the front, rear, or side yard
17 setback except as provided for in Section 18.19 of Ordinance No. 348.

18 K. No dwelling unit shall be constructed unless it has a minimum floor living
19 area of seven hundred fifty (750) square feet. Porches, garages, patios, and
20 similar features, whether attached or detached to a dwelling, shall not be
21 included when calculating the floor living area.

22 L. The minimum private usable yard space per residential unit shall be three
23 (300) square feet, with a minimum yard dimension of four (4) by four (4)
24 feet.
25

26
27 ///

28 ///

- 1 (5) The development standards for multiple family dwellings permitted in Planning
2 Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific
3 Plan No. 375 shall be the standards for Planned Residential Developments set forth
4 in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set
5 forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:
- 6 A. The maximum building height shall be forty-five feet (45').
 - 7 B. No lot shall have more than sixty percent (60%) of its net area covered
8 with buildings or structures.
 - 9 C. The minimum front and rear yard building setbacks from a project's
10 exterior streets and boundary lines shall be ten feet (10') and the minimum
11 side yard setback from a project's exterior streets and boundary lines shall
12 be five feet (5'). The minimum building setbacks from interior drives
13 shall be three feet (3'). Second floor living space and balconies shall be
14 permitted within eight feet (8') of the front, rear, or side property lines.
 - 15 D. The distance between buildings shall be no less than fifteen feet (15')
16 where primary (e.g., front and/or rear) building setbacks are involved and
17 no less than ten feet (10') where solely secondary (side) building setbacks
18 or accessory building setbacks are involved.
 - 19 E. The minimum private usable yard space per residential unit shall be fifty
20 (50) square feet, with a minimum yard dimension of three (3) by three (3)
21 feet.
 - 22 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
23 than two to one (2:1), not including basement floor area.
 - 24 G. No multi-family dwelling unit shall be constructed unless it has a
25 minimum floor living area of seven hundred fifty (750) square feet.
26 Porches, garages, patios, and similar features, whether attached or
27
28

1 detached to a dwelling, shall not be included when calculating the floor
2 living area.

3
4 (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-
5 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
6 building square footage in any one planning area.

7 A. The following uses are permitted in a walkable commercial use area
8 of Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1
9 and 3-4 of Specific Plan No. 375 provided a plot plan has been approved
10 pursuant to Section 18.30 of Ordinance No. 348: antique shops; art
11 galleries; art supply shops and studios; bakery shops, including baking only
12 when incidental to retail sales on the premises; banks and financial
13 institutions; bicycle sales and rentals; book stores and binders; clothing
14 stores; convenience stores, not including the sale of motor vehicle fuel;
15 delicatessens; florist's shops; food markets and frozen food lockers; gift
16 shops; golf cart sales and service; grocery, dry goods, health food, and
17 variety stores; hardware stores, including not more than one thousand
18 (1,000) square feet of outside storage lumber; hobby shops; ice cream
19 shops; interior decorating shops; jewelry stores, including incidental repairs;
20 laundries and laundromats; laundries, with dry cleaning shops; leather goods
21 stores; libraries; locksmith shops; meat markets, not including slaughtering;
22 music stores; neighborhood electric vehicle (NEV) sales and service; news
23 stores; non-profit community centers; notions or novelty stores; nurseries
24 and garden supply stores; parcel delivery services (stores); pet shops and pet
25
26
27
28

1 supply shops; post offices; produce markets; real estate offices; residences,
2 live-work dwellings; restaurants and other eating establishments; shoe stores
3 and repair shops; shoeshine stands; spas, including day spas and medical
4 spas; sporting goods stores; stationery stores; studios for professional work
5 in or teaching of any form of fine arts, including but not limited to
6 photography, music, drama, and dance, where no stock of goods is
7 maintained for sale; tailor shops; tourist information centers; toy shops;
8 travel agencies; utilities, both public and private; and watch repair shops.
9 In addition, the following uses shall be permitted provided a conditional use
10 permit has been approved pursuant to the provisions of Section 18.28 of
11 Ordinance No. 348: bars and cocktail lounges, bed and breakfast inns,
12 clinics, including but not limited to medical, dental and chiropractic, and
13 micro-breweries and micro-winereries.
14

15
16 B. The development standards for walkable commercial uses within Planning
17 Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of
18 Specific Plan No. 375, shall be the same standards as identified in Article
19 IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth
20 in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with
21 the following:

22 (a) No more than one walkable commercial use area shall be
23 permitted within each planning area.

24 (b) Walkable commercial uses may be located within and/or
25 adjacent to facilities owned and operated by a homeowners
26 association.
27

28 ///

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
- (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
- (e) Within any one walkable commercial area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
- (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
- (g) The minimum side yard setback from a residential lot line shall be ten feet (10').
- (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

///
///
///

- 1 (i) All uses must be conducted within buildings unless otherwise
2 expressly authorized by a plot plan or conditional use permit
3 condition of approval. This requirement does not apply to off-
4 street parking or loading areas, automated teller machines, or
5 outdoor seating areas for a coffee shop, café, or restaurant.
- 6 (j) No outdoor storage shall be permitted.
- 7 (k) All trash areas and waste containers shall be enclosed within a
8 building or a fully enclosed architectural structure that is
9 visually compatible with the main building.
- 10 (l) Hours of operation shall be limited from 6:00 A.M. to 10:00
11 P.M. except for automated tellers and similar operations.
- 12 (m) No commercial vehicle shall be parked on the street or on the
13 premises overnight except in an enclosed structure.
- 14 (n) Access for service vehicles should provide a direct route to
15 service and loading dock areas.

16 (7) Except as provided above, all other zoning requirements shall be the same as those
17 requirements identified in Article VI of Ordinance No. 348.

18 c. Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 (High Density Residential).

- 19 (1) The uses permitted in Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific
20 Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of
21 Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3),
22 (5), (7), (8) and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the
23 permitted uses identified under Section 6.1.a. shall include community recreation
24 and assembly buildings and facilities; lakes, including the non-commercial fishing
25 there from; second units provided a second unit permit is obtained pursuant to
26 Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and
27 facilities; and accessory buildings to a specific use, provided that the accessory
28

1 building is established as an incident to a principal use, does not change the
2 character of that use, and any applicable provisions of Section 18.18 of Ordinance
3 No. 348 are complied with. In addition, the permitted uses identified under
4 Section 6.1.b. shall also include multiple family dwellings; recycling collection
5 facilities; guest quarters; power generation and distribution facilities, including
6 solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-
7 based energy; and walkable commercial uses subject to a plot plan as defined in
8 Section 2.c.(6) of this Ordinance. In addition, the permitted uses identified under
9 Section 6.1.c. shall also include cell towers concealed within architectural
10 projections or similar structures; congregate care residential facilities; day care
11 centers; private schools; and walkable commercial uses as defined in Section
12 2.c.(6) of this Ordinance.

13 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the
14 uses permitted in Planning Areas 1-16 and 1-17 of Specific Plan No. 375 shall be
15 the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
16 348. No use, other than an agricultural use and any use incidental thereto
17 permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within
18 Planning Areas 1-16 and 1-17 of Specific Plan No. 375 until such time as Map No.
19 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 31 and 97 has
20 been diminished or disestablished in the planning area and any corresponding
21 Williamson Act contract is no longer in effect for Planning Areas 1-16 and 1-17.
22 Prior to issuance of a grading permit for uses other than the aforementioned
23 agricultural uses within Planning Areas 1-16 and 1-17 of Specific Plan No. 375, all
24 agricultural uses including uses incidental thereto within these planning areas shall
25 cease and shall no longer be a permitted use.

26
27 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
28 and/or Williamson Act contracts within Planning Areas 1-16 and 1-17 of Specific

1 Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-11, 1-
2 15 and 2-9 of Specific Plan No. 375.

3 (3) The development standards for interim agriculture uses within Planning Areas 1-
4 11, 1-15, 1-16, 1-17 and 2-9 shall be the same standards as identified in Article
5 XIII, Section 13.2 of Ordinance No. 348.

6 (4) The development standards for one family dwellings within Planning Areas 1-11,
7 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the same standards as
8 those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that
9 the development standards set forth in Article XVIII, Section 18.5.b., c. and e.
10 shall be deleted and replaced with the following:

11 A. Residential lot area shall be not less than one thousand eight hundred
12 (1,800) square feet.

13 B. The minimum average width of each lot shall be forty feet (40') and the
14 minimum average depth shall be forty feet (40').

15 C. The minimum frontage of a lot along a straight street shall be thirty-five
16 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
17 frontage along curvilinear streets shall be measured at the building setback
18 in accordance with zone development standards.

19 D. The maximum building height shall be forty feet (40').

20 E. In no case shall more than eight-five percent (85%) of any lot be covered
21 by a dwelling.

22 F. The minimum space between buildings shall be ten feet (10').

23 G. The front yard shall be not less than five feet (5'), measured from the
24 existing street right-of-way or from any interior drive or future street right-
25 of-way. Porches at the front of the structure may encroach two and one-
26 half feet (2.5') into the front yard setback.
27
28

- 1 H. Side yards on interior and through lots shall be not less than five feet (5').
2 Side yards on corner and reverse corner lots shall be not less than five feet
3 (5') from the existing street right-of-way or from any interior drive or
4 future street right-of-way as shown on any Specific Plan Circulation Plan,
5 whichever is nearer to the structure, upon which the main building sides.
- 6 I. The rear yard shall be not less than ten feet (10') from any property line or
7 interior drive, except that second floor living space and balconies located
8 in the rear yard shall be permitted within eight feet (8') of the rear property
9 line, and garages shall be permitted within five feet (5') of the rear
10 property line.
- 11 J. Fireplaces, media niches, bay windows, porches, window boxes, and
12 similar architectural features shall be allowed to encroach a maximum of
13 two and one-half feet (2.5') into setbacks. At least one side of the
14 structure shall maintain a minimum four foot (4') side yard setback
15 regardless of encroachments. Media niches shall be a maximum of eight
16 feet (8') in width. No second floor structural encroachments shall be
17 permitted within eight feet (8') of the rear property line. No other
18 structural encroachments shall be permitted in the front, rear, or side yard
19 setback except as provided for in Section 18.19 of Ordinance No. 348.
- 20 K. No dwelling unit shall be constructed unless it has a minimum floor living
21 area of not less than seven hundred fifty (750) square feet. Porches,
22 garages, patios, and similar features, whether attached or detached to a
23 dwelling, shall not be included when calculating the floor living area.
- 24 L. The minimum private usable yard space per residential unit shall be three
25 hundred (300) square feet, with a minimum yard dimension of four (4) by
26 four (4) feet.
27
28

1 (5) The development standards for multiple family dwellings permitted in Planning
2 Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375, shall be the
3 standards for Planned Residential Developments set forth in Article XVIII, Section
4 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c.
5 and e. shall be deleted and replaced with the following:

- 6 A. The maximum building height shall be fifty feet (50').
- 7 B. No lot shall have more than sixty percent (60%) of its net area covered
8 with buildings or structures.
- 9 C. The minimum front and rear yard building setbacks from a project's
10 exterior streets and boundary lines shall be ten feet (10') and the minimum
11 side yard setback from a project's exterior streets and boundary lines shall
12 be five feet (5'). The minimum building setbacks from interior drives
13 shall be three feet (3'). Second floor living space and balconies shall be
14 permitted within eight feet (8') of the front, rear, or side property lines.
- 15 D. The distance between buildings shall be no less than fifteen feet (15')
16 where primary (e.g., front and/or rear) building setbacks are involved, and
17 no less than ten feet (10') where solely secondary (side) building setbacks
18 or accessory building setbacks are involved.
- 19 E. The minimum private usable yard space per residential unit shall be fifty
20 (50) square feet, with a minimum yard dimension of three (3) by three (3)
21 feet.
- 22 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
23 than two to one (2:1), not including basement floor area.

24 (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-
25 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
26 building square footage in any one planning area.
27
28

1 A. The following uses are permitted in a walkable commercial use area of
2 Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375
3 provided a plot plan has been approved pursuant to the provisions of
4 Section 18.30 of Ordinance No. 348: antique shops; art galleries; art
5 supply shops and studios; bakery shops, including baking only when
6 incidental to retail sales on the premises; banks and financial institutions;
7 bicycle sales and rentals; book stores and binders; clothing stores;
8 convenience stores, not including the sale of motor vehicle fuel;
9 delicatessens; florist's shops; food markets and frozen food lockers; gift
10 shops; golf cart sales and service; grocery, dry goods, health food, and
11 variety stores; hardware stores, including not more than one thousand
12 (1,000) square feet of outside storage lumber; hobby shops; ice cream
13 shops; interior decorating shops; jewelry stores, including incidental
14 repairs; laundries and laundromats; laundries, with dry cleaning shops;
15 leather goods stores; libraries; locksmith shops; meat markets, not
16 including slaughtering; music stores; neighborhood electric vehicle (NEV)
17 sales and service; news stores; non-profit community centers; notions or
18 novelty stores; nurseries and garden supply stores; parcel delivery services
19 (stores); pet shops and pet supply shops; post offices; produce markets;
20 real estate offices; residences, live-work dwellings; restaurants and other
21 eating establishments; shoe stores and repair shops; shoeshine stands; spas,
22 including day spas and medical spas; sporting goods stores; stationery
23 stores; studios for professional work in or teaching of any form of fine arts,
24 including but not limited to photography, music, drama, and dance, where
25 no stock of goods is maintained for sale; tailor shops; tourist information
26 centers; toy shops; travel agencies; utilities, both public and private; and
27 watch repair shops.
28

1 In addition, the following uses shall be permitted, provided a conditional
2 use permit has been granted pursuant to the provisions of Section 18.28 of
3 Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn,
4 clinics, including but not limited to medical, dental and chiropractic, and
5 micro-breweries and micro-wineries.

6 B. The development standards for walkable commercial uses within Planning
7 Areas 1-11, 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the
8 same standards as identified in Article IXa, Section 9.26 of Ordinance No.
9 348 except that the standards set forth in Article IXa, Section 9.26.a., b.
10 and c. shall be deleted and replaced with the following:

11 (a) No more than one walkable commercial use area shall be
12 permitted within each Planning Area.

13 (b) Walkable commercial uses may be located within and/or
14 adjacent to facilities owned and operated by a Homeowners
15 Association.

16 (c) The commercial building(s) and structure(s) that comprise the
17 walkable commercial use area shall be located at the
18 intersection of two streets on a corner lot with a minimum
19 distance of one thousand feet (1,000) between usable
20 commercial structures. Walkable commercial use building(s)
21 not located at an intersection shall require approval of a
22 conditional use permit.

23 (d) There shall be no minimum lot area for walkable commercial
24 uses. However, the maximum lot area shall be twenty thousand
25 (20,000) square feet. More than one use shall be permitted on a
26 lot.
27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
- (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
- (g) The minimum side yard setback from the residential lot line shall be ten feet (10').
- (h) The minimum rear yard setback from the residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
- (i) All uses must be conducted within buildings unless otherwise expressly authorized as part of a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
- (j) No outdoor storage shall be permitted.
- (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
- (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.

1 (m) No commercial vehicle shall be parked on the street or on the
2 premises overnight except in an enclosed structure.

3 (n) Access for service vehicles should provide a direct route to
4 service and loading dock areas.

5 (7) Except as provided above, all other zoning requirements shall be the same as those
6 requirements identified in Article VI of Ordinance No. 348.

7 d. Planning Area 3-3 (Highest Density Residential).

8 (1) The uses permitted in Planning Area 3-3 of Specific Plan No. 375 shall be the
9 same as those as the uses permitted in Article VI, Section 6.1 of Ordinance No.
10 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and
11 (9); Section 6.1.b.(1), and (5); and Section 6.1.c.(1) shall not be permitted. In
12 addition, the permitted uses identified under Section 6.1.a. shall include
13 community recreation and assembly buildings and facilities; lakes, including the
14 non-commercial fishing there from; second units provided a second unit permit is
15 obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and
16 recreational fields and facilities; and accessory buildings to a specific use, provided
17 that the accessory building is established as an incident to a principal use, does not
18 change the character of that use, and any applicable provisions of Section 18.18 of
19 Ordinance No. 348 are complied with. In addition, the permitted uses identified
20 under Section 6.1.b. shall also include multiple family dwellings; recycling
21 collection facilities; guest quarters; power generation and distribution facilities,
22 including solar, wind, geothermal, and other alternative forms to traditional
23 hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as
24 defined in Section 2.d.(5) of this Ordinance. In addition, the permitted uses
25 identified under Section 6.1.c. shall also include cell towers concealed within
26 architectural projections or similar structures; congregate care residential facilities;
27
28

1 day care centers; private schools; and walkable commercial uses subject to a
2 conditional use permit as defined in Section 2.d.(5) of this Ordinance.

3 (2) The development standards for interim agriculture uses within Planning Area 3-3
4 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance
5 No. 348.

6 (3) The development standards for one family dwellings within Planning Area 3-3 of
7 Specific Plan No. 375 shall be the same standards as those identified in Article
8 XVIII, Section 18.5 of Ordinance No. 348 except that the development standards
9 set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced
10 with the following:

11 A. Residential lot area shall be not less than one thousand eight hundred
12 (1,800) square feet.

13 B. The minimum average width of each lot shall be forty feet (40') and the
14 minimum average depth shall be forty feet (40').

15 C. The minimum frontage of a lot along a straight street shall be thirty-five
16 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
17 frontage along curvilinear streets shall be measured at the building setback
18 in accordance with zone development standards.

19 D. The maximum building height shall be forty feet (40').

20 E. In no case shall more than eight-five percent (85%) of any lot be covered
21 by a dwelling.

22 F. The minimum space between buildings shall be ten feet (10').

23 G. The front yard shall be not less than five feet (5'), measured from the
24 existing street right-of-way or from any interior drive or future street right-
25 of-way. Porches at the front of the structure may encroach two and one-
26 half feet (2.5') into the front yard setback.
27
28

- 1 H. Side yards on interior and through lots shall be not less than five feet (5').
2 Side yards on corner and reverse corner lots shall not be less than five feet
3 (5') from the existing street right-of-way or from any interior drive or
4 future street right-of-way as shown on any Specific Plan Circulation Plan,
5 whichever is nearer to the structure, upon which the main building sides.
- 6 I. The rear yard shall be not less than ten feet (10') from any property line or
7 interior drive, except that second floor living space and balconies located
8 in the rear yard shall be permitted within eight feet (8') of the rear property
9 line, and garages shall be permitted within five feet (5') of the rear
10 property line.
- 11 J. Fireplaces, media niches, bay windows, porches, window boxes, and
12 similar architectural features shall be allowed to encroach a maximum of
13 two and one-half feet (2.5') into setbacks. At least one side of the
14 structure shall maintain a minimum four foot (4') side yard setback
15 regardless of encroachments. Media niches shall be a maximum of eight
16 feet (8') in width. No second floor structural encroachments shall be
17 permitted within eight feet (8') of the rear property line. No other
18 structural encroachments shall be permitted in the front, rear, or side yard
19 setback except as provided for in Section 18.19 of Ordinance No. 348.
- 20 K. No dwelling unit shall be constructed unless it has a minimum floor living
21 area of not less than seven hundred fifty (750) square feet. Porches,
22 garages, patios, and similar features, whether attached or detached to a
23 dwelling, shall not be included when calculating the floor living area.
- 24 L. The minimum private usable yard space per residential unit shall be three
25 hundred (300) square feet, with a minimum yard dimension of four (4) by
26 four (4) feet.
27
28

1 (4) The development standards for multiple family dwellings permitted in Planning
2 Area 3-3 of Specific Plan No. 375, shall be the standards for Planned Residential
3 Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except
4 that the standards set forth in Section 18.5.b. and c. shall be deleted and replaced
5 with the following:

- 6 A. The maximum building height shall be seventy-five feet (75').
- 7 B. No lot shall have more than sixty percent (60%) of its net area covered
8 with buildings or structures.
- 9 C. The minimum front and rear yard building setbacks from a project's
10 exterior streets and boundary lines shall be ten feet (10') and the minimum
11 side yard setback from a project's exterior streets and boundary lines shall
12 be five feet (5'). The minimum building setbacks from interior drives
13 shall be three feet (3'). Second floor living space and balconies shall be
14 permitted within eight feet (8') of the front, rear, or side property lines.
- 15 D. The distance between buildings shall be no less than fifteen feet (15')
16 where primary (e.g., front and/or rear) building setbacks are involved, and
17 no less than ten feet (10') where solely secondary (side) building setbacks
18 or accessory building setbacks are involved.
- 19 E. The minimum private usable yard space per residential unit shall be fifty
20 (50) square feet, with a minimum yard dimension in any direction of six
21 feet (6').
- 22 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
23 than two to one (2:1), not including basement floor area.
- 24 G. No multi-family dwelling unit shall be constructed unless it has a
25 minimum floor living area of not less than seven hundred and fifty (750)
26 square feet. Porches, garages, patios, and similar features, whether
27
28

1 attached or detached to a dwelling, shall not be included when calculating
2 the floor living area.

3 (5) Walkable commercial shall be defined as resident serving and pedestrian oriented
4 commercial uses not to exceed ten thousand (10,000) square feet of gross building
5 square footage in any one planning area.

6 A. The following uses are permitted in a walkable commercial use area of
7 Planning Area Planning Area 3-3 of Specific Plan No. 375 provided a plot
8 plan has been approved pursuant to the provisions of Section 18.30 of
9 Ordinance No. 348: antique shops; art galleries; art supply shops and
10 studios; bakery shops, including baking only when incidental to retail sales
11 on the premises; banks and financial institutions; bicycle sales and rentals;
12 book stores and binders; clothing stores; convenience stores, not including
13 the sale of motor vehicle fuel; delicatessens; florist's shops; food markets
14 and frozen food lockers; gift shops; golf cart sales and service; grocery,
15 dry goods, health food, and variety stores; hardware stores, including not
16 more than one thousand (1,000) square feet of outside storage lumber;
17 hobby shops; ice cream shops; interior decorating shops; jewelry stores,
18 including incidental repairs; laundries and laundromats; laundries, with dry
19 cleaning shops; leather goods stores; libraries; locksmith shops; meat
20 markets, not including slaughtering; music stores; neighborhood electric
21 vehicle (NEV) sales and service; news stores; non-profit community
22 centers; notions or novelty stores; nurseries and garden supply stores;
23 parcel delivery services (stores); pet shops and pet supply shops; post
24 offices; produce markets; real estate offices; residences, live-work
25 dwellings; restaurants and other eating establishments; shoe stores and
26 repair shops; shoeshine stands; spas, including day spas and medical spas;
27 sporting goods stores; stationery stores; studios for professional work in or
28

1 teaching of any form of fine arts, including but not limited to photography,
2 music, drama, and dance, where no stock of goods is maintained for sale;
3 tailor shops; tourist information centers; toy shops; travel agencies;
4 utilities, both public and private; and watch repair shops.

5 In addition, the following uses shall be permitted, provided a conditional
6 use permit has been approved pursuant to the provisions of Section 18.28
7 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn,
8 clinics, including but not limited to medical, dental and chiropractic, and
9 micro-breweries and micro-wineries.

10 B. The development standards for walkable commercial uses within Planning
11 Areas 3-3 of Specific Plan No. 375 shall be the same standards as
12 identified in Article IXa, Section 9.26 of Ordinance No. 348 except that
13 the standards set forth in Article IXa, Section 9.26.a, b. and c. shall be
14 deleted and replaced with the following:

- 15 (a) No more than one walkable commercial use area shall be
16 permitted within Planning Area 3-3.
- 17 (b) Walkable commercial uses may be located within and/or
18 adjacent to facilities owned and operated by a Homeowners
19 Association.
- 20 (c) The commercial building(s) that comprise the walkable
21 commercial use area shall be located at the intersection of two
22 streets on a corner lot with a minimum distance of one thousand
23 feet (1,000') between usable commercial structures. Walkable
24 commercial use building(s) not located at an intersection shall
25 require approval of a conditional use permit.
26

27 ///

28 ///

- 1 (d) There shall be no minimum lot area for walkable commercial
2 uses. However, the maximum lot area shall be twenty thousand
3 (20,000) square feet. More than one use shall be permitted on a
4 lot.
- 5 (e) Within any one walkable commercial use area, the total square
6 footage of commercial buildings shall not exceed ten thousand
7 (10,000) square feet.
- 8 (f) The minimum front yard setback and the minimum side yard
9 setback adjacent to any street shall be five feet (5'), measured
10 from the existing street right-of-way.
- 11 (g) The minimum side yard setback from an interior residential lot
12 line shall be ten feet (10').
- 13 (h) The minimum rear yard setback from a residential lot line shall
14 be ten feet (10'). The rear setback shall be measured from the
15 rear lot line or a recorded alley or easement unless the rear line
16 adjoins a street, in which case it shall be measured as required
17 for a front setback.
- 18 (i) All uses must be conducted within buildings unless otherwise
19 expressly authorized by a plot plan or conditional use permit
20 condition of approval. This requirement does not apply to off-
21 street parking or loading areas, automated teller machines, or
22 outdoor seating areas for a coffee shop, café, or restaurant.
- 23 (j) No outdoor storage shall be permitted.
- 24 (k) All trash areas and waste containers shall be enclosed within a
25 building or a fully-enclosed architectural structure that is
26 visually compatible with the main building.
27
28

1 (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00
2 P.M. except for automated tellers and similar operations.

3 (m) No commercial vehicle shall be parked on the street or on the
4 premises overnight except in an enclosed structure.

5 (n) Access for service vehicles should provide a direct route to
6 service and loading dock areas.

7 (6) Except as provided above, all other zoning requirements shall be the same as those
8 requirements identified in Article VI of Ordinance No. 348.

9 e. Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 (Mixed
10 Use).

11 (1) The uses permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
12 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses
13 permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses
14 permitted pursuant to Section 9.1.a.(1), (23), (33), (42), (51), (54), (61), (91), and
15 (93); Section 9.1.b.(3), (6), (7), (10), (11), (12), (15), (18), (19), and (20); and
16 Section 9.1.d.(1), (2), (3), (4), (6), (7), (9), (10), (11), (12), and (18) shall not be
17 permitted. Governmental uses, offices, and facilities including but not limited to
18 federal, state and local agencies, and civic centers, police and fire stations,
19 libraries, public health and welfare offices, and employment departments shall be
20 permitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 2-21, 4-2, 4-4,
21 4-5, 4-6, 4-7 and 4-8. Field crops, flower and vegetable gardening, tree crops, and
22 greenhouses used only for purposes of propagation and culture, including the sale
23 thereof from the premises and one unlighted sign that does not exceed two square
24 feet in size pertaining to the sale of products shall be permitted within Planning
25 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific
26 Plan No. 375 as an interim use. Prior to issuance of a grading permit for uses other
27 than the aforementioned agricultural uses within Planning Areas 1-4, 2-12, 2-13, 2-
28

1 14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375, all
2 agricultural uses including uses incidental thereto within the affected planning area
3 shall cease and shall no longer be a permitted use.

4 In addition, the uses permitted under Section 9.1.a. shall include: automobile sales
5 and rental agencies; automobile and truck service stations, not including the
6 concurrent sale of beer and wine for off-premise consumption; bed and breakfast
7 inns; cell towers concealed by architectural features or similar structures; clinics,
8 including but not limited to medical, dental and chiropractic; community recreation
9 facilities; conference center; convenience stores, not including the sale of motor
10 vehicle fuel; cultural centers; farmers markets; grocery, including dry goods, health
11 food, and variety stores; health and exercise centers, provided all facilities are
12 located within an enclosed building; hospitals, including medical/surgical,
13 convalescent, nursing, and hospice care facilities; home occupations; lakes,
14 including noncommercial fishing therefrom; laundries, with dry cleaning shops;
15 libraries; mini-warehouse structures; museums; noncommercial community
16 association recreation and assembly buildings and facilities; non-profit community
17 centers; office equipment sales and service; parcel delivery services; pedestrian
18 paseos; planned residential developments, provided a land division is approved
19 pursuant to the provisions of County Ordinance No. 460 and the development
20 standards in Section 18.5 or 18.6 of Ordinance No. 348 are complied with; post
21 offices; prescription pharmacy when related and incidental to a professional office
22 building; professional offices; real estate offices; recycling collection facilities, not
23 to exceed five thousand (5,000) square feet gross building structure; live-work
24 dwellings; multiple-family dwellings; one-family dwellings; second units provided
25 a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348;
26 guest quarters; spas, including day spas and medical spas; studios for professional
27 work in or teaching of any form of fine arts, including but not limited to
28

1 photography, music, drama, and dance, where no stock of goods is maintained for
2 sale; sports courts and recreational fields and facilities; warehouse stores/big-box
3 retail; water wells and appurtenant facilities; wedding chapels; and accessory
4 buildings to a specific use, provided that the accessory building is established as an
5 incident to a principal use and does not change the character of that use. In
6 addition, the permitted uses identified under Section 9.1.b shall also include:
7 building supply stores and equipment rental, including outside storage;
8 neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural;
9 power generation and distribution, including solar, wind, geothermal, and other
10 alternative forms to traditional hydrocarbon-based energy facilities; parks and
11 playgrounds, golf courses with standard length fairways, and country clubs; and
12 walkable commercial uses subject to a plot plan as defined in Section 2.e.(9) of this
13 ordinance. In addition, the permitted uses identified under Section 9.1.d shall also
14 include: automobile service stations, truck service stations, including the
15 concurrent sale of beer and wine for off-premises consumption; convenience
16 stores, including the sale of motor vehicle fuel; gasoline service stations, not
17 including the concurrent sale of beer and wine for off-premises consumption; golf
18 courses and appurtenant facilities, including clubhouses with customary retail
19 shops and restaurant facilities; liquid petroleum service stations, not including the
20 concurrent sale of beer and wine, provided the total capacity of all tanks shall not
21 exceed ten thousand (10,000) gallons; micro-breweries and micro-wineries;
22 performing arts theaters and centers including live music and other stage
23 productions; private schools; sports and recreational facilities, not including motor-
24 driven vehicles and riding academies, but including archery ranges, athletic fields,
25 beaches, golf driving ranges, gymnasiums, miniature golf, parks, playgrounds,
26 sports arenas, skating rinks, stadiums, and commercial swimming pools; and
27 walkable commercial uses subject to a conditional use permit as defined in Section
28

1 2.e.(9) of this Ordinance. The following uses are permitted provided a public use
2 permit is approved pursuant to the provisions of Section 18.29 of Ordinance No.
3 348: churches, temples and other places of religious worship.

- 4 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
5 Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375, the uses permitted shall
6 be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
7 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14)
8 and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5),
9 (6), (7), (9), (10) and (11) shall not be permitted.

10 No use, other than an agricultural use and any use incidental thereto permitted in
11 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject
12 to Agricultural Preserves and/or Williamson Act contracts within Planning Area 4-
13 6, 4-7 and 4-8 of Specific Plan No. 375 until such time as Map Nos.162, 171, 359
14 and 777 of Coachella Valley Agricultural Preserve Nos. 27, 31 and 97 has been
15 diminished or disestablished in the planning area and any corresponding
16 Williamson Act contract is no longer in effect for Planning Areas 4-6, 4-7 and 4-8.
17 Prior to issuance of a grading permit for uses other than the aforementioned
18 agricultural uses within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375,
19 all agricultural uses including uses incidental thereto within the affected planning
20 area shall cease and shall no longer be a permitted use.

21 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
22 and/or Williamson Act contracts within Planning Areas 4-6, 4-7 and 4-8 of Specific
23 Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-4, 2-12,
24 2-13, 2-14, 2-15, 2-16, 4-2, 4-4 and 4-5 of Specific Plan No. 375.

- 25 (3) The development standards for interim agriculture uses within Planning Areas 1-4,
26 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be the same
27 standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
28

1 (4) Any land division application submitted within Planning Areas 1-4, 2-12, 2-13, 2-
2 14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be heard concurrently with a
3 comprehensive plot plan application for the entire affected Planning Area by the
4 Planning Commission in accordance with Section 18.30.d.(3) of Ordinance No.
5 348. The application for a comprehensive plot plan shall be submitted in
6 accordance with the provisions of Section 18.30 of Ordinance No. 348 and shall
7 also at a minimum, include the following:

8 A. A statement indicating how the land division and comprehensive plot plan
9 applications implement Specific Plan No. 375 and comply with the
10 conditions of approval for said specific plan.

11 B. A comprehensive plot plan for the entire planning are, a conceptual
12 grading plan and a tentative subdivision map, based upon a contour
13 interval no greater than four feet (4') which in addition to the requirements
14 of Ordinance No. 460 and Section 18.30 of Ordinance No. 348 shall
15 include:

16 the proposed lots including lot lines and proposed easements, if any;

17 (a) building footprints;

18 (b) floor plan assignments;

19 (c) pad elevations, street grades and all cut and fill slopes in excess
20 of one (1) foot in vertical height;

21 (d) the proposed uses, their location and architectural designs;

22 (e) the proposed internal circulation system; and

23 (f) buffers, if any.

24 C. A design manual which includes:

25 (a) description of residential floor plans and their mix;

26 (b) lot and building calculations for each lot and building as
27 follows:
28

- (c) lot area and lot pad area;
- (d) building footprint area;
- (e) percentage of lot coverage;
- (f) front setback;
- (g) useable rear yard area and depth;
- (h) building square footage for commercial and residential uses;
- (i) a fencing plan including details of proposed materials to be used;
- (j) dimensioned conceptual floor plans and elevations, including details of proposed materials for elevations, and square footages and heights of individual units; and
- (k) a proposed phasing plan showing the planned sequence of subdivision map recordation and development.

(5) Unless one of the Mixed Use Overlay Zones as outlined in Section 3 of this Ordinance is utilized, the development standards for mixed use projects within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be as follows:

- A. The maximum building height shall be fifty feet (50').
- B. No lot shall have more than fifty percent (50%) of its net area covered with buildings or structures.
- C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.

- 1 D. The distance between buildings shall be no less than fifteen feet (15')
2 where primary (e.g., front and/or rear) building setbacks are involved, and
3 no less than ten feet (10') where solely secondary (side) building setbacks
4 or accessory building setbacks are involved.
- 5 E. The minimum private usable yard space per residential unit shall be fifty
6 (50) square feet, with a minimum yard dimension in any direction of six
7 feet (6').
- 8 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
9 than two to one (2:1), not including basement floor area.
- 10 (6) The development standards for one family dwellings, within Planning Areas 1-4,
11 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No.
12 375 shall be the same standards as those for Planned Residential Developments set
13 forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the
14 development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be
15 deleted and replaced with the following:
- 16 A. Residential lot area shall be not less than one thousand eight hundred
17 (1,800) square feet and shall not exceed four thousand, five hundred
18 (4,500) square feet.
- 19 B. The minimum average width of each lot shall be forty feet (40') and the
20 minimum average depth shall be forty feet (40').
- 21 C. The minimum frontage of a lot along a straight street shall be thirty-five
22 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
23 frontage along curvilinear streets shall be measured at the building setback
24 in accordance with zone development standards.
- 25 D. The maximum building height shall be forty feet (40').
- 26 E. In no case shall more than eight-five percent (85%) of any lot be covered
27 by a dwelling.
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- F. The minimum space between buildings shall be ten feet (10').
- G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half (2.5') into the front yard setback.
- H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way.
- I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within one and one-half foot (1.5') of the rear property line.
- J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one and one-half feet (1.5') into setbacks. At least one side of the structure shall maintain a minimum three foot (3') side yard setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one and one-half foot (1.5') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
- K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred and fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

1 L. The minimum private usable yard space per residential unit shall be three
2 hundred (300) square feet, with a minimum yard dimension of four (4) by
3 four (4) feet.

4 (7) The development standards for multiple family dwellings permitted in Planning
5 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-5, 4-6, 4-7, and 4-8 of Specific Plan
6 No. 375, shall be subject to the standards for Planned Residential Developments
7 set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the
8 standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with
9 the following:

10 A. The maximum building height shall be fifty feet (50').

11 B. No lot shall have more than fifty percent (50%) of its net area covered with
12 buildings or structures.

13 C. The minimum front and rear yard building setbacks from a project's
14 exterior streets and boundary lines shall be ten feet (10') and the minimum
15 side yard setback from a project's exterior streets and boundary lines shall
16 be five feet (5'). The minimum building setbacks from interior drives
17 shall be three feet (3'). Second floor living space and balconies shall be
18 permitted within eight feet (8') of the front, rear, or side property lines.

19 D. The distance between buildings shall be no less than fifteen feet (15')
20 where primary (e.g., front and/or rear) building elevations are involved,
21 and no less than ten feet (10') where solely secondary (side) building
22 elevations or accessory building elevations are involved.

23 E. The minimum private usable yard space per residential unit shall be fifty
24 (50) square feet, with a minimum dimension in any direction of six feet
25 (6').

26 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
27 than two to one (2:1), not including basement floor area.
28

1 (8) The development standards for commercial development permitted in Planning
2 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific
3 Plan No. 375 shall be the same as those standards identified in Article IX, Section
4 9.4 of Ordinance No. 348 except that the development standards set forth in Article
5 IX, Section 9.4.b shall be deleted and replaced by the following:

6 A. There are no yard requirements for commercial buildings except that a
7 fifteen foot (15') minimum rear and/or side yard setback shall be required
8 where a commercial building within a commercial planning area adjoins a
9 residential planning area or a residential development within a mixed use
10 planning area. For commercial buildings over forty feet (40') in height, an
11 additional one foot (1') of side and/or rear yard setback shall be added for
12 each one foot (1') of height over forty feet (40').

13 For purposes of this section, a commercial use shall be defined as
14 development which includes any permitted use other than an agricultural
15 use, single family dwelling, multiple family dwelling or apartment.

16 (9) Walkable commercial uses shall be defined as resident serving and pedestrian
17 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
18 building square footage in any one planning area.

19 A. The following uses are permitted in a walkable commercial use area of
20 Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and
21 4-8 of Specific Plan No. 375 provided a plot plan has been approved
22 pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique
23 shops; art galleries; art supply shops and studios; bakery shops, including
24 baking only when incidental to retail sales on the premises; banks and
25 financial institutions; bicycle sales and rentals; book stores and binders;
26 clothing stores; convenience stores, not including the sale of motor vehicle
27 fuel; delicatessens; florist's shops; food markets and frozen food lockers;
28

1 gift shops; golf cart sales and service; grocery, dry goods, health food, and
2 variety stores; hardware stores, including not more than one thousand
3 (1,000) square feet of outside storage lumber; hobby shops; ice cream
4 shops; interior decorating shops; jewelry stores, including incidental
5 repairs; laundries and laundromats; laundries, with dry cleaning shops;
6 leather goods stores; libraries; locksmith shops; meat markets, not
7 including slaughtering; music stores; neighborhood electric vehicle (NEV)
8 sales and service; news stores; non-profit community centers; notions or
9 novelty stores; nurseries and garden supply stores; parcel delivery services
10 (stores); pet shops and pet supply shops; post offices; produce markets;
11 real estate offices; residences, live-work dwellings; restaurants and other
12 eating establishments; shoe stores and repair shops; shoeshine stands; spas,
13 including day spas and medical spas; sporting goods stores; stationer
14 stores; studios for professional work in or teaching of any form of fine arts,
15 including but not limited to photography, music, drama, and dance, where
16 no stock of goods is maintained for sale; tailor shops; tourist information
17 centers; toy shops; travel agencies; utilities, both public and private; and
18 watch repair shops.

19 In addition, the following uses shall be permitted, provided a conditional
20 use permit has been approved pursuant to the provisions of Section 18.28
21 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns;
22 clinics, including but not limited to medical, dental and chiropractic; and
23 micro-breweries and micro-wineries.

24
25 B. The development standards for walkable commercial uses within Planning
26 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of
27 Specific Plan No. 375, shall be the same standards as identified in Article
28 IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth

1 in Article IXa, Section 9.26.a, b. and c. shall be deleted and replaced with
2 the following:

- 3 (a) No more than one walkable commercial use area shall be
4 permitted within each planning area.
- 5 (b) Walkable commercial uses may be located within and/or
6 adjacent to facilities owned and operated by a Homeowners
7 Association.
- 8 (c) The commercial building(s) that comprise the walkable
9 commercial use area shall be located at the intersection of two
10 streets on a corner lot with a minimum distance of one
11 thousand feet (1,000') between usable commercial structures.
12 Walkable commercial use building(s) not located at an
13 intersection shall require approval of a conditional use permit.
- 14 (d) There shall be no minimum lot area for walkable commercial
15 uses. However, the maximum lot area shall be twenty thousand
16 (20,000) square feet. More than one use shall be permitted on a
17 lot.
- 18 (e) Within any one walkable commercial use area, the total square
19 footage of commercial buildings shall not exceed ten thousand
20 (10,000) square feet.
- 21 (f) The minimum front yard setback and the minimum side yard
22 setback adjacent to any street shall be five feet (5'), measured
23 from the existing street right-of-way or from any future street
24 right-of-way.
- 25 (g) The minimum side yard setback from an interior residential lot
26 line shall be ten feet (10').
27
28

- 1 (h) The minimum rear yard setback from a residential lot line shall
2 be ten feet (10'). The rear setback shall be measured from the
3 rear lot line or a recorded alley or easement unless the rear line
4 adjoins a street, in which case it shall be measured as required
5 for a front setback.
- 6 (i) All uses must be conducted within buildings unless otherwise
7 expressly authorized as part of the plot plan or conditional use
8 permit conditions of approval. This requirement does not apply
9 to off-street parking or loading areas, automated teller
10 machines, or outdoor seating areas for a coffee shop, café, or
11 restaurant.
- 12 (j) No outdoor storage shall be permitted.
- 13 (k) All trash areas and waste containers shall be enclosed within a
14 building or a fully-enclosed architectural structure that is
15 visually compatible with the main building.
- 16 (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00
17 P.M. except for automated tellers and similar operations.
- 18 (m) No commercial vehicle shall be parked on the street or on the
19 premises overnight except in an enclosed structure.
- 20 (n) Access for service vehicles should provide a direct route to
21 service and loading dock areas.

22 f. Planning Areas 1-12, 2-2, and 3-5 (Local Commercial Retail).

- 23 (1) The uses permitted in Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375
24 shall be the same as those as the uses permitted in Article IX, Section 9.1 of
25 Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a.(1), (5),
26 (6), (7), (9), (17), (18), (25), (28), (29), (30), (33), (35), (43), (49), (54), (61), (66),
27 (68), (69), (80), (82), (83), (84), (85), (91), (93), and (94); Section 9.1.b.(3), (6),
28

1 (10), (11), (12), (15), (16), (18), (19), and (20); and Section 9.1.d.(1), (2), (3), (4),
2 (6), (7), (9), (10), (11), (12), and (18) shall not be permitted. Governmental uses,
3 offices, and facilities including but not limited to federal and state agencies, and
4 local civic centers, police and fire stations, libraries, public health and welfare
5 offices, and employment departments shall be permitted within Planning Areas 1-
6 12, 2-2 and 3-5. Field crops, flower and vegetable gardening, tree crops, and
7 greenhouses used only for purposes of propagation and culture, including the sale
8 thereof from the premises and one (1) unlighted sign that does not exceed two (2)
9 square feet in size pertaining to the sale of products within Planning Areas 1 – 12,
10 2-2 and 3-5 of Specific Plan No. 375 shall be permitted as an interim use. Prior to
11 issuance of a grading permit for uses other than the aforementioned agricultural
12 uses within Planning Areas 1–12, 2–2 and 3-5 all agricultural uses including those
13 incidental thereto within the affected Planning Area shall cease and shall no longer
14 be a permitted use.

15 In addition, the uses permitted under Article IX Section 9.1.a. shall include:
16 administrative and professional offices, including but not limited to business, law,
17 medical, dental, chiropractic, architectural, engineering, community planning, and
18 real estate offices, in which no activity is carried on catering to retail sales and no
19 stock of goods is maintained for sale; art galleries; cell towers concealed within
20 architectural projections or similar structures; clinics, including but not limited to
21 medical, dental and chiropractic; community recreation facilities; conference
22 centers; dance schools; farmers markets; grocery, including but not limited to dry
23 goods, health food, and variety stores; health and exercise centers; lakes, including
24 noncommercial fishing therefrom; laundries, with dry cleaning shops; micro-
25 breweries and micro-wineries; museums; non-profit community centers; parcel
26 delivery services (stores); pedestrian paseos; post offices; professional offices;
27 live-work dwellings; spas, including day spas and medical spas; studios for
28

1 professional work in or teaching of any form of fine arts, including but not limited
2 to photography, music, drama, and dance, where no stock of goods is maintained
3 for sale; sports courts and recreational fields and uses; utilities, both public and
4 private; warehouse stores/big-box retail; and accessory buildings to a specific use,
5 provided that the accessory building is established as an incident to a principal use
6 and does not change the character of that use.

7 In addition, the permitted uses identified under Section 9.1.b shall also include:
8 neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural;
9 power generation and distribution, including solar, wind, geothermal, and other
10 alternative forms to traditional hydrocarbon-based energy facilities; and public
11 parks and playgrounds, golf courses with standard length fairways, and country
12 clubs.

13 In addition, the permitted uses identified under Section 9.1.d shall also include:
14 automobile and truck service stations, including the concurrent sale of beer and
15 wine for off-premises consumption; bed and breakfast inns; automobile and truck
16 service stations, not including the concurrent sale of beer and wine for off-
17 premises consumption; libraries; liquid petroleum service stations, not including
18 the concurrent sale of beer and wine, provided the total capacity of all tanks shall
19 not exceed 10,000 gallons; private schools; archery ranges; golf driving ranges;
20 gymnasiums; miniature golf facilities; parks and playgrounds; sports arenas;
21 skating rinks; stadiums; commercial swimming pools; theaters, not including
22 drive-ins; and wedding chapels.

23 The following uses are permitted provided a public use permit has been granted
24 pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
25 temples and other places of religious worship.
26

27 ///

28 ///

1 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
2 Planning Area 3-5, the uses permitted in Planning Area 3-5 of Specific Plan No.
3 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of
4 Ordinance No. 348.

5 No use, other than an agricultural use and any use incidental thereto permitted in
6 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
7 Area 3-5 of Specific Plan No. 375 until such time as Map No. 162 of Coachella
8 Valley Agricultural Preserves No. 27 has been diminished or disestablished in
9 Planning Area 3-5 and any corresponding Williamson Act contract is no longer in
10 effect for Planning Area 3-5. Prior to issuance of a grading permit for uses other
11 than the aforementioned agricultural uses within Planning Area 3-5 of Specific Plan
12 No. 375, all agricultural uses including uses incidental thereto within Planning Area
13 3-5 shall cease and no longer be a permitted use.

14 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
15 and/or Williamson Act contracts within Planning Area 3-5 of Specific Plan No. 375
16 shall be the same as those uses permitted in Planning Areas 1-12 and 2-2 of
17 Specific Plan No. 375.

18 (3) The development standards for interim agriculture uses within Planning Areas 1-
19 12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those standards
20 identified in Article XIII, Section 13.2 of Ordinance No. 348.

21 (4) The development standards for Planning Areas 1-12, 2-2 and 3-5 of Specific Plan
22 No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of
23 Ordinance No. 348 except that the development standards set forth in Article IX,
24 Section 9.4.b shall be deleted and replaced by the following:

25 A. There are no yard requirements for commercial buildings except that a
26 fifteen foot (15') minimum rear and/or side yard setback shall be required
27 where a commercial building within a Commercial Planning Area adjoins
28

1 a Residential Planning Area or a residential development within a Mixed
2 Use Planning Area. For commercial buildings over forty feet (40') in
3 height, an additional one foot (1') of side and/or rear yard setback shall be
4 added for each one foot (1') of height over forty feet (40').

- 5 (5) Except as provided above, all other zoning requirements shall be the same as those
6 requirements identified in Article IX of Ordinance No. 348.

7 g. Planning Area 2-19 (Regional Commercial Retail).

- 8 (1) The uses permitted in Planning Area 2-19 of Specific Plan No. 375 shall be the
9 same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348,
10 except that the uses permitted pursuant to Section 9.1.a.(30), (33), (43), (54), (61),
11 (80), (82) and (93); Section 9.1.b.(10), (11), (15) and (16); and Section 9.1.d.(1),
12 (3), (4), (6), (7), (9), (10) and (18) shall not be permitted. Governmental uses,
13 offices, and facilities including but not limited to federal and state agencies, and
14 local civic centers, police and fire stations, libraries, public health and welfare
15 offices, and employment departments shall be permitted within Planning Area 2-
16 19.

17 Field crops, flower and vegetable gardening, tree crops, and greenhouses used only
18 for purposes of propagation and culture, including the sale thereof from the
19 premises and one unlighted sign that does not exceed two square feet in size
20 pertaining to the sale of products shall be permitted within Planning Area 2-19 of
21 Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a
22 grading permit for uses other than the aforementioned agricultural uses within
23 Planning Area 2-19 of Specific Plan No. 375, all agricultural uses including uses
24 incidental thereto within this planning area shall cease and shall no longer be a
25 permitted use.

26 In addition, the uses permitted under Article IX Section 9.1.a. shall include:
27 administrative and professional offices, including but not limited to business, law,
28

1 medical, dental, chiropractic, architectural, engineering, community planning, and
2 real estate offices, in which no activity is carried on catering to retail sales and no
3 stock of goods is maintained for sale; art galleries; automobile sales and rental
4 agencies; automobile and truck service stations, not including the concurrent sale
5 of beer and wine for off-premises consumption; cell towers concealed within
6 architectural projections or similar structures; clinics, including but not limited to
7 medical, dental and chiropractic; community recreation facilities; conference
8 center; cultural centers; dance school; entertainment venues and night clubs;
9 farmers markets; grocery, dry goods, health food, and variety stores; health and
10 exercise centers, provided all facilities are located within an enclosed building;
11 hospitals (medical/surgical, convalescent, nursing, hospice care, etc.); lakes,
12 including noncommercial fishing therefrom; laundries, with dry cleaning shops;
13 libraries; micro-breweries and micro-wineries; museums; non-profit community
14 centers; office equipment sales and service; parcel delivery services (stores);
15 pedestrian paseos; post offices; prescription pharmacy when related and incidental
16 to a professional office building; professional offices; real estate offices;
17 residences, live-work dwellings; sale, rental, repair, or demonstration of
18 motorcycles, scooters, and motorbikes; spas, including day spas and medical spas;
19 studios for professional work in or teaching of any form of fine arts, including but
20 not limited to photography, music, drama, and dance, where no stock of goods is
21 maintained for sale; sport courts and recreational fields and uses; utilities, both
22 public and private; warehouse stores/big-box retail; and accessory buildings to a
23 specific use, provided that the accessory building is established as an incident to a
24 principal use and does not change the character of that use.

25
26 In addition, the permitted uses identified under Section 9.1.b shall also include:
27 boat and other marine rentals and services; building supply stores and equipment
28 rental, including outside storage; neighborhood electric vehicle (NEV) sales and

1 service; nurseries, horticultural; power generation and distribution, including solar,
2 wind, geothermal, and other alternative forms to traditional hydrocarbon-based
3 energy facilities; parks and playgrounds, golf courses with standard length
4 fairways, and country clubs; and travel trailers, motor homes and recreational
5 vehicles sales and service.

6 In addition, the permitted uses identified under Section 9.1.d shall also include:
7 automobile and truck service stations, including the concurrent sale of beer and
8 wine for off-premises consumption; concrete batch plants and asphalt plants;
9 gasoline service stations, not including the concurrent sale of beer and wine for
10 off-premises consumption; liquid petroleum service stations, not including the
11 concurrent sale of beer and wine, provided the total capacity of all tanks shall not
12 exceed ten thousand (10,000) gallons; mortuaries; performing arts theaters and
13 centers including live music, stage productions, etc.; schools, private; archery
14 ranges, golf driving ranges, gymnasiums, miniature golf, parks and playgrounds;
15 sports arenas; skating rinks; stadiums; commercial swimming pools; and wedding
16 chapels.

17 The following uses are permitted provided a public use permit has been granted
18 pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
19 temples and other places of religious worship.

20 (2) The development standards for interim agriculture uses within Planning Area 2-19
21 of Specific Plan No. 375 shall be the same standards as identified in Article XIII,
22 Section 13.2 of Ordinance No. 348.

23 (3) The development standards for Planning Area 2-19 of Specific Plan No. 375 shall
24 be the same as those standards identified in Article IX, Section 9.4 of Ordinance
25 No. 348 except that the development standards set forth in Article IX, Section
26 9.4.b shall be deleted and replaced by the following:
27
28

1 A. There are no yard requirements for commercial buildings except that a
2 fifteen foot (15') minimum rear and/or side yard setback shall be required
3 where a commercial building within a Commercial Planning Area adjoins
4 a Residential Planning Area or a residential development within a Mixed
5 Use Planning Area. For commercial buildings over forty feet (40') in
6 height, an additional one foot (1') of side and/or rear yard setback shall be
7 added for each one foot (1') of height over forty feet (40').

8 (4) Except as provided above, all other zoning requirements shall be the same as those
9 requirements identified in Article IX of Ordinance No. 348.

10 h. Planning Areas 3-9, 5-3 and 5-4 (Commercial Tourist / Resort).

11 (1) The uses permitted in Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375
12 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance
13 No. 348 except that the uses permitted pursuant to Section 9.1.a(1), (3), (4), (5),
14 (8), (9), (15), (25), (26), (27), (28), (29), (30), (33), (36), (37), (39), (42), (43), (47),
15 (48), (49), , (52), (54), (55), (60), (61), (62), (64), (65), (66), (68), (69), (72), (77),
16 (80), (82), (84), (91), (92), (93) and (94); Section 9.1.b.(4), (6), (8), (9), (10), (11),
17 (12), (13), (15), (16), (18), (19) and (20); and Section 9.1.d.(1), (4), (6), (7), (9),
18 (10), (11), (12), (13) and (14) shall not be permitted. Governmental uses, offices,
19 and facilities including but not limited to federal and state agencies, and local civic
20 centers, police and fire stations, libraries, public health and welfare offices, and
21 employment departments shall be permitted within Planning Areas 3-9, 5-3 and 5-
22 4. Field crops, flower and vegetable gardening, tree crops, and greenhouses used
23 only for purposes of propagation and culture, including the sale thereof from the
24 premises and one unlighted sign that does not exceed two square feet in size
25 pertaining to the sale of products within Planning Areas 3-9, 5-3 and 5-4 of
26 Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a
27 grading permit for uses other than the aforementioned agricultural uses within
28

1 Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375, all agricultural uses
2 including uses incidental thereto within this planning area shall cease and shall no
3 longer be a permitted use.

4 In addition, the uses permitted under Article IX Section 9.1.a. shall include:
5 administrative and professional offices, including but not limited to business, law,
6 medical, dental, chiropractic, architectural, engineering, community planning, and
7 real estate offices, in which no activity is carried on catering to retail sales and no
8 stock of goods is maintained for sale; amusement parks; art galleries; bed and
9 breakfast inns; campgrounds; cell towers concealed within architectural projections
10 or similar structures; community recreation facilities; conference center; cultural
11 centers; dance schools; entertainment venues and night clubs; golf courses and
12 appurtenant facilities, including clubhouses (a clubhouse is permitted to have
13 customary retail shop and restaurant facilities); grocery, dry goods, health food, and
14 variety stores; health and exercise centers, provided all facilities are located within
15 an enclosed building; lakes, including noncommercial fishing therefrom; laundries,
16 with dry cleaning shops; libraries; meeting, fraternal lodge, and community halls;
17 micro-breweries and micro-wineries; museums; pedestrian paseos; picnic grounds;
18 prescription pharmacy when related and incidental to a professional office building;
19 rock climbing walls; sale, rental, repair, or demonstration of motorcycles, scooters,
20 and motorbikes; spas, including day spas and medical spas; studios for professional
21 work in or teaching of any form of fine arts, including but not limited to
22 photography, music, drama, and dance, where no stock of goods is maintained for
23 sale; swimming pools; sport courts and recreational fields and uses; utilities, both
24 public and private; warehouse stores/big-box retail; wedding chapels; and
25 accessory buildings to a specific use, provided that the accessory building is
26 established as an incident to a principal use and does not change the character of
27 that use.
28

1 In addition, the permitted uses identified under Section 9.1.b shall also include:
2 boat and other marine rentals and services; electrical substations; neighborhood
3 electric vehicle (NEV) sales and service; power generation and distribution
4 facilities, including solar, wind, geothermal, and other alternative forms to
5 traditional hydrocarbon-based energy facilities; public parks and playgrounds, golf
6 courses with standard length fairways, and country clubs; and recreational vehicle
7 parks.

8 In addition, the permitted uses identified under Section 9.1.d shall also include:
9 automobile sales and rental, automobile and truck service stations, including the
10 concurrent sale of beer and wine for off-premises consumption; gasoline service
11 stations, not including the concurrent sale of beer and wine for off-premises
12 consumption; hunting clubs, skeet, trap, rifle and pistol ranges; liquid petroleum
13 service stations, not including the concurrent sale of beer and wine, provided the
14 total capacity of all tanks shall not exceed 10,000 gallons; performing arts theaters
15 and centers; private schools; archery ranges; golf driving ranges; gymnasiums;
16 miniature golf; parks and playgrounds; sports arenas; skating rinks; stadiums; and
17 commercial swimming pools.

18 The following uses are permitted provided a public use permit has been granted
19 pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
20 temples and other places of religious worship.

- 21
- 22 (2) The development standards for interim agriculture uses within Planning Areas 3-9,
23 5-3 and 5-4 of Specific Plan No. 375 shall be the same standards as identified in
24 Article XIII, Section 13.2 of Ordinance No. 348.
- 25 (3) The development standards for Planning Areas 3-9, 5-3 and 5-4 of Specific Plan
26 No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of
27 Ordinance No. 348 except that the development standards set forth in Article IX,
28 Section 9.4.b and .c shall be deleted and replaced by the following:

1 A. There are no yard requirements for commercial buildings except that a
2 fifteen foot (15') minimum rear and/or side yard setback shall be required
3 where a commercial building within a Commercial Planning Area adjoins
4 a Residential Planning Area or a residential development within a Mixed
5 Use Planning Area. For commercial buildings over forty feet (40') in
6 height, an additional one foot (1') of side and/or rear yard setback shall be
7 added for each one foot (1') of height over forty feet (40').

8 B. No building or structure shall exceed one hundred and fifty feet (150') in
9 height unless a greater height is approved pursuant to Section 18.34 of
10 Ordinance No. 348. In no event, however, shall a building or structure
11 exceed two hundred feet (200') in height, unless a variance is approved
12 pursuant to Section 18.27 of this Ordinance.

13 (4) Except as provided above, all other zoning requirements shall be the same as those
14 requirements identified in Article IX of Ordinance No. 348.

15 i. Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 (Open Space - Recreation).

16 (1) The uses permitted in Planning Area 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan
17 No. 375 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of
18 Ordinance No. 348, except that the uses permitted pursuant to Article VIIIe,
19 Section 8.100.a. (6) and (8) and c.(1) shall not be permitted. Governmental uses,
20 offices, and facilities including but not limited to federal and state agencies and
21 local civic centers, police and fire stations, libraries, public health and welfare
22 offices and employment departments shall be permitted within Planning Areas 1-
23 21, 1-23, 2-4, 2-5 and 3-11. Field crops, flower and vegetable gardening, tree
24 crops, and greenhouses used only for purposes of propagation and culture,
25 including the sale thereof from the premises and one unlighted sign that does not
26 exceed two square feet in size pertaining to the sale of products within Planning
27 Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be permitted as
28

1 an interim use. Prior to issuance of a grading permit for uses other than the
2 aforementioned agricultural uses within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-
3 11 of Specific Plan No. 375, all agricultural uses including uses incidental thereto
4 within this planning area shall cease and shall no longer be a permitted use.

5 In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include:
6 boat and other marine sales; boat and other marine rentals and services;
7 campgrounds; cultural centers; fishing and casting pools; museums; non-profit
8 community centers; pedestrian paseos; picnic grounds; public parks and
9 playgrounds; refreshment stands; restaurants and other eating establishments; rock
10 climbing walls; spas, including day spas and medical spas; sports and recreational
11 facilities, not including motor-driven vehicles and riding academies, but including
12 archery ranges, athletic fields, golf driving ranges, gymnasiums, miniature golf,
13 sports arenas, skating rinks, stadiums, and commercial swimming pools; sport
14 courts and recreational fields and uses; tourist information centers; and accessory
15 buildings to a specific use, provided that the accessory building is established as
16 an incident to a principal use and does not change the character of that use.

17 In addition, the uses permitted under Article VIIIe, Section 8.100.b. shall include:
18 auditoriums and conference rooms; hunting clubs, skeet, trap, rifle and pistol
19 ranges; meeting, fraternal lodge, and community halls; performing arts theaters
20 and centers; and recreational vehicle parks.

- 21
22 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the
23 uses permitted in Planning Areas 1-21 and 3-11 of Specific Plan No. 375 shall be
24 the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
25 348. No use, other than an agricultural use and any use incidental thereto
26 permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted
27 within Planning Areas 1-21 and 3-11 of Specific Plan No. 375 until such time as
28 Map No. 162 of Coachella Valley Agricultural Preserves No. 27 has been

1 diminished or disestablished in the planning area and any corresponding
2 Williamson Act contract is no longer in effect for Planning Areas 1-21 and 3-11.
3 Prior to issuance of a grading permit for uses other than the aforementioned
4 agricultural uses within Planning Areas 1-21 and 3-11, all agricultural uses
5 including uses incidental thereto within the affected planning area shall cease and
6 shall no longer be a permitted use. Thereafter, the uses permitted on land formerly
7 subject to Agricultural Preserves and/or Williamson Act contracts within Planning
8 Areas 1-21 and 3-11 of Specific Plan No. 375 shall be the same as those uses
9 permitted in Planning Areas 1-23, 2-4 and 2-5 of Specific Plan No. 375.

10 (3) The development standards for interim agriculture uses within Planning Areas 1-
11 21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same standards as
12 identified in Article XIII, Section 13.2 of Ordinance No. 348.

13 (4) The development standards for Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of
14 Specific Plan No. 375 shall be the same standards as those identified in Article
15 VIIIe, Section 8.101 of Ordinance No. 348 except that the standards set forth in
16 Article VIIIe, Section 8.101.b shall be deleted and replaced with the following:

17 A. Whenever a building is to be constructed on a lot, it shall have a front
18 yard, side yard, and rear yard, each of which shall be not less than twenty
19 feet (20'). If more than one building is constructed on one lot, there shall
20 be not less than twenty feet (20') of separation between the buildings. No
21 structural encroachments shall be permitted in the front, side or rear yard
22 except as provided for in Section 18.19 of this Ordinance.

23 (5) Except as provided above, all other zoning requirements shall be the same as those
24 requirements identified in Article VIII of Ordinance No. 348.

25
26 ///

27 ///

28 ///

1 j. Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28,
2 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 (Open Space –
3 Water).

4 (1) The uses permitted in Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-
5 22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-
6 19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same as those uses
7 permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the
8 uses permitted pursuant to Article VIIIe, Section 8.100.a(1), (2) (6) and (8); b.(1)
9 and c.(1) shall not be permitted. Field crops, flower and vegetable gardening, tree
10 crops, and greenhouses used only for purposes of propagation and culture,
11 including the sale thereof from the premises and one unlighted sign that does not
12 exceed two square feet in size pertaining to the sale of products within Planning
13 Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28,
14 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of
15 Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a
16 grading permit for uses other than the aforementioned agricultural uses within
17 Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-
18 29, 2-30, 2-31, 2-32, 3-17 and 5-24 of Specific Plan No. 375, all agricultural uses
19 including uses incidental thereto within this planning area shall cease and shall no
20 longer be a permitted use.

21 In addition, the uses permitted under Article VIII, Section 8.100.a. shall include:
22 boat marinas; boat and other marine sales, rentals and services; and fishing and
23 casting pools.

24
25 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
26 Planning Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11, the uses shall be
27 the same as those uses permitted pursuant to Section 13.1 of Ordinance No. 348
28 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and

1 (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6),
2 (7), (9), (10) and (11) shall not be permitted.

3 No use, other than an agricultural use and any use incidental thereto permitted in
4 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
5 Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11 of Specific Plan No. 375.
6 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
7 and/or Williamson Act contracts within Planning areas 1-28, 1-29, 3-13, 3-15, 3-
8 18, 3-19, 4-10 and 4-11 of Specific Plan No. 375 shall be the same as those uses
9 within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-
10 28, 2-29, 2-30, 2-31, 2-32, 3-17 and 5-24.

11 (3) The development standards for interim agriculture uses within Planning Areas 1-
12 24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-
13 30, 2-31, 2-32 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan
14 No. 375 shall be the same as those standards identified in Article XIII, Section 13.2
15 of Ordinance No. 348.

16 (4) The development standards for Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29,
17 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17,
18 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same
19 standards as identified in Article VIIIe, Section 8.101 of Ordinance No. 348 except
20 that the standards set forth in Article VIIIe, Section 8.101.b. shall be deleted and
21 replaced with the following:

22 (5) Yards. Whenever a building is to be constructed on a lot, it shall have a
23 front yard, side yard, and rear yard, each of which shall be not less than
24 twenty feet (20'). If more than one building is constructed on one lot, there
25 shall be not less than twenty feet (20') of separation between the buildings.
26 No structural encroachments shall be permitted in the front, side, or rear
27 yard except as provided for in Section 18.19 of this Ordinance.
28

1 (6) Except as provided above, all other zoning requirements shall be the same as those
2 requirements identified in Article VIII of Ordinance No. 348.

3 Section 3. Mixed Use Overlays

4 (1) INTENT.

5 This Ordinance hereby creates three Mixed Use Overlay Zones (MUOZ) for
6 Specific Plan No. 375. Although the allowable uses as listed in Section 2.e.1 of
7 this Ordinance are applicable with all three MUOZ, additional allowable uses and
8 different development standards and required findings are unique to each MUOZ.
9 The applicant of a project may decide to apply the uses and development standards
10 of Section 2.e. and use an MUOZ. If there is any conflict between the uses and
11 development standards of Section 2.e. and the MUOZ, the uses and development
12 standards of the MUOZ shall be applicable. The MUOZ are intended to encourage
13 a mixture of compatible land uses, such as residential with compatible non-
14 residential uses including additional retail uses, employment-intensive uses
15 (including light industrial), and entertainment uses (including hotels and night
16 clubs), with a particular focus on fostering pedestrian activity, vertical mixed use
17 projects, public spaces, and other community amenities. Each of the three distinct
18 MUOZs is described below as follows:

19 A. MUOZ-1 provides uses and standards for areas appropriate for the
20 development of a broad range of retail commercial uses potentially
21 integrated with office and/or residential uses. Projects may include vertical
22 or horizontal mixed uses. All projects shall provide and maintain strong
23 pedestrian linkages with neighboring Planning Areas, parks and schools.
24 Single use structures in this MUOZ are acceptable. It is envisioned that this
25 MUOZ will permit retail, restaurant, and commercial goods and services in
26 conjunction with residential development early in the implementation of the
27 Specific Plan.
28

1 B. MUOZ-2 provides uses and standards for areas appropriate for the
2 development of high employment-generating land uses – strong retail,
3 office, and/or light industrial uses – integrated with nearby residential
4 development. Projects may include vertical or horizontal mixed uses with
5 the intent of creating a defined, high-energy pedestrian-focused zone where
6 residential uses will be coupled with covenant retail and/or office uses
7 and/or with nearby light industrial uses. Limited single use structures are
8 acceptable, however, it is envisioned that many, if not all, MUOZ-2 projects
9 will be some form of mixed use development.

10 C. MUOZ-3 provides uses and standards for areas appropriate for the
11 development of entertainment-oriented uses, including night clubs and
12 overnight accommodations with limited retail, office, and/or residential use
13 integration. Development may include horizontal or vertical mixed uses
14 with strong pedestrian and vehicular integration with connections to
15 neighboring traffic-ways and complementary Planning Areas. Residential
16 uses in this Overlay are not a requirement but may be provided as an option.
17 It is envisioned, though not required, that up to fifty percent (50%) of the
18 MUOZ-3 may be mixed use.

19 (2) APPLICABILITY.

20 A. The MUOZ may only be used within Districts 1, 2, or 4 as set forth in
21 Specific Plan No. 375. Each MUOZ used shall cover a minimum of one
22 Planning Area.

23 B. The provisions of the MUOZ may also apply to all existing and future
24 development within Districts 1, 2 and 4 unless otherwise specified in this
25 Section.
26

27 ///

28 ///

1 (3) DEFINITIONS.

2 As used in this Section, the following terms shall have the following meanings:

- 3 A. Base Zone. The set of allowable uses and zoning standards that are
4 applicable over Districts 1, 2 and 4 which are found in Section 2.e.1 of this
5 Ordinance.
- 6 B. Mixed Use Structure. A building or structure that contains at least one
7 floor devoted to allowed nonresidential uses and at least one devoted to
8 allowed residential uses.
- 9 C. Block. Traditional grid pattern development with street length limitations,
10 defined within each village, to foster a pedestrian friendly environment.
- 11 D. Mixed Use Dwelling. A dwelling located above the ground floor of a
12 permitted commercial, retail, office, or institutional use permitted by a
13 MUOZ.
- 14 E. Horizontal Mixed Use. A mixing of uses in a development project or with
15 neighboring structures, although not necessarily in the same building.
- 16 F. Vertical Mixed Use. A mixing of uses within the same structure, usually
17 with residential over commercial, retail, office, or institutional use though
18 this is not required to meet the definition.
- 19 G. Pedestrian Friendly. Urban design elements including landscaping,
20 amenities, sidewalk or plaza design, structure placement, or other elements
21 all designed with an emphasis on creating a pleasant, walkable, and
22 comfortable environment.
- 23 H. Covenants, Conditions and Restrictions (CC&Rs). A document used to
24 describe restrictive limitations placed on real property and its uses, and
25 which usually are made a condition of holding legal title to, or leasehold
26 interest in, the real property in question.
27
28

1 I. Overlay Zone. A set of zoning requirements that are superimposed upon
2 the underlying base zone. Overlay zones are generally used when a
3 particular mixed use area is intended to emphasize a particular non-
4 residential use (e.g., retail commercial, employment, or entertainment), or
5 requires special protection, or has a special neighborhood concern. If there
6 is any conflict between the uses and development standards of Section 2.e.
7 and the Overlay Zone, the uses and development standards of the Overlay
8 Zone shall be applicable.

9 J. Human Scale. The design of neighborhoods, buildings, and recreational
10 spaces that are welcoming and inviting to pedestrian uses, and also
11 encourage the reduced use of automobiles. Density of the neighborhoods
12 and the heights of the buildings are not restricted in this definition.

13 K. Conventional Shopping Center. A development of retail and/or other
14 commercial establishments that are planned, developed, owned and
15 managed as a single property, typically with parking provided on-site. The
16 center's size and orientation will be generally determined by the market
17 characteristics of the trade area served by the center.

18 L. Project. A development proposal by one or more applicants involving a
19 single structure or series of structures, under one development application.

20 (4) REQUIRED FINDINGS.

21 In order for the applicable hearing body to approve a mixed use overlay zone for a
22 project in Districts 1, 2 or 4, the following findings shall be made:

23 A. The project is consistent with the applicable District 1, 2 or 4 Refinement
24 Plan(s).

25 B. The project integrates with neighboring uses in terms of vehicular
26 connections, pedestrian connections on- and off-street, architectural styles,
27 and landscaping.
28

- C. The project is designed to a human scale.
- D. Efforts have been adequately made so that parking areas have been located where they can be conveniently and safely accessed and not interfere with pedestrian activity.
- E. Parking does not dominate the street frontage and is screened appropriately.
- F. The project is complimentary to a mix of uses and blends with surrounding developments.
- G. Uses and structures are sited and designed to complement one another.

(5) MIXED USE OVERLAY ZONE 1 (RETAIL FOCUSED).

- A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ 1) for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted pursuant to Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: dance halls; dance schools; sale, rental, repair or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; and wholesale businesses with samples on the premises but not including storage; boat and other marine sales; equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment; feed and grain sales, including outside storage; fishing and casting pools; and labor temples.

In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: ambulance services; body and fender shops and spray painting; building materials sales yards; drive-in theaters; heliports; lumber yards,

1 including only incidental mill work; mortuaries; swap meets; and
2 underground bulk fuel storage.

3 B. The development standards for one family dwellings within the MUOZ 1
4 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7
5 and 4-8 of Specific Plan No. 375 shall be the same as those standards for
6 one family dwellings identified in the Mixed Use Base Zone.

7 C. The development standards for multiple family dwellings within the
8 MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
9 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
10 standards for multiple family dwelling identified in the Mixed Use Base
11 Zone.

12 D. The development standards for walkable commercial uses within the
13 MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
14 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
15 standards for walkable commercial uses identified in the Mixed Use Base
16 Zone.

17 E. The development standards for vertical mixed use projects within the
18 MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
19 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
20 standards identified in Article IX, Section 9.4 and Article XVIII, Section
21 18.5, except that the development standards set forth in Article IX, Section
22 9.4 b. and c; and those development standards set forth in Article XVIII,
23 Section 18.5 b., c., e., i., and k. shall be deleted and replaced by the
24 following:

25 (a) The maximum vertical mixed use building height shall be
26 seventy-five feet (75').
27
28

- 1 (b) There shall be no minimum yard requirements for vertical
2 mixed use structures, except where adjacent to a Residential
3 Planning Area or a residential building or development within a
4 Mixed Use Planning Area, in which case a minimum fifteen
5 foot (15') rear and/or side yard shall be required. For such
6 vertical mixed use structures over forty feet (40') in height, an
7 additional foot of rear and/or side yard shall be added for each
8 foot above forty feet (40').
- 9 (c) The maximum ration of floor area to lot area (i.e., FAR) shall
10 not be greater than three to one (3:1), not including basement
11 floor area.
- 12 (d) The minimum private yard open space per residential unit
13 within a vertical mixed use structure shall be fifty (50) square
14 feet, with a minimum dimension in any direction of six feet (6').
15 Roof top open space may be used as private yard space when
16 directly accessible to the unit(s) it serves.
- 17 (e) No multiple family dwelling shall be constructed within a
18 vertical mixed use structure unless it has a minimum floor
19 living area of not less than seven hundred fifty (750) square
20 feet. Porches, garages, patios, and similar features, whether
21 attached or detached to a dwelling, shall not be included when
22 calculating the floor living area.
- 23 (f) At least one vertical mixed use structure on each block shall be
24 required to use a design-related architectural projection.
- 25 (g) A minimum of sixty percent (60%) of vertical mixed use street-
26 facing building façades between two feet and eight feet in
27
28

1 height shall be comprised of windows that allow views of
2 indoor space or product display areas.

3 (h) Vertical mixed use buildings must have a primary entrance door
4 facing a public sidewalk. Entrances at building corners may be
5 used to satisfy this requirement.

6 (i) Vertical mixed use building entrances may include doors to
7 individual shops or businesses, lobby entrances, entrances to
8 pedestrian-oriented plazas, or courtyard entrances to a cluster of
9 shops or businesses.

10 (j) Residential structures may place residential uses on the ground
11 floor of a structure provided said structure is contiguous to a
12 non-residential ground floor use.

13 F. The following findings shall be made for all projects within MUOZ 1, in
14 addition to those referenced in Section 3.(4) of this Ordinance:

15 (a) MUOZ 1 projects shall establish and maintain strong pedestrian
16 connections to neighboring compatible development including
17 parks and schools, to ensure a fully green and sustainable
18 pedestrian environment.

19 (b) MUOZ 1 projects provide usable public and private open
20 spaces, including but not limited to plazas in commercial areas
21 that enhance commercial activity.

22 (c) Residential land uses, exclusive of vertical mixed use projects,
23 shall not comprise more than fifty percent (50%) of the total
24 MUOZ 1.

25
26 ///

27 ///

28 ///

1 (6) MIXED USE OVERLAY ZONE 2 (EMPLOYMENT FOCUSED).

2 A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ 2) of Planning
3 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of
4 Specific Plan No. 375 shall be the same as those uses permitted pursuant to
5 Section 2.e of this Ordinance. In addition, the following uses shall be
6 permitted provided a plot plan is approved pursuant to Section 18.30 of
7 Ordinance No. 348: dance halls; dance school; manufacturing of grain and
8 bakery products, sugar and confectionary products, nonalcoholic
9 beverages, ice, and furniture and fixtures including cabinets, partitions,
10 and similar items ; printing and publishing of newspapers, periodicals,
11 books, forms, cards, and similar items; binding of books and other
12 publications; manufacturing of clothing and accessory products, handbags,
13 luggage, footwear and other personal leather goods; manufacturing of
14 pharmaceuticals including research, blown, pressed and cut glass and other
15 glassware products; manufacturing of jewelry including repair, electronic
16 devices, equipment and components including assembly testing and repair;
17 vehicle storage and impoundment within an enclosed building; trailer,
18 recreational vehicle, and boat storage within an enclosed building;
19 manufacture and repair of engineering, scientific and medical
20 instrumentation; public utility substations and storage buildings;
21 warehousing and distribution, including mini-warehouses; communication
22 and microwave installations; cold storage facilities; telephone exchanges
23 and switching equipment; post offices; water and gas company service
24 facilities; parcel delivery services; recycling collection facilities; banks and
25 financial institutions; blueprint and duplicating services; laboratories, film,
26 medical, research, or testing centers; office equipment sales and service;
27 offices, professional sales and service, including business, law, medical,
28

1 dental, chiropractic, architectural and engineering; parking lots and
2 parking structures; restaurants and other eating establishments; barber and
3 beauty shops; day care centers; health and exercise centers; mobilehomes,
4 provide they are kept mobile and licensed pursuant to state law, when used
5 for construction offices and caretaker's quarters on construction sites for
6 the during of a valid building permit; one family dwellings on the same
7 parcel as the industrial or commercial use provided such dwellings are
8 occupied exclusively by the proprietor or caretaker of the use and their
9 immediate families; signs, on-site advertising; automobile service stations,
10 not including the concurrent sale of beer and wine for off-premises
11 consumption; motels; churches, temples, or other structures used primarily
12 for religious worship; labor temples; sale, rental, repair, or demonstration
13 of motorcycles, scooters, and motorbikes; utilities, both public and private;
14 warehousing and distribution; and wholesale businesses with samples on
15 the premises but not including storage; boat and other marine sales;
16 equipment rental services, including rototillers, power mowers, sanders,
17 power saws, cement and plaster mixers not exceeding ten cubic feet in
18 capacity and other similar equipment; feed and grain sales, including
19 outside storage; fishing and casting pools; mobile home sales and storage,
20 trailer sales and rental house trailers; recreational vehicle parks; travel
21 trailers, motor homes and recreational vehicles sales and service; truck and
22 trailer sales, rentals and service.

23
24 In addition, the following uses shall be permitted provided a conditional
25 use permit has been pursuant to Section 18.28 of Ordinance No. 348: body
26 and fender shops and spray painting; building materials sales yards;
27 heliports; hunting clubs, skeet, trap, rifle and pistol ranges; lumber yards,
28 including only incidental mill work; mortuaries; swap meets; tire recapping;

1 trailer and boat storage; and underground bulk fuel storage. The
2 development standards for one family dwellings within the MUOZ 2 for
3 Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and
4 4-8 of Specific Plan No. 375 shall be the same as those standards for one
5 family dwellings identified in the Mixed Use Base Zone.

6 B. The development standards for multiple family dwellings, within the
7 MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, , 4-4,
8 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
9 standards for multiple family dwellings identified in the Mixed Use Base
10 Zone.

11 C. The development standards for walkable commercial uses within the
12 MUOZ 2 of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-1, 4-2, 4-
13 4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as
14 those standards for walkable commercial uses identified in the Mixed Use
15 Base Zone.

16 D. The development standards for commercial, industrial, and horizontal and
17 vertical mixed use projects within the MUOZ 2 for Planning Areas 1-4, 2-
18 12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan
19 No. 375 shall be the same as those standards identified in Article IX,
20 Section 9.4 and Article XVIII, Section 18.5, except that the development
21 standards set forth in Article IX, Section 9.4. b. and c. and the
22 development standards set forth in Article XVIII, Section 18.5. b., c., e., i.
23 and k. shall be deleted and replaced by the following:

24 (a) The maximum commercial, industrial and horizontal and
25 vertical mixed use building heights shall be seventy-five feet
26 (75').
27
28

- 1 (b) There shall be no minimum yard requirements for commercial,
2 industrial and horizontal and vertical mixed use structures,
3 except where adjacent to a Residential Planning Area or a
4 residential building or development within a Mixed Use
5 Planning Area, in which case a minimum fifteen (15) foot rear
6 and / or side yard shall be required. For such commercial,
7 industrial and horizontal and vertical mixed use structures over
8 forty feet (40') in height, an additional foot of rear / side yard
9 shall be added for each foot above forty feet (40').
- 10 (c) The maximum ratio of floor area to lot area (i.e., FAR) shall not
11 be greater than three to one (3:1), not including basement floor
12 area.
- 13 (d) The minimum private usable yard space per residential unit
14 within a vertical mixed use structure shall be fifty (50) square
15 feet, with a minimum dimension in any direction of six feet (6').
16 Roof top space may be used as private yard space when directly
17 accessible to the unit(s) it serves.
- 18 (e) No multiple family dwelling shall be constructed within a
19 vertical mixed use structure unless it has a minimum floor
20 living area of not less than seven hundred fifty (750) square
21 feet. Porches, garages, patios, and similar features, whether
22 attached or detached to a dwelling, shall not be included when
23 calculating the floor living area.
- 24 (f) At least one non-residential structure on each block shall be
25 required to use a design-related architectural projection.
- 26 (g) A minimum of sixty percent (60%) of non-residential street-
27 facing building façades between two feet (2') and eight feet (8')
28

1 in height must be comprised of clear windows that allow views
2 of indoor space or product display areas.

3 (h) Commercial, office, light industrial, and horizontal and vertical
4 mixed use buildings must have a primary entrance door facing a
5 public sidewalk. Entrances at building corners may be used to
6 satisfy this requirement.

7 (i) Vertical mixed use building entrances may include doors to
8 individual shops or businesses, lobby entrances, entrances to
9 pedestrian-oriented plazas, or courtyard entrances to a cluster of
10 shops or businesses.

11 (j) Vertical mixed use buildings may place residential uses on the
12 ground floor of a structure provided said building is contiguous
13 to a non-residential ground floor use.

14 E. These findings must be made for all projects within MUOZ 2, in addition
15 to those referenced in Section 3.(4) of this Ordinance:

16 (a) MUOZ 2 projects shall establish and maintain strong pedestrian
17 connections to neighboring compatible development including
18 parks and schools, to ensure a fully green and sustainable
19 pedestrian environment.

20 (b) Residential land uses, exclusive of vertical mixed use projects,
21 shall not comprise more than fifty percent (50%) of the total
22 MUOZ 2.

23
24 ///
25 ///
26 ///
27 ///
28 ///

1 (7) MIXED USE OVERLAY ZONE 3 (ENTERTAINMENT FOCUSED).

2 A. The uses permitted in Mixed Use Overlay Zone 3 (MUOZ 3) of Planning
3 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of
4 Specific Plan No. 375 shall be the same as those uses permitted in Section
5 2.e of this Ordinance. In addition, the following uses shall be permitted
6 provided a plot plan is approved pursuant to Section 18.30 of Ordinance
7 No. 348: automobile sales and rental agencies; campgrounds; cell towers
8 concealed by architectural features or similar structures; dance halls; dance
9 schools; entertainment venues and night clubs; labor temples; picnic
10 grounds; racing and competition events other than between humans; rock
11 climbing walls; sale, rental, repair, or demonstration of motorcycles,
12 scooters, and motorbikes; utilities, both public and private; boat and other
13 marine sales; fishing and casting pools; mobile home sales and storage;
14 trailer sales and rentals; recreational vehicle parks; recreational vehicles
15 sales, rentals and service; truck rentals.

16 In addition, the following uses shall be permitted provided a conditional
17 use permit has been approved pursuant to Section 18.28 of Ordinance No.
18 348: amusement parks; body and fender shops and spray painting; drive-
19 in theaters; heliports; hunting clubs, skeet, trap, rifle and pistol ranges;
20 riding academies and stables; trailer and boat storage; and swap meets.

21 B. The development standards for one family dwellings within the MUOZ 3
22 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7
23 and 4-8 of Specific Plan No. 375 shall be the same as those standards for
24 one family dwellings identified in the Mixed Use Base Zone.
25

26 ///

27 ///

28 ///

1 C. The development standards for multiple family dwellings within the
2 MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
3 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
4 standards for multiple family dwellings identified in the Mixed Use Base
5 Zone.

6 D. The development standards for walkable commercial uses within the
7 MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
8 5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those
9 standards for walkable commercial uses identified in the Mixed Use Base
10 Zone.

11 E. The development standards for commercial entertainment uses authorized
12 by the MUOZ 3 or vertical mixed use projects within the MUOZ 3 for
13 Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7
14 and 4-8 of Specific Plan No. 375 shall be the same as those standards
15 identified in Article IX, Section 9.4 and Article XVIII, Section 18.5,
16 except that the development standards set forth in Article IX, Section 9.4.
17 b. and c. and those development standards set forth in Article XVIII,
18 Section 18.5. b., c., e., i. and k. shall be deleted and replaced by the
19 following:

20 (a) The height of commercial entertainment or vertical mixed use
21 buildings shall not exceed a maximum height of one hundred
22 fifty feet (150').

23 (b) There shall be no minimum yard requirements for commercial
24 entertainment or vertical mixed use buildings, except where
25 adjacent to a Residential Planning Area or a residential building
26 within a Mixed Use Planning Area, in which case a minimum
27 fifteen (15) foot rear and /or side yard shall be required. For
28

1 vertical mixed use buildings over forty feet (40') in height, an
2 additional foot of rear /side yard shall be added for each foot
3 above forty feet (40').

4 (c) The maximum ration of floor area to lot area (i.e., FAR) shall
5 not be greater than four to one (4:1), not including basement
6 floor area.

7 (d) The minimum private usable yard space per residential unit
8 within a vertical mixed use building shall be fifty (50) square
9 feet, with a minimum dimension in any direction of six feet (6').
10 Roof top space may be used as private yard space when directly
11 accessible to the unit(s) it serves.

12 (e) No multiple family dwelling shall be constructed within a
13 vertical mixed use building unless it has a minimum floor living
14 area of not less than seven hundred fifty (750) square feet.
15 Porches, garages, patios, and similar features, whether attached
16 or detached to a dwelling, shall not be included when
17 calculating the floor living area.

18 (f) At least one non-residential structure on each block shall be
19 required to use a design-related architectural projection.

20 (g) A minimum of sixty percent (60%) of non-residential street-
21 facing building façades between two feet (2') and eight feet (8')
22 in height must be comprised of windows that allow views of
23 indoor space or product display areas.

24 (h) Commercial entertainment and vertical mixed use buildings
25 must have a primary entrance door facing a public sidewalk.
26 Entrances at building corners may be used to satisfy this
27 requirement.
28

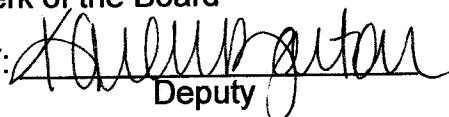
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

STATE OF CALIFORNIA)
)
COUNTY OF RIVERSIDE) ss

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said county held on February 7, 2012, the foregoing ordinance consisting of 4 Sections was adopted by the following vote:

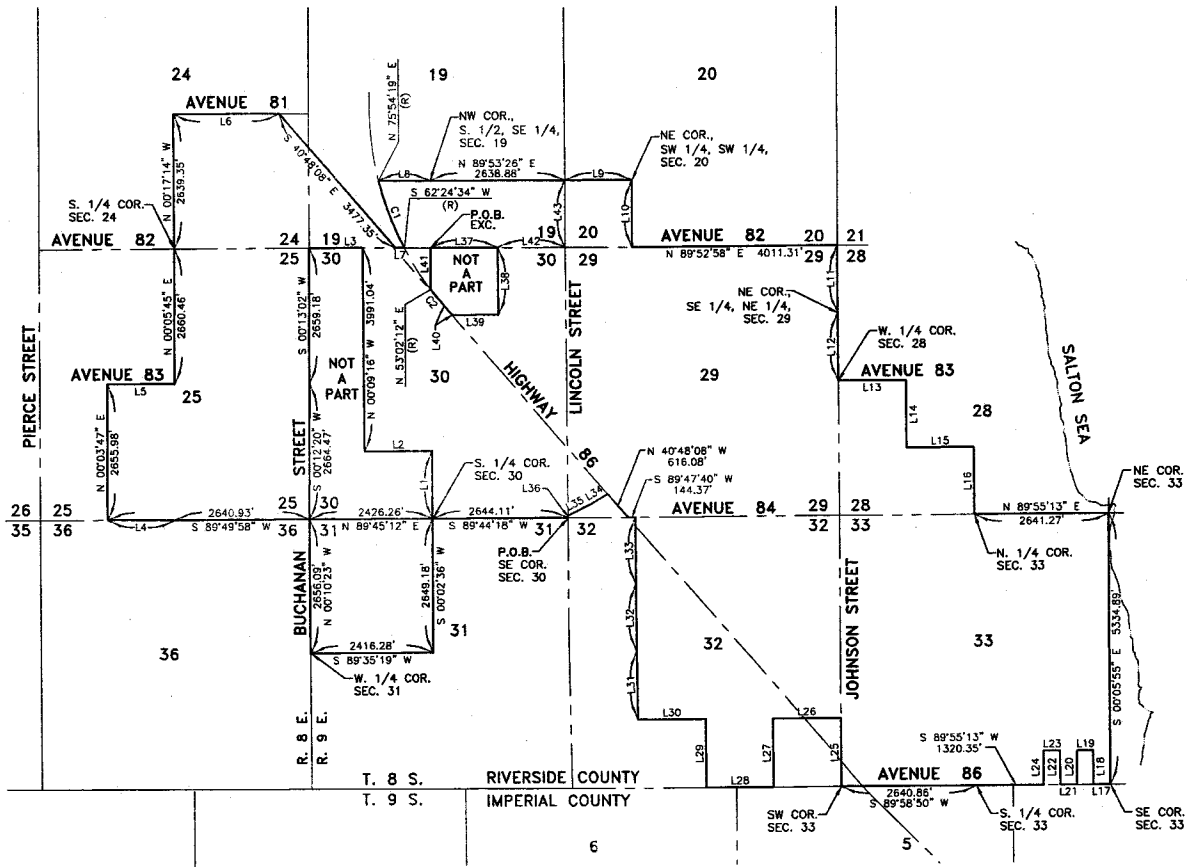
AYES: Buster, Tavaglione, Stone, Benoit and Ashley
NAYS: None
ABSENT: None

DATE: February 7, 2012

KECIA HARPER-IHEM
Clerk of the Board
BY: 
Deputy

SEAL

SECTIONS 24 & 25, T.8S., R:8E., S.B.M., AND
SECTIONS 19, 20, 28, 29, 30, 31, 32 & 33, T.8S., R.9E., S.B.M.

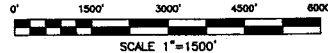


CURVE DATA			
NO.	DELTA	RADIUS	LENGTH
C1	13°29'45"	6000.00'	1413.28'
C2	03°50'20"	6000.00'	402.01'

LINE DATA		
NO.	BEARING	LENGTH
L1	N 00°08'48" W	1330.73'
L2	S 89°43'29" W	1337.57'
L3	S 89°52'58" W	1054.49'
L4	S 89°49'59" W	1320.23'
L5	N 89°42'39" E	1322.14'
L6	N 89°46'04" E	2085.21'
L7	N 89°52'58" E	176.46'
L8	N 89°52'50" E	1013.76'
L9	N 89°50'58" E	1321.13'
L10	S 00°05'17" E	1319.21'
L11	S 00°06'59" E	1330.99'
L12	S 00°08'37" E	1330.73'
L13	N 89°46'03" E	1321.36'
L14	S 00°11'17" E	1322.47'
L15	N 89°50'44" E	1321.00'
L16	S 00°10'20" E	1324.27'
L17	S 89°55'13" W	330.09'
L18	N 00°05'59" W	666.87'
L19	S 89°55'16" W	330.10'
L20	S 00°06'03" E	666.87'
L21	S 89°55'13" W	330.09'
L22	N 00°06'07" W	666.88'
L23	S 89°55'16" W	330.10'
L24	S 00°06'11" E	666.88'
L25	N 00°05'45" W	1332.65'
L26	S 89°58'49" W	1322.50'
L27	S 00°13'43" E	1333.67'
L28	S 89°58'10" W	1318.98'
L29	N 00°21'40" W	1335.24'
L30	N 89°58'30" W	1325.15'
L31	N 00°39'21" W	1336.69'
L32	N 00°18'58" W	1324.69'
L33	N 00°14'47" W	1323.69'
L34	S 89°58'10" W	400.72'
L35	S 83°28'50" W	430.56'
L36	S 00°14'54" E	45.00'
L37	N 89°52'58" E	1316.19'
L38	S 00°17'01" E	1329.24'
L39	S 89°51'55" W	907.33'
L40	N 40°48'08" W	245.44'
L41	N 00°11'23" W	830.00'
L42	N 89°52'58" E	1316.19'
L43	N 00°05'50" W	1318.44'

ASSESSORS PARCEL NOS:

- 737-090-002, 737-110-001, 737-110-004,
- 737-110-006, 737-110-009, 737-120-005,
- 737-120-006, 737-120-007, 737-120-008,
- 737-120-009, 737-140-002, 737-140-003,
- 737-140-010, 737-170-003, 737-170-004,
- 737-170-006, 737-170-007, 737-170-012,
- 737-170-013, 737-170-014, 737-170-015,
- 737-180-001, 737-180-002, 737-180-004,
- 737-180-007, 737-180-010, 737-180-012,
- 737-180-013, 737-180-014, 737-190-001,
- 737-190-002, 737-190-003, 737-190-004,
- 737-190-005, 737-190-006, 737-190-007,
- 737-190-009, 737-190-010, 737-190-011,
- 737-190-012, 737-190-013, 737-200-002,
- 737-200-003, 737-200-004, 737-200-006,
- 737-200-007, 737-200-008, 737-200-009,
- 737-200-010, 737-200-016, 737-200-017,
- 737-200-018, 737-200-019, 737-200-020,
- 737-200-023, 737-200-024, 737-200-026,
- 737-200-027, 737-200-028, 737-200-029,
- 737-200-030, 737-200-031, 737-200-032,
- 737-220-001, 737-220-002, 737-220-003,
- 737-220-004, 737-240-002, 737-240-003,
- 737-240-004, 737-260-003, 737-260-005,
- 737-260-007, 737-260-008, 737-260-010,
- 737-260-011, 737-260-012, 737-260-013,
- 737-260-014, 737-260-015, 737-260-016,
- 737-260-017, 737-270-001, 737-270-003,
- 737-270-005, 737-270-006, 737-270-010,
- 737-270-011, 737-280-001, 737-280-002,
- 737-280-003, 737-280-004, 737-280-005,
- 737-280-006, 737-280-007, 737-280-008,
- 737-290-001, 737-290-004, 737-290-005,
- 737-290-006, 737-290-011, 737-290-015,
- 737-290-016, 737-290-017, 737-290-018,
- 737-290-019, 755-270-015, 755-270-016,
- 755-270-021, 755-270-022, 755-270-023,
- 755-270-024, 755-300-016, 755-300-017,
- 755-300-022, 755-300-023, 755-300-024,
- 755-300-025, 755-300-026, 755-310-012,
- 755-310-013, 755-310-015, 755-310-028,
- 755-310-029, 755-310-030, 755-310-031,
- 755-310-032, 755-310-035, 755-310-037,
- 755-310-038, 755-310-040, 755-310-042,
- 755-310-043, 755-310-044, 755-310-045,



LEGEND

SP ZONE SPECIFIC PLAN (SP 375)

MAP NO. 41.086

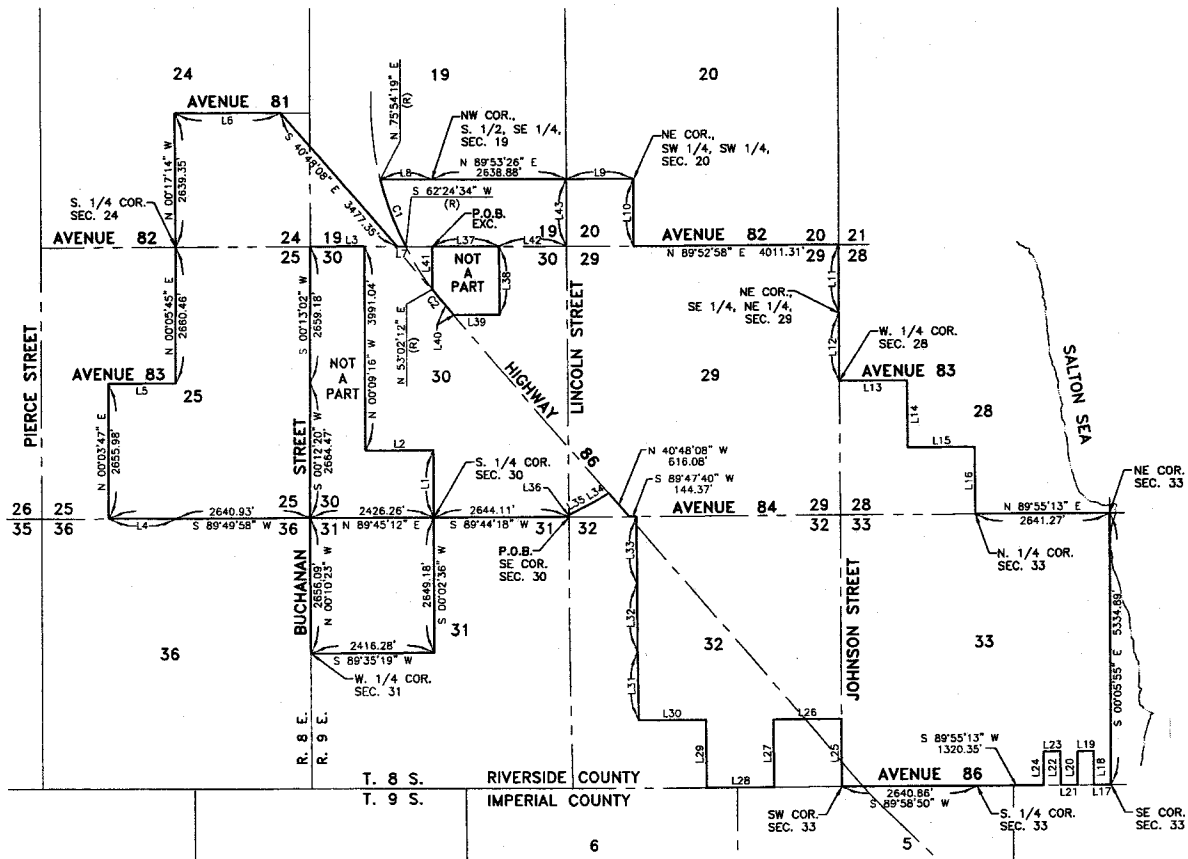
CHANGE OF OFFICIAL ZONING PLAN
LOWER COACHELLA VALLEY
DISTRICT

CHANGE OF ZONE CASE NO. 7623
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4737
FEBRUARY 7, 2012

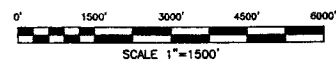
RIVERSIDE COUNTY BOARD OF SUPERVISORS

J.N. 1834
JANUARY 26, 2012

SECTIONS 24 & 25, T.8S., R.8E., S.B.M., AND
SECTIONS 19, 20, 28, 29, 30, 31, 32 & 33, T.8S., R.9E., S.B.M.



CURVE DATA			
NO.	DELTA	RADIUS	LENGTH
C1	13°29'45"	6000.00'	1413.28'
C2	03°50'20"	6000.00'	402.01'



ASSESSORS PARCEL NOS:

- 737-090-002, 737-110-001, 737-110-004,
- 737-110-006, 737-110-009, 737-120-005,
- 737-120-006, 737-120-007, 737-120-008,
- 737-120-009, 737-140-002, 737-140-003,
- 737-140-010, 737-170-003, 737-170-004,
- 737-170-006, 737-170-007, 737-170-012,
- 737-170-013, 737-170-014, 737-170-015,
- 737-180-001, 737-180-002, 737-180-004,
- 737-180-007, 737-180-010, 737-180-012,
- 737-180-013, 737-180-014, 737-190-001,
- 737-190-002, 737-190-003, 737-190-004,
- 737-190-005, 737-190-006, 737-190-007,
- 737-190-009, 737-190-010, 737-190-011,
- 737-190-012, 737-190-013, 737-200-002,
- 737-200-003, 737-200-004, 737-200-006,
- 737-200-007, 737-200-008, 737-200-009,
- 737-200-010, 737-200-016, 737-200-017,
- 737-200-018, 737-200-019, 737-200-020,
- 737-200-023, 737-200-024, 737-200-026,
- 737-200-027, 737-200-028, 737-200-029,
- 737-200-030, 737-200-031, 737-200-032,
- 737-220-001, 737-220-002, 737-220-003,
- 737-220-004, 737-240-002, 737-240-003,
- 737-240-004, 737-260-003, 737-260-005,
- 737-260-007, 737-260-008, 737-260-010,
- 737-260-011, 737-260-012, 737-260-013,
- 737-260-014, 737-260-015, 737-260-016,
- 737-260-017, 737-270-001, 737-270-003,
- 737-270-005, 737-270-006, 737-270-010,
- 737-270-011, 737-280-001, 737-280-002,
- 737-280-003, 737-280-004, 737-280-005,
- 737-280-006, 737-280-007, 737-280-008,
- 737-290-001, 737-290-004, 737-290-005,
- 737-290-006, 737-290-011, 737-290-015,
- 737-290-016, 737-290-017, 737-290-018,
- 737-290-019, 755-270-015, 755-270-016,
- 755-270-021, 755-270-022, 755-270-023,
- 755-270-024, 755-300-016, 755-300-017,
- 755-300-022, 755-300-023, 755-300-024,
- 755-300-025, 755-300-026, 755-310-012,
- 755-310-013, 755-310-015, 755-310-028,
- 755-310-029, 755-310-030, 755-310-031,
- 755-310-032, 755-310-035, 755-310-037,
- 755-310-038, 755-310-040, 755-310-042,
- 755-310-043, 755-310-044, 755-310-045,

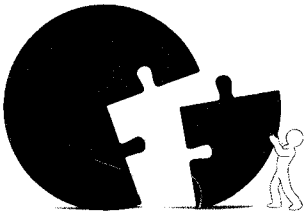
LEGEND
SP ZONE SPECIFIC PLAN (SP 375)

MAP NO. 41.086
 CHANGE OF OFFICIAL ZONING PLAN
 LOWER COACHELLA VALLEY
 DISTRICT

CHANGE OF ZONE CASE NO. 7623
 AMENDING ORDINANCE NO. 348
 ADOPTED BY ORDINANCE NO. 348.4737
 FEBRUARY 7, 2012

RIVERSIDE COUNTY BOARD OF SUPERVISORS

LINE DATA		
NO.	BEARING	LENGTH
L1	N 00°09'48" W	1330.73'
L2	S 89°43'29" W	1337.57'
L3	S 89°52'58" W	1054.49'
L4	S 89°40'59" W	1320.23'
L5	N 89°42'39" E	1322.14'
L6	N 89°46'04" E	2085.21'
L7	N 89°52'58" E	176.46'
L8	N 89°52'50" E	1013.76'
L9	N 89°50'58" E	1321.13'
L10	S 00°05'17" E	1319.21'
L11	S 00°06'59" E	1330.99'
L12	S 00°08'37" E	1330.73'
L13	N 89°46'03" E	1321.36'
L14	S 00°11'17" E	1322.47'
L15	N 89°50'44" E	1321.00'
L16	S 00°10'20" E	1324.27'
L17	S 89°55'13" W	330.09'
L18	N 00°05'59" W	666.87'
L19	S 89°55'16" W	330.10'
L20	S 00°06'03" E	666.87'
L21	S 89°55'13" W	330.09'
L22	N 00°06'07" W	666.88'
L23	S 89°55'16" W	330.10'
L24	S 00°06'11" E	666.88'
L25	N 00°05'45" W	1332.65'
L26	S 89°58'49" W	1322.50'
L27	S 00°13'43" E	1333.67'
L28	S 89°56'10" W	1318.98'
L29	N 00°21'40" W	1335.24'
L30	N 89°56'30" W	1332.15'
L31	N 00°38'21" W	1336.69'
L32	N 00°18'59" W	1324.69'
L33	N 00°14'47" W	1323.69'
L34	S 58°58'10" W	400.72'
L35	S 63°28'50" W	489.56'
L36	S 00°14'54" E	45.00'
L37	N 89°52'58" E	1316.19'
L38	S 00°17'01" E	1329.24'
L39	S 89°51'55" W	907.33'
L40	N 40°48'08" W	245.44'
L41	N 00°11'23" W	830.00'
L42	N 89°52'58" E	1316.19'
L43	N 00°05'50" W	1318.44'



RIVERSIDE COUNTY PLANNING DEPARTMENT

706B

Carolyn Syms Luna
Director

DATE: January 30, 2012

TO: Clerk of the Board of Supervisors

FROM: Planning Department - Riverside Office

SUBJECT: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623.

(Charge your time to these case numbers)

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

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

Designate Newspaper used by Planning Department for Notice of Hearing:
SELECT Advertisement

Need Director's signature by January 30, 2012
Please schedule on the February 7, 2012 BOS Agenda

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

Notice of Determination
Fish & Game Receipt (CFG4952)

Do not send these documents to the County Clerk for posting until the Board has taken final action on the subject cases.

Riverside Office · 4080 Lemon Street, 12th Floor
P.O. Box 1409, Riverside, California 92502-1409
(951) 955-3200 · Fax (951) 955-1811

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

"Planning Our Future... Preserving Our Past"

Barton, Karen

From: Sara L. Breckenridge <breckenridge@smwlaw.com>
Sent: Monday, February 06, 2012 12:41 PM
To: COB
Subject: Travertine Point Specific Plan No. 375, and Related Approvals
Attachments: Comment Letter on Errata.PDF

To the Clerk of the Board,

Please find attached a comment letter on the Travertine Point Final EIR Errata, submitted on behalf of the Sierra Club and the Center for Biological Diversity. Please acknowledge your receipt of the letter by accepting the delivery receipt request sent with this e-mail. A hard copy will follow via FedEx overnight delivery. If you have any questions, please contact me at (415) 552-7272 or via e-mail.

Sara Breckenridge
Legal Secretary
Shute, Mihaly & Weinberger LLP
396 Hayes St.
San Francisco, CA 94102
415.552.7272
415.552.5816 (fax)

SHUTE, MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: 415 552-7272 F: 415 552-5816
www.smwlaw.com

RACHEL B. HOOPER
Attorney
hooper@smwlaw.com

February 6, 2012

Via E-Mail and FedEx

Riverside County Clerk of the Board
4080 Lemon Street, 1st Floor
Riverside, CA 92501
E-Mail: cob@rcbos.org

Re: Travertine Point Specific Plan No. 375, and Related Approvals

Dear Chairman Buster and Members of the Board:

On behalf of the Sierra Club and the Center for Biological Diversity, we are providing comments on the Travertine Point Final EIR Errata (“Errata”) attached to the January 26, 2012 submittal to the Board of Supervisors. While the submittal claims the Errata is intended merely to correct “several typos and internal inconsistencies,” the Errata contains significant edits, additional mitigation measures, and changes to a determination of significance. While the Errata is available on the Planning Department website, it was not attached to the submittal, making public review more difficult.

This kind of “hide-the-ball” tactic—in which the County characterized significant changes to the Final EIR as mere “corrections”—raises considerable questions regarding the role of public disclosure and comment in the County’s decision-making process. Errata, a form of document recognized in neither the Public Resources Code nor the CEQA Guidelines, should only be used to correct errors in the EIR document, not to add modifications in response to “late” comments. The County exacerbated this problem by waiting to make these changes to the Final EIR until *after* tentative project approval and *after* the close of the last public hearing on the project.

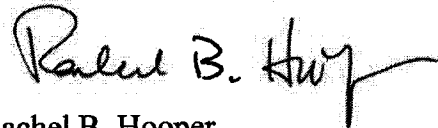
These late changes to the EIR are particularly egregious given that at least one appears to violate CEQA. The Final EIR determined that the Project’s impacts on state and regional park facilities would be significant and unavoidable. Final EIR at 6.16-37. Based on purported changes in project design and mitigation, the Errata downgrades

Riverside County Clerk of the Board
February 6, 2012
Page 2

the impact to Anza-Borrego Desert State Park to less than significant. Errata at 9. This determination, however, is not supported by substantial evidence, and as such, violates CEQA's clear requirement. CEQA Guidelines § 15091(b); *Fed'n of Hillside & Canyon Associations v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1260. For example, as explained in prior comment letters regarding impacts to the Park, the barriers and buffers provided by the design of the Project are insufficient to prevent unauthorized access. In addition, because the number of visitors to the Park from the Project "cannot be estimated" (Errata at 7), the assertion that payment of user fees alone will be sufficient to mitigate all Project impacts is unsupported. The Errata's changes to the EIR's discussion of impacts to Park facilities should be eliminated prior to the Project's final approval.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP

A handwritten signature in black ink that reads "Rachel B. Hooper". The signature is written in a cursive style with a long, sweeping underline.

Rachel B. Hooper

Barton, Karen

From: Laura Massie <lmassie@crla.org>
Sent: Monday, February 06, 2012 2:57 PM
To: COB
Cc: Phoebe Seaton; Ilene Jacobs; Walls, Pamela J.
Subject: Agenda Item 3.27 (Travertine Point) on 2/7/12 agenda for Riverside County Board of Supervisors
Attachments: 20111212 letter to BOS re Travertine Point Specific Plan.pdf

Dear Ms. Harper-Ihem,

I understand that the Board of Supervisors will, at its meeting tomorrow, consider a number of actions related to the Travertine Specific Plan No. 375. For the reasons stated in the attached correspondence, the adoption of Resolutions 2012-036 and 2012-040, the adoption of Specific Plan No. 375, and the adoption of Ordinance No. 348.4737 are unlawful.

Sincerely,

Laura S. Massie
Staff Attorney - Abogada
California Rural Legal Assistance - Asistencia Legal Rural de California
Community Equity Initiative - Iniciativa de Igualdad Comunitaria
1460 6th Street
Coachella, CA 92236
Tel: 760-398-7261 x306
Fax: 760-398-1050
Email: lmassie@crla.org



CALIFORNIA RURAL LEGAL ASSISTANCE, INC.

COMMUNITY EQUITY INITIATIVE, Coachella Regional Office

LSC

Coachella Office
1460 6th Street
Coachella, CA 92236
(760) 398-7261
(760) 398-1050 (fax)
www.crla.org

Arturo Rodriguez
Directing Attorney
E-Mail: Arrodriguez@crla.org

Megan Beaman
Staff Attorney
E-Mail: Mbeaman@crla.org

Laura Massie
Staff Attorney - CEI
E-Mail: Lmassie@crla.org

Emanuel V. Benitez
Community Worker
E-Mail: Ebenitez@crla.org

Lorena Martinez
Community Worker
E-Mail: Lmartinez@crla.org

Cristina Mendez
Community Worker - CEI
E-Mail: cmendez@crla.org

Carmen Lopez-Rodriguez
Administrative Legal Secretary
E-Mail: Crodriquez@crla.org

Ruth Estrada
Secretary/Receptionist
E-Mail: Restrada@crla.org

CENTRAL OFFICE
631 Howard Street, Suite 300
San Francisco, CA 94105
Telephone: (415) 777-2752
Fax: (415) 543-2752
E-Mail: hm0097@handsnet.org
World Wide Web: www.crla.org

José R. Padilla
Executive Director
Luis C. Jaramillo
Deputy Director
Ralph Santiago Abascal
General Counsel
(1934-1997)

William G. Hoerger
Ilene J. Jacobs
Michael Meuter
Cynthia Rice
*Directors of Litigation, Advocacy,
and Training*

OTHER REGIONAL OFFICES

Arvin	Oxnard (Basic)
Delano	Paso Robles
El Centro	Salinas
Fresno	San Luis Obispo
Gilroy	Santa Barbara
Madera	Santa Cruz
Marysville	Santa Maria
Modesto	Santa Rosa
Monterey	Stockton
Oceanside	Watsonville
Oxnard (Migrant)	

December 12, 2011

VIA ELECTRONIC MAIL AND U.S. MAIL

Board of Supervisors for the County of Riverside
c/o Kecia Harper-Ihem, Clerk of the Board
4080 Lemon Street, First Floor
Riverside CA 92501
cob@rcbos.org

Re: Travertine Point Specific Plan No. 375 and Supporting EIR

To the Board of Supervisors:

I am writing on behalf of Riverside County resident Francisco Baeza to express concerns regarding the proposed Travertine Point Specific Plan No. 375 (Travertine Point or Specific Plan) and supporting EIR. The Board of Supervisors risks violating State and Federal law if it approves said plan because (1) the Specific Plan cannot be found to be consistent with the County's General Plan, (2) the Specific Plan does not address the housing needs of region, and (3) approval could have a disparate impact on low-income communities of color in Riverside County.

Riverside County Cannot Make the Required Consistency Finding with Respect to Travertine Point.

California law holds that General Plans are the constitution for all future development (*Leshar Communications, Inc v City of Walnut Creek*, 52 Cal. 3d 531, 540). Any decision affecting land use and development must be consistent with the jurisdiction's General Plan (*Friends of Lagoon Valley v. City of Vacaville*, 154 Cal. App. 4th 807). For any land use decision to be found consistent with the General Plan, the General Plan itself must be valid and legally adequate. The legal adequacy of a General Plan depends on, *inter alia*, its internal consistency (Cal. Gov't Code §65300.5) and its inclusion of all mandatory elements, including a Housing Element (Cal. Gov't Code §§ 65301, 65302).

Riverside County currently does not have a valid Housing Element, one of the required elements of a General Plan (Gov't Code § 55302(c)). As such, the Riverside County's General Plan is legally inadequate due to its lack of internal consistency and its failure to include all legally mandated elements. It therefore is

not possible to make the legally required finding that the Travertine Point Specific Plan is consistent with the General Plan.

Riverside County Cannot Assess the Extent to Which Travertine Point Addresses the County's Housing Need.

The Housing Element, one of seven required elements of the General Plan, includes specifically required components set forth in Article 10.6 of the Planning and Zoning Law (Gov't Code §§ 65580 *et seq.*) to ensure provision of decent and affordable housing for all Californians (Gov't Code § 65580(a)).

Riverside County has no valid Housing Element and in fact is more than five years overdue in adopting a valid Housing Element. *See* Gov't Code § 65588(e)(1). The Board of Supervisors cannot assess the extent to which Travertine Point addresses the housing needs in Riverside County, and specifically the Coachella Valley, since there is no adopted Housing Element upon which the County can rely in making such an assessment. Furthermore, because there is no adopted Housing Element, the Board of Supervisors cannot assess the extent to which the Travertine Point Specific Plan will impact future housing development in the area by impacting resources such as water and wastewater capacity and availability of land.

Data from the Draft Housing Element and Proposed RHNA Allocations Demonstrate a Housing Need That Will Not be Satisfied by the Travertine Point Specific Plan.

The Travertine Point Specific Plan anticipates the creation of 16,666 housing units, of which only 1,666, or 10%, will be reserved for low-income, very low-income, and extremely low-income households earning 80% or less of the Area Median Income. *See* Travertine Point Specific Plan 375 at 3-444, 3-446 (August 2011). None of these units will be reserved for extremely low-income households with incomes of less than 30% of Area Median Income. *See id.* at 3-444.

While Riverside County does not have a valid, adopted Housing Element, it has recently circulated a Draft Housing Element that reveals to some extent the housing needs in Riverside County, including the Coachella Valley. *See* General Plan Amendment No. 960, Chapter 8 – Housing Element 2006-2014 (draft). This Draft Housing Element – which, incidentally, does not adequately assess the housing need in Riverside County – estimates that approximately 40% of households in unincorporated Riverside County, including approximately 40% of households in unincorporated areas of the Coachella Valley, are low income, very low income, or extremely low income households (earning 80% or less of the Area Median Income). *See id.* at H-159.

The Southern California Association of Governments (SCAG) is responsible for allocating to each county and city in its region figures representing each city's and county's share of the regional housing need for each economic segment of the population. *See* Gov't Code § 65584(b). SCAG is currently assessing a proposed allocation of units based on housing stock and housing need. *See* Southern California Association of Governments Draft RHNA Allocation Plan (Nov. 30, 2011). According to this draft allocation, unincorporated Riverside County's housing need includes approximately 33,000 total units, of which 13,000 units, or 40%, must be affordable to low income, very low income, or extremely low income households (earning 80% or less of the Area Median Income).

The Travertine Point development does not anticipate addressing, nor will it address, the severe and considerable housing needs in Riverside County.

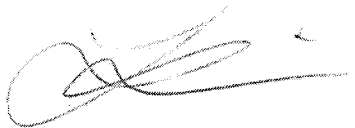
Civil Rights and Fair Housing Concerns

The Board of Supervisors' approval of the Travertine Point Specific Plan in the face of the concerns laid out above may result in a disparate impact on low-income people of color in Riverside County and risks violating State and Federal Fair Housing and Civil Rights Law, including Government Code § 65008, the California Fair Employment and Housing Act (Government Code § 12900 *et seq.*), Government Code § 11135, and the Federal Fair Housing Act (42 U.S.C. § 12131 *et seq.*).

Should the Board of Supervisors proceed despite the concerns noted above, I will advise my client of the remedies available to him.

Sincerely,

CALIFORNIA RURAL LEGAL ASSISTANCE



Laura Massie
Attorney at Law

cc: Pamela J. Walls, Riverside County Counsel
Phoebe Seaton, Program Director, Community Equity Initiative, California Rural Legal Assistance, Inc.
Ilene Jacobs, Director of Litigation, Advocacy, and Training, California Rural Legal Assistance, Inc.
Arturo Rodriguez, Directing Attorney, Coachella Migrant Office, California Rural Legal Assistance, Inc.
file

Barton, Karen

From: Kate Litzky <KateL@calparks.org> on behalf of Traci Verardo-Torres <Traci@calparks.org>
Sent: Monday, February 06, 2012 4:51 PM
To: Straite, Matt
Cc: COB
Subject: Travertine Point Specific Plan - SCH#20071014145
Attachments: CSPF FEIR Errata Comment Letter Travertine Point 020612.pdf

Dear Mr. Straite,

Attached please find California State Parks Foundation's comment letter concerning the Final Environmental Impact Report Errata No. 514, Project No. SP 375, GPA 00910, and CZ 07623 – Travertine Point Specific Plan - SCH#20071014145. Please don't hesitate to contact me with any questions.

Sincerely,
Traci

Traci Verardo-Torres
Vice President, Government Affairs
California State Parks Foundation
1510 J Street, Suite 120
Sacramento, CA 95814
TEL: 916.442.2119
FAX: 916.442.2809
www.calparks.org



CALIFORNIA STATE PARKS FOUNDATION

February 6, 2012

Mr. Matt Straite
Riverside County Planning Department
4080 Lemon Street, 9th Floor, P.O. Box 1409
Riverside, CA 92502-1409

SENT VIA ELECTRONIC MAIL

RE: Final Environmental Impact Report Errata No. 514, Project No. SP 375, GPA 00910, and CZ 07623 – Travertine Point Specific Plan - SCH#20071014145

Dear Mr. Straite:

On behalf of the California State Parks Foundation (“CSPF”), I am writing to comment on the January 2012 Travertine Point Final EIR Errata. Specifically, I am writing to object to the conclusion in the Errata that changes impacts to Anza-Borrego Desert State Park (ABDSP) to less than significant, based on the assumption that new user fees generated by Travertine Point residents visiting ABDSP will offset Project impacts to the park.

We appreciate the attempt of the FEIR to presume that project designs will “effectively preclude access to the adjacent portions of the ABDSP from the project site.” (FEIR Errata, Page 6) It is impossible, however, to guarantee that will be the case. Fencing of drainage channels may be a deterrent to unauthorized access, but depending on the distance and required travel that Project residents may need to undertake to legally access the park, it is possible that unauthorized access will, in fact, still occur for the “convenience” of Project residents. As such, our concerns about unauthorized entrances into, or created into, the park from the Project remain and we believe it is inappropriate to appear to reduce impacts to the park based on the Errata’s unproven assumption.

Additionally, even if all Project residents who visit the park do so legally **and** pay posted entrance fees, those fees alone are not sufficient to fully cover the cost of providing all visitor services, protection measures, and park management functions in operating ABDSP. This is the case for any visitor to ABDSP, and virtually any other state park in California. Visitor fees are an important part of the overall funding picture for any state park, and for the system in general, but are only one component of park funding. Fees, General Fund support, other earned revenues, bond funds and other funding sources are necessary to support the system. For the best

Headquarters
50 Francisco Street
Suite 110
San Francisco, CA 94133
OFFICE 415-262-4400
FAX 415-772-8969
EMAIL members@calparks.org

Southern California Office
714 W. Olympic Boulevard
Suite 717
Los Angeles, CA 90015
OFFICE 213-748-7458
FAX 213-748-7495

Sacramento Office
1510 J Street
Suite 220
Sacramento, CA 95814
OFFICE 916-442-2119
FAX 916-442-2809

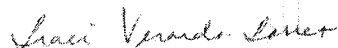
www.calparks.org

management of any state park unit, significant, anticipated increases in visitation would not just contemplate fee revenues, but would recognize the need for, and secure, additional funding support to provide visitor services and continued resource protection. Without any specific or even estimated attendance numbers from Project residents to ABDSP, it is impossible to estimate the additional, but certain, funding need above the amount of revenue generated in visitor fees.

CSPF continues to find that this Project, and the FEIR Errata, does not go far enough to ensure protection of ABDSP. We believe the proposed Project should be reevaluated to avoid significant impacts that will occur to ABDSP.

Thank you for the opportunity to comment on this matter. Please do not hesitate to contact me at 916-442-2119 with any questions regarding this letter or CSPF's position.

Sincerely,



Traci Verardo-Torres
Vice President, Government Affairs
California State Parks Foundation

CC: Riverside County Board of Supervisors
Gail Sevens, California Department of Parks and Recreation

Barton, Karen

From: Pamela Epstein <pnepstein@gmail.com>
Sent: Tuesday, February 07, 2012 7:29 AM
To: COB
Cc: Straite, Matt
Subject: Comment Letter Travertine Point Specific Plan 375
Attachments: SC Travertine Comment letter 2.7.2012.pdf

Please, find attached as a pdf a comment letter on behalf of Sierra Club San Diego regarding the Travertine Point Specific Plan Project, which is on the County Board of Supervisors consent agenda for February 7, 2012. Thank you.

Pamela

--
--

Pamela N. Epstein, Esq., LL.M
Managing Attorney
Legal Eagles, Environmental Law & Policy Clinic
Sierra Club, San Diego Chapter
8304 Clairemont Mesa Blvd., Ste. 101
San Diego, CA 92101
C: 1.520.904.1482
O: 1.858.569-6005
E: pepstein@sierraclubsandiego.org
E: pnepstein@gmail.com

** Please, think about the environment before printing this e-mail.

Important Notice: This message contains confidential information that is legally privileged. If you are not an addressee or the person responsible for delivering this message to the addressee(s), you are hereby notified that readings, disseminating, distributing, or copying this message is strictly prohibited. If you have received this message by mistake, please immediately notify me by replying to this message and then delete the original message and your reply immediately thereafter. Thank you very much.



San Diego Chapter
8304 Clairemont Mesa Blvd., Ste. 101
San Diego, CA 92111
<http://www.sandiego.sierraclub.org>
858-569-6005

February 7, 2012

Chairman Ashley and Members of the Board of Supervisors
Riverside County
4080 Lemon Street, 4th Floor
Post Office Box 1409
Riverside, CA 92501
cob@rcbos.org

RE: Travertine Point Project Specific Plan No. 375, GPA 00910 and CZ 07623, Final Environmental Impact Report No. 514 (SCH # 20071014145)

Dear Chairman Ashley and Members of the Board:

This letter is submitted on behalf of the San Diego Chapter of the Sierra Club (the "Sierra Club" or the "Club") to strongly recommend the Board of Supervisors (the "BOS") to deny the proposed Travertine Point Specific Plan (the "Project") because the Revised Final Environmental Impact Report ("FEIR") for the Project fails to comply with the requirements of the California Environmental Quality Act ("CEQA"), Public Resources Code § 21000 et seq. and the CEQA Guidelines, California Code of Regulations, title 14, § 15000 et seq. ("CEQA Guidelines").

The revisions to the FEIR for the Travertine Point Project ('Project'), as reflected in the Form 11 attachment, are inadequate and completely fail to address the concerns raised in the Club's comment letters submitted on August 15, 2011 and November 11, 2011. The comment letters addressed two broad areas of inadequacy, each with numerous sub-issues. First, the Project FEIR provided an inconsistent project description, contradicting CEQA requirements. The basic tenet of CEQA is that the FEIR should function as an informational document for the public and decision-makers. However, without an adequate project description, neither the public nor the planning authorities can effectively address the project's impacts. Here, the Project FEIR describes a staged development without any description of the conditions to be met prior to the various described build-out scenarios. Despite these glaring omissions that render the Project EIR invalid under CEQA, the revisions reflected in the FEIR fail to remedy the inadequacies.

Moreover, the revisions to the FEIR insufficiently address the Club's comments regarding the Project's water supply. The Project discloses neither the source nor the quantity of additional water supplies that are foreseeable during the later stages of the Project build-out. CEQA requires that the EIR adequately describe the source of all water resources required for the Project. The EIR also fails to describe how potable water will be transported to the Project area. The infrastructure does not currently exist and neither Riverside nor Imperial County has any projects planned to lay the necessary pipe. In many ways, the project is half-planned with neither the scope nor the necessary infrastructure fully realized.

The revisions to the project EIR address only two areas, neither of which coincide with the Club's concerns. First, the project will now actively reduce greenhouse emissions through: (1) reducing congestion during construction via flagmen and traffic routing, (2) mandated natural gas and electric forklifts, (3) encouraging residents to use electric landscaping tool by providing exterior sockets on residential developments, and (4) requiring commercial and residential developments to exceed both current and future CAP standards. Second, the project now requires (1) rerouting the existing trail system


to preclude resident access to the Anza Borrego Desert State Park through any means except the designated park entrance, and (2) installation of a six-foot high fence separating the state park from the adjacent project.

While beneficial, neither of these revisions addresses any of the serious deficiencies of the EIR, including but not limited to, impacts to water resources and the vague project description. Further, the EIR's finding of "no significant impact" by the project on the Anza Borrego State Park is unsupported by substantial evidence in the record. The environmental effects on the Anza Borrego Desert State Park are not limited to increases in foot traffic as a result of the connecting trail system. The development of the project itself, with the accompanying changes to the existing land uses, construction, traffic, noise, and lighting, will have a significant adverse impact the state park and adjacent open spaces. As detailed in the Club's comment letters, the project will result in irreparable harm on the movement of protected and endangered species. The EIR's suggestion that the project will have no significant effects on the movements of endemic and local animals both ignores basic ecological observations and is entirely unsupported by evidence provided in the record. The suggestion that these animals will travel around the perimeter of the project, despite the associated lights and noise and human presence, is nonsensical. The addition of a six-foot fence in conjunction with existing drainage channel does virtually nothing to properly mitigate the direct and indirect effects of the Project on the Anza Borrego State Park. If anything, the result will be further impairment of the movement of sensitive species.

The Project's impacts to the Park and to the surround open-spaces will certainly be greater than suggested by the FEIR. A chain-link fence and a ribbon of cement cannot solve the environmental impacts accompanying the construction of a metropolis in what is pristine open desert. If this Project must go forward, then the EIR must be revised to address the issues discussed in the Club's previous comment letters. An adequate EIR must include a comprehensive mitigation strategy for the Anza Borrego Desert State Park and the surrounding open lands; a strategy supported by competent analysis of the area's ecology and supported by substantial evidence in the record.

To meet the above listed requirements, the County must obtain substantial new information and must give the public opportunity for review and to give commentary. Therefore, the County must revise and recirculate the Project EIR. The Sierra Club looks forward to a revised EIR that fully address the above comments and provides the level of analysis and mitigation required by CEQA.

Respectfully Submitted,



Pamela N. Epstein, Esq., LL.M
Staff Attorney & Legal Program Manager
Sierra Club, San Diego Chapter
pepstein@sierraclubsandiego.org
8304 Clairemont Mesa Blvd., Ste 101
San Diego, CA 92111

The San Diego Chapter of the Sierra Club is San Diego's oldest and largest grassroots environmental organization, founded in 1948. Encompassing San Diego and Imperial Counties, the San Diego Chapter seeks to preserve the special nature of the San Diego and Imperial Valley area through education, activism, and advocacy. The Chapter has over 15,000 members. The National Sierra Club has over 1.4 members in 65 Chapters in all 50 states, and Puerto Rico.



Barton, Karen

From: Diana Lindsay <dlindsay@sunbeltpub.com>
Sent: Monday, February 06, 2012 9:01 PM
To: COB
Cc: 'Ralph Singer'; 'Conrad Kramer'; mjorgensen@cableusa.com; 'Terry Weiner'; 'Sevrens, Gail'; 'Dice, Kathy'
Subject: ABF FEIR Errata Comment Letter Travertine Point 2-6-2012
Attachments: ABF TravertinePoint FEIR Errata 2-6-2012.pdf

TO: Riverside County Clerk of the Board
FROM: Diana Lindsay, Vice-President Environmental Affairs, Anza-Borrego Foundation
dlindsay@sunbeltpub.com
619-993-2645 (mobile)

See attached: RE: Final Environmental Impact Report Errata No. 514, Project No. SP 375, GPA 00910, and CZ 07623 – Travertine point Specific Plan – SCH#20071014145



(760) 767-0446
Fax: (760) 767-0465

595 Palm Canyon Dr., Suite A
P.O. Box 2001
Borrego Springs, CA 92004

www.theabf.org

February 6, 2012

Mr. Matt Straite
Riverside County Planning Department
4080 Lemon Street, 9th Floor, P.O. Box 1409
Riverside, CA 92502-1409

SENT VIA ELECTRONIC MAIL – Riverside County Clerk of the Board: cob@rcbos.org

RE: Final Environmental Impact Report Errata No. 514, Project No. SP 375, GPA 00910, and CZ 07623 – Travertine Point Specific Plan - SCH#20071014145

Dear Mr. Straite:

I am writing to comment on the January 2012 Travertine Point Final EIR Errata on behalf of the Anza-Borrego Foundation. Specifically, our concern and objection to the Errata is the conclusion that impacts to Anza-Borrego Desert State Park (ABDSP) are less than significant based on the assumption that user fees generated by Travertine Point residents will offset any project impacts to the park.

The Travertine Point Final EIR, tentatively certified by the Riverside County Board of Supervisors on December 13, 2011, stated that "Potential impacts on state and other regional [park] facilities from increased use would not be offset by increased user fees or state funding and are therefore deemed significant and unavoidable." Travertine Point Final EIR Page 6.16-37. However, the Travertine Point Final EIR Errata, released on January 26, 2012, downgrades the impacts to ABDSP to less than significant. Errata at 9. The County's justifications for this change are two-fold: project design and the payment of user fees. Neither justification, however, supports the downgrading of this impact.

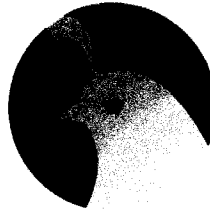
First, the barriers and buffers provided by the project design are insufficient to prevent unauthorized access in the park. Second, the payment of user fees alone does not assure that impacts to park facilities will be mitigated to less than significant. As admitted in the Errata, "[t]he number of visitors to the park that would be generated by the project . . . cannot be estimated." Errata at 7. Moreover, while the park's mission may be to provide facilities that are "clean and in good repair," (*id.*) the park can only meet that mission with sufficient funding. Nothing in the Errata or EIR supports the assertion that payment of user fees by an unknown number of project residents will be sufficient to mitigate the project's impacts. Without the necessary substantial evidence to support the less-than-significant finding, the Board cannot legally approve the Travertine Point EIR. CEQA Guidelines § 15091(b); *Fed'n of Hillside & Canyon Associations v. City of Los Angeles*, 83 Cal. App. 4th 1252, 1260 (2000).

This Project and the FEIR Errata fail to ensure the protection of ABDSP. The proposed Project should be reevaluated to avoid any significant impacts to the ABDSP.

Thank you for the opportunity to comment on this matter.

Sincerely,

Diana Lindsay
Vice-President Environmental Affairs



CALIFORNIA STATE PARKS FOUNDATION

February 6, 2012

Mr. Matt Straite
Riverside County Planning Department
4080 Lemon Street, 9th Floor, P.O. Box 1409
Riverside, CA 92502-1409

SENT VIA ELECTRONIC MAIL

RE: Final Environmental Impact Report Errata No. 514, Project No. SP 375, GPA 00910, and CZ 07623 – Travertine Point Specific Plan - SCH#20071014145

Dear Mr. Straite:

On behalf of the California State Parks Foundation (“CSPF”), I am writing to comment on the January 2012 Travertine Point Final EIR Errata. Specifically, I am writing to object to the conclusion in the Errata that changes impacts to Anza-Borrego Desert State Park (ABDSP) to less than significant, based on the assumption that new user fees generated by Travertine Point residents visiting ABDSP will offset Project impacts to the park.

We appreciate the attempt of the FEIR to presume that project designs will “effectively preclude access to the adjacent portions of the ABDSP from the project site.” (FEIR Errata Page 6) It is impossible, however, to guarantee that will be the case. Fencing of drainage as a deterrent to unauthorized access, but depending on the distance and require residents may need to undertake to legally access the park, it is possible that will, in fact, still occur for the “convenience” of Project residents. As such unauthorized entrances into, or created into, the park from the Project remain inappropriate to appear to reduce impacts to the park based on the Errata’s

2-7-12
3.27

Additionally, even if all Project residents who visit the park do so legally and pay entrance fees, those fees alone are not sufficient to fully cover the cost of providing all visitor services, protection measures, and park management functions in operating ABDSP. This is the case for any visitor to ABDSP, and virtually any other state park in California. Visitor fees are an important part of the overall funding picture for any state park, and for the system in general, but are only one component of park funding. Fees, General Fund support, other earned revenues, bond funds and other funding sources are necessary to support the system. For the best

Headquarters
50 Francisco Street
Suite 110
San Francisco, CA 94133
OFFICE 415-262-4400
FAX 415-772-8969
EMAIL members@calparks.org

Southern California Office
714 W. Olympic Boulevard
Suite 717
Los Angeles, CA 90015
OFFICE 213-748-7458
FAX 213-748-7495

Sacramento Office
1510 J Street
Suite 220
Sacramento, CA 95814
OFFICE 916-442-2119
FAX 916-442-2809

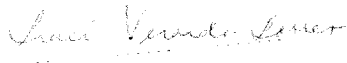
www.calparks.org

management of any state park unit, significant, anticipated increases in visitation would not just contemplate fee revenues, but would recognize the need for, and secure, additional funding support to provide visitor services and continued resource protection. Without any specific or even estimated attendance numbers from Project residents to ABDSP, it is impossible to estimate the additional, but certain, funding need above the amount of revenue generated in visitor fees.

CSPF continues to find that this Project, and the FEIR Errata, does not go far enough to ensure protection of ABDSP. We believe the proposed Project should be reevaluated to avoid significant impacts that will occur to ABDSP.

Thank you for the opportunity to comment on this matter. Please do not hesitate to contact me at 916-442-2119 with any questions regarding this letter or CSPF's position.

Sincerely,



Traci Verardo-Torres
Vice President, Government Affairs
California State Parks Foundation

CC: Riverside County Board of Supervisors
Gail Sevrens, California Department of Parks and Recreation

SHUTE, MIHALY
& WEINBERGER LLP

396 HAYES STREET, SAN FRANCISCO, CA 94102
T: 415 552-7272 F: 415 552-5816
www.smwlaw.com

RACHEL B. HOOPER
Attorney
hooper@smwlaw.com

February 6, 2012

Via E-Mail and FedEx

Riverside County Clerk of the Board
4080 Lemon Street, 1st Floor
Riverside, CA 92501
E-Mail: cob@rcbos.org

Re: Travertine Point Specific Plan No. 375, and Related Approvals

Dear Chairman Buster and Members of the Board:

On behalf of the Sierra Club and the Center for Biological Diversity, we are providing comments on the Travertine Point Final EIR Errata ("Errata") attached to the January 26, 2012 submittal to the Board of Supervisors. While the submittal claims the Errata is intended merely to correct "several typos and internal inconsistencies," the Errata contains significant edits, additional mitigation measures, and changes to a determination of significance. While the Errata is available on the Planning Department website, it was not attached to the submittal, making public review more difficult.

This kind of "hide-the-ball" tactic—in which the County characterized significant changes to the Final EIR as mere "corrections"—raises considerable questions regarding the role of public disclosure and comment in the County's decision-making process. Errata, a form of document recognized in neither the Public Resources Code nor the CEQA Guidelines, should only be used to correct errors in the EIR document, not to add modifications in response to "late" comments. The County exacerbated this problem by waiting to make these changes to the Final EIR until *after* tentative project approval and *after* the close of the last public hearing on the project.

These late changes to the EIR are particularly egregious given that at least one appears to violate CEQA. The Final EIR determined that the Project's impacts on state and regional park facilities would be significant and unavoidable. Final EIR at 6.16-37. Based on purported changes in project design and mitigation, the Errata downgrades

2-7-12

3.27

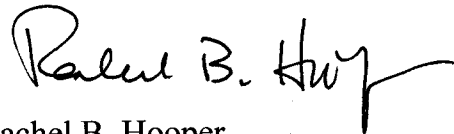
2012-2-111401

Riverside County Clerk of the Board
February 6, 2012
Page 2

the impact to Anza-Borrego Desert State Park to less than significant. Errata at 9. This determination, however, is not supported by substantial evidence, and as such, violates CEQA's clear requirement. CEQA Guidelines § 15091(b); *Fed'n of Hillside & Canyon Associations v. City of Los Angeles* (2000) 83 Cal. App. 4th 1252, 1260. For example, as explained in prior comment letters regarding impacts to the Park, the barriers and buffers provided by the design of the Project are insufficient to prevent unauthorized access. In addition, because the number of visitors to the Park from the Project "cannot be estimated" (Errata at 7), the assertion that payment of user fees alone will be sufficient to mitigate all Project impacts is unsupported. The Errata's changes to the EIR's discussion of impacts to Park facilities should be eliminated prior to the Project's final approval.

Very truly yours,

SHUTE, MIHALY & WEINBERGER LLP



Rachel B. Hooper

From: (415) 552-7272
Sara Breckenridge
Shute, Mihaly & Weinberger, LL
396 Hayes St.

Origin ID: SFOA



San Francisco, CA 94102

Ship Date: 06FEB12
ActWgt: 1.0 LB
CAD: 102235041/NET3250

Delivery Address Bar Code



SHIP TO: (951) 955-1060
Clerk of the Board
Riverside County
4080 LEMON ST FL 1

BILL SENDER

Ref # Sierra.Trav 385
Invoice # FEIR Errata Comments
PO #
Dept #

RIVERSIDE, CA 92501

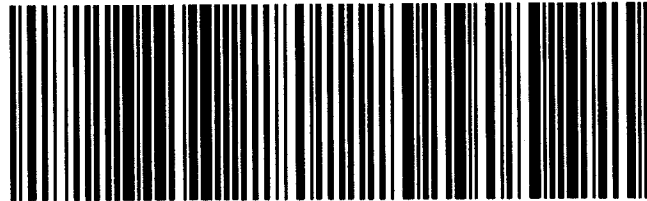
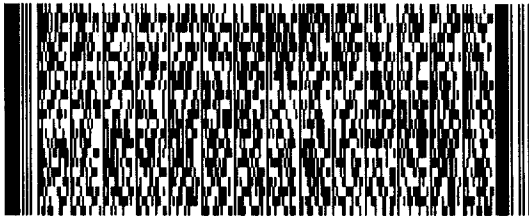
TUE - 07 FEB A1
PRIORITY OVERNIGHT

TRK# 7931 9725 7989

0201

92501
CA-US
ONT

WM ONTA



512G1/9F59/A278

After printing this label:

1. Use the 'Print' button on this page to print your label to your laser or inkjet printer.
2. Fold the printed page along the horizontal line.
3. Place label in shipping pouch and affix it to your shipment so that the barcode portion of the label can be read and scanned.

Warning: Use only the printed original label for shipping. Using a photocopy of this label for shipping purposes is fraudulent and could result in additional billing charges, along with the cancellation of your FedEx account number.

Use of this system constitutes your agreement to the service conditions in the current FedEx Service Guide, available on fedex.com. FedEx will not be responsible for any claim in excess of \$100 per package, whether the result of loss, damage, delay, non-delivery, misdelivery, or misinformation, unless you declare a higher value, pay an additional charge, document your actual loss and file a timely claim. Limitations found in the current FedEx Service Guide apply. Your right to recover from FedEx for any loss, including intrinsic value of the package, loss of sales, income interest, profit, attorney's fees, costs, and other forms of damage whether direct, incidental, consequential, or special is limited to the greater of \$100 or the authorized declared value. Recovery cannot exceed actual documented loss. Maximum for items of extraordinary value is \$500, e.g. jewelry, precious metals, negotiable instruments and other items listed in our Service Guide. Written claims must be filed within strict time limits, see current FedEx Service Guide.



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

KECIA HARPER-IHEM
Clerk of the Board of Supervisors

KIMBERLY A. RECTOR
Assistant Clerk of the Board

February 14, 2012

THE DESERT SUN
ATTN: LEGALS
PO BOX 2734
PALM SPRINGS, CA 92263

FAX: (760) 778-4731
E-MAIL: legals@thedesertsun.com

RE: ADOPTION OF ORDINANCE NO. 348.4737 (ZC 7623)

To Whom It May Concern:

Attached is a copy for publication in your newspaper for **ONE (1) TIME** on **Thursday, February 16, 2012**.

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

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

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

Thank you in advance for your assistance and expertise.

Sincerely,

McGil

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

Gil, Cecilia

From: Moeller, Charlene <CMOELLER@palmspri.gannett.com>
Sent: Tuesday, February 14, 2012 8:58 AM
To: Gil, Cecilia
Subject: RE: FOR PUBLICATION: Adoption of Ord. No. 348.4737 (ZC 7623)

Ad received and will publish on date(s) requested.

Charlene Moeller | Media Sales Legal Notice Coordinator

The Desert Sun Media Group
750 N. Gene Autry Trail, Palm Springs, CA 92262
t 760.778.4578 | f 760.778.4731
legals@thedesertsun.com | dpwlegals@thedesertsun.com

The Coachella Valley's #1 Source in News & Advertising!
www.mydesert.com | twitter @MyDesert | facebook MyDesert.com

This email and any files transmitted with it are confidential and intended for the individual to whom they are addressed. If you have received this email in error, please notify the sender and delete the message from your system

From: Gil, Cecilia [<mailto:CCGIL@rcbos.org>]
Sent: Tuesday, February 14, 2012 7:54 AM
To: tds-legals
Subject: FOR PUBLICATION: Adoption of Ord. No. 348.4737 (ZC 7623)

Good Morning! Attached is an Adoption of Ordinance, for publication on Thursday, Feb. 16, 2012. Please confirm. THANK YOU!

Oh...*Happy Valentine's day* ☺

Cecilia Gil

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

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

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

ORDINANCE NO. 348.4737
AN ORDINANCE OF THE COUNTY OF RIVERSIDE
AMENDING ORDINANCE NO. 348 RELATING TO ZONING

The Board of Supervisors of the County of Riverside Ordains as Follows:

Section 1. Section 4.1 of Ordinance No. 348, and Official Zoning Plan Map No. 41, as amended, are further amended by placing in effect in the Lower Coachella Valley Zoning District, zone or zones as shown on the map entitled "Change of Official Zoning Plan Amending Ordinance No. 348, Map No. 41.086, Change of Zone Case No. 7623," which map is made a part of this Ordinance.

Section 2. Article XVIIa of Ordinance No. 348 is amended by adding thereto a new Section 17.117 to read as follows:

Section 17.117 SP ZONE REQUIREMENTS AND STANDARDS FOR SPECIFIC PLAN NO. 375.

a. Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 (Medium Density Residential).

(1) The uses permitted in Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as defined in Section 2.a.(6) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. of Ordinance No. 348 shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities; day care centers; private schools; and walkable commercial uses as defined in Section 2.a.(6) of this Ordinance.

(2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6, of Specific Plan No. 375 the uses permitted shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not be permitted.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6 of Specific Plan No. 375 until such time as Map Nos. 162, 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 27, 31, and 97 have been diminished or disestablished in the affected planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 1-9, 1-14, 3-2 and 3-6. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-9, 1-14, 3-2 and 3-6 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6 of

Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-2, 1-3, 1-20, 2-1, 2-6, 2-10, 3-7 and 3-8 of Specific Plan No. 375.

- (3) The development standards for interim agriculture uses within Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (4) The development standards for one family dwellings, within Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c., and e. shall be deleted and replaced with the following:
 - A. Residential lot area shall be not less than three thousand five hundred (3,500) square feet.
 - B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be forty-five feet (45').
 - C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35') and along a curvilinear street shall be twenty feet (20'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - D. The maximum building height shall be forty feet (40').
 - E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
 - F. The minimum space between buildings shall be ten feet (10').
 - G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way.
 - H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.
 - I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line and garages shall be permitted within five feet (5') of the rear property line.
 - J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one-half feet (2.5') into setbacks. At least one side of the structure shall maintain a minimum four foot (4') side yard setback with no encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within eight feet (8') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - K. The minimum private usable yard space per dwelling unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
- (5) The development standards for multiple family dwellings permitted in Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375, shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c., and e. shall be deleted and replaced with the following:
 - A. The maximum building height shall be forty-five feet (45').
 - B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.
 - C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall

be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.

- D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10') where solely secondary (side) building setbacks or accessory building setbacks are involved.
 - E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension of three (3) by (3) feet.
 - F. The maximum ratio of floor area to lot area shall not be greater than two to one (2:1), not including basement floor area.
- (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.

- A. The following uses are permitted in a walkable commercial area of Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375 provided a plot plan has been approved pursuant to Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationer stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.

In addition, the following uses shall be permitted, provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns, clinics, including but not limited to medical, dental and chiropractic; and micro-breweries and micro-wineries.

- B. The development standards for walkable commercial uses within Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375, shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with the following:

- (a) No more than one walkable commercial use area shall be permitted within each planning area.
- (b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a homeowners association.
- (c) The commercial building(s) and structure(s) that comprise the walkable commercial use area shall be located at the

intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between commercial buildings or structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.

- (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use may be permitted on a lot.
 - (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
 - (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
 - (g) The minimum side yard setback from a residential lot line shall be ten feet (10').
 - (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
 - (i) All uses shall be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
 - (j) No outdoor storage shall be permitted.
 - (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
 - (l) Hours of operation shall be limited from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
 - (m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.
 - (n) Access for service vehicles should provide a direct route to service and loading dock areas.
- (7) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

b. Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 (Medium-High Density Residential).

- (1) The uses permitted in Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and

other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses as defined in Section 2.b.(6) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. of Ordinance No. 348 shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities; day care centers; private schools; and walkable commercial uses as defined in Section 2.b.(6) of this Ordinance.

- (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 until such time as Map Nos. 162, 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 27, 31, and 97 have been diminished or disestablished in the affected planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use. Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-1, 1-7, 1-8, 2-3, 2-8, 2-11 and 2-17 of Specific Plan No. 375.
- (3) The development standards for interim agriculture uses within Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (4) The development standards for one family dwellings within Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:
 - A. Residential lot area shall be not less than three thousand five hundred (3,500) square feet.
 - B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be forty-five feet (45').
 - C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35') and along a curvilinear street shall be twenty feet (20'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - D. The maximum building height shall be forty feet (40').
 - E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
 - F. The minimum space between buildings shall be ten feet (10').
 - G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half (2.5') into the front yard setback.
 - H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.
 - I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.

- J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one-half feet (2.5') into setbacks. At least one side of the structure shall maintain a minimum four foot (4') side yard setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within eight feet (8') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - K. No dwelling unit shall be constructed unless it has a minimum floor living area of seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
 - L. The minimum private usable yard space per residential unit shall be three (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
- (5) The development standards for multiple family dwellings permitted in Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:
- A. The maximum building height shall be forty-five feet (45').
 - B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.
 - C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
 - D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved and no less than ten feet (10') where solely secondary (side) building setbacks or accessory building setbacks are involved.
 - E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension of three (3) by three (3) feet.
 - F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.
 - G. No multi-family dwelling unit shall be constructed unless it has a minimum floor living area of seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
- (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.
- A. The following uses are permitted in a walkable commercial use area of Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 provided a plot plan has been approved pursuant to Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream

shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationery stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.

In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inns, clinics, including but not limited to medical, dental and chiropractic, and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375, shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with the following:

- (a) No more than one walkable commercial use area shall be permitted within each planning area.
- (b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a homeowners association.
- (c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
- (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
- (e) Within any one walkable commercial area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
- (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
- (g) The minimum side yard setback from a residential lot line shall be ten feet (10').
- (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

- (i) All uses must be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
- (j) No outdoor storage shall be permitted.
- (k) All trash areas and waste containers shall be enclosed within a building or a fully enclosed architectural structure that is visually compatible with the main building.
- (l) Hours of operation shall be limited from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
- (m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.
- (n) Access for service vehicles should provide a direct route to service and loading dock areas.

(7) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

c. Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 (High Density Residential).

The uses permitted in Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8) and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as defined in Section 2.c.(6) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities; day care centers; private schools; and walkable commercial uses as defined in Section 2.c.(6) of this Ordinance.

(1) For land subject to Agricultural Preserves and/or Williamson Act contracts, the uses permitted in Planning Areas 1-16 and 1-17 of Specific Plan No. 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within Planning Areas 1-16 and 1-17 of Specific Plan No. 375 until such time as Map No. 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 31 and 97 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 1-16 and 1-17. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-16 and 1-17 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within these planning areas shall cease and shall no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-16 and 1-17 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-11, 1-15 and 2-9 of Specific Plan No. 375.

- (2) The development standards for interim agriculture uses within Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (3) The development standards for one family dwellings within Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:
- A. Residential lot area shall be not less than one thousand eight hundred (1,800) square feet.
 - B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be forty feet (40').
 - C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35') and along a curvilinear street shall be twenty feet (20'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - D. The maximum building height shall be forty feet (40').
 - E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
 - F. The minimum space between buildings shall be ten feet (10').
 - G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half feet (2.5') into the front yard setback.
 - H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall be not less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.
 - I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.
 - J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one-half feet (2.5') into setbacks. At least one side of the structure shall maintain a minimum four foot (4') side yard setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within eight feet (8') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
 - L. The minimum private usable yard space per residential unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
- (4) The development standards for multiple family dwellings permitted in Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375, shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:
- A. The maximum building height shall be fifty feet (50').
 - B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.

- C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
 - D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10') where solely secondary (side) building setbacks or accessory building setbacks are involved.
 - E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension of three (3) by three (3) feet.
 - F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.
- (5) Walkable commercial uses shall be defined as resident-serving and pedestrian-oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.
- A. The following uses are permitted in a walkable commercial use area of Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationery stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.
In addition, the following uses shall be permitted, provided a conditional use permit has been granted pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn, clinics, including but not limited to medical, dental and chiropractic, and micro-breweries and micro-wineries.
 - B. The development standards for walkable commercial uses within Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with the following:
 - (a) No more than one walkable commercial use area shall be permitted within each Planning Area.

- (b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a Homeowners Association.
 - (c) The commercial building(s) and structure(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000) between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
 - (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
 - (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
 - (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
 - (g) The minimum side yard setback from the residential lot line shall be ten feet (10').
 - (h) The minimum rear yard setback from the residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
 - (i) All uses must be conducted within buildings unless otherwise expressly authorized as part of a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
 - (j) No outdoor storage shall be permitted.
 - (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
 - (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
 - (m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.
 - (n) Access for service vehicles should provide a direct route to service and loading dock areas.
- (6) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

d. **Planning Area 3-3 (Highest Density Residential)**

- (1) The uses permitted in Planning Area 3-3 of Specific Plan No. 375 shall be the same as those as the uses permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); Section 6.1.b.(1), and (5); and Section 6.1.c.(1) shall not be permitted. In addition, the permitted uses identified under Section 6.1.a. shall include community recreation and assembly buildings and facilities; lakes, including the non-commercial fishing there from; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and facilities; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use, does not change the character of that use, and any applicable provisions of Section

18.18 of Ordinance No. 348 are complied with. In addition, the permitted uses identified under Section 6.1.b. shall also include multiple family dwellings; recycling collection facilities; guest quarters; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as defined in Section 2.d.(5) of this Ordinance. In addition, the permitted uses identified under Section 6.1.c. shall also include cell towers concealed within architectural projections or similar structures; congregate care residential facilities; day care centers; private schools; and walkable commercial uses subject to a conditional use permit as defined in Section 2.d.(5) of this Ordinance.

- (2) The development standards for interim agriculture uses within Planning Area 3-3 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (3) The development standards for one family dwellings within Planning Area 3-3 of Specific Plan No. 375 shall be the same standards as those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:
 - A. Residential lot area shall be not less than one thousand eight hundred (1,800) square feet.
 - B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be forty feet (40').
 - C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35') and along a curvilinear street shall be twenty feet (20'). Lot frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.
 - D. The maximum building height shall be forty feet (40').
 - E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
 - F. The minimum space between buildings shall be ten feet (10').
 - G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half feet (2.5') into the front yard setback.
 - H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way as shown on any Specific Plan Circulation Plan, whichever is nearer to the structure, upon which the main building sides.
 - I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within eight feet (8') of the rear property line, and garages shall be permitted within five feet (5') of the rear property line.
 - J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of two and one-half feet (2.5') into setbacks. At least one side of the structure shall maintain a minimum four foot (4') side yard setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within eight feet (8') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

- L. The minimum private usable yard space per residential unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
- (4) The development standards for multiple family dwellings permitted in Planning Area 3-3 of Specific Plan No. 375, shall be the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b. and c. shall be deleted and replaced with the following:
- A. The maximum building height shall be seventy-five feet (75').
 - B. No lot shall have more than sixty percent (60%) of its net area covered with buildings or structures.
 - C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
 - D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10') where solely secondary (side) building setbacks or accessory building setbacks are involved.
 - E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension in any direction of six feet (6').
 - F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.
 - G. No multi-family dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred and fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
- (5) Walkable commercial shall be defined as resident serving and pedestrian oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.
- A. The following uses are permitted in a walkable commercial use area of Planning Area Planning Area 3-3 of Specific Plan No. 375 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationery stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is

maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops. In addition, the following uses shall be permitted, provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn, clinics, including but not limited to medical, dental and chiropractic, and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 3-3 of Specific Plan No. 375 shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a, b. and c. shall be deleted and replaced with the following:

- (a) No more than one walkable commercial use area shall be permitted within Planning Area 3-3.
- (b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a Homeowners Association.
- (c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
- (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
- (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
- (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way.
- (g) The minimum side yard setback from an interior residential lot line shall be ten feet (10').
- (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
- (i) All uses must be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
- (j) No outdoor storage shall be permitted.
- (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
- (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
- (m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.
- (n) Access for service vehicles should provide a direct route to service and loading dock areas.

(6) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VI of Ordinance No. 348.

e. Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 (Mixed Use).

- (1) The uses permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a.(1), (23), (33), (42), (51), (54), (61), (91), and (93); Section 9.1.b.(3), (6), (7), (10), (11), (12), (15), (18), (19), and (20); and Section 9.1.d.(1), (2), (3), (4), (6), (7), (9), (10), (11), (12), and (18) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal, state and local agencies, and civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 2-21, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products shall be permitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Section 9.1.a. shall include: automobile sales and rental agencies; automobile and truck service stations, not including the concurrent sale of beer and wine for off-premise consumption; bed and breakfast inns; cell towers concealed by architectural features or similar structures; clinics, including but not limited to medical, dental and chiropractic; community recreation facilities; conference center; convenience stores, not including the sale of motor vehicle fuel; cultural centers; farmers markets; grocery, including dry goods, health food, and variety stores; health and exercise centers, provided all facilities are located within an enclosed building; hospitals, including medical/surgical, convalescent, nursing, and hospice care facilities; home occupations; lakes, including noncommercial fishing therefrom; laundries, with dry cleaning shops; libraries; mini-warehouse structures; museums; noncommercial community association recreation and assembly buildings and facilities; non-profit community centers; office equipment sales and service; parcel delivery services; pedestrian paseos; planned residential developments, provided a land division is approved pursuant to the provisions of County Ordinance No. 460 and the development standards in Section 18.5 or 18.6 of Ordinance No. 348 are complied with; post offices; prescription pharmacy when related and incidental to a professional office building; professional offices; real estate offices; recycling collection facilities, not to exceed five thousand (5,000) square feet gross building structure; live-work dwellings; multiple-family dwellings; one-family dwellings; second units provided a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348; guest quarters; spas, including day spas and medical spas; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; sports courts and recreational fields and facilities; warehouse stores/big-box retail; water wells and appurtenant facilities; wedding chapels; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use. In addition, the permitted uses identified under Section 9.1.b shall also include: building supply stores and equipment rental, including outside storage; neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural; power generation and distribution, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy facilities; parks and playgrounds, golf courses with standard length fairways, and country clubs; and walkable commercial uses subject to a plot plan as defined in Section 2.e.(9) of this ordinance. In addition, the permitted uses identified under Section 9.1.d shall also include:

automobile service stations, truck service stations, including the concurrent sale of beer and wine for off-premises consumption; convenience stores, including the sale of motor vehicle fuel; gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption; golf courses and appurtenant facilities, including clubhouses with customary retail shops and restaurant facilities; liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed ten thousand (10,000) gallons; micro-breweries and micro-wineries; performing arts theaters and centers including live music and other stage productions; private schools; sports and recreational facilities, not including motor-driven vehicles and riding academies, but including archery ranges, athletic fields, beaches, golf driving ranges, gymnasiums, miniature golf, parks, playgrounds, sports arenas, skating rinks, stadiums, and commercial swimming pools; and walkable commercial uses subject to a conditional use permit as defined in Section

2.e.(9) of this Ordinance. The following uses are permitted provided a public use permit is approved pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

- (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375, the uses permitted shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not be permitted.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Area 4-6, 4-7 and 4-8 of Specific Plan No. 375 until such time as Map Nos. 162, 171, 359 and 777 of Coachella Valley Agricultural Preserve Nos. 27, 31 and 97 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 4-6, 4-7 and 4-8. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4 and 4-5 of Specific Plan No. 375.

- (3) The development standards for interim agriculture uses within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

- (4) Any land division application submitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be heard concurrently with a comprehensive plot plan application for the entire affected Planning Area by the Planning Commission in accordance with Section 18.30.d.(3) of Ordinance No. 348. The application for a comprehensive plot plan shall be submitted in accordance with the provisions of Section 18.30 of Ordinance No. 348 and shall also at a minimum, include the following:

A. A statement indicating how the land division and comprehensive plot plan applications implement Specific Plan No. 375 and comply with the conditions of approval for said specific plan.

B. A comprehensive plot plan for the entire planning are, a conceptual grading plan and a tentative subdivision map, based upon a contour interval no greater than four feet (4') which in addition to the requirements of Ordinance No. 460 and Section 18.30 of Ordinance No. 348 shall include:

the proposed lots including lot lines and proposed easements, if any;

- (a) building footprints;
- (b) floor plan assignments;

- (c) pad elevations, street grades and all cut and fill slopes in excess of one (1) foot in vertical height;
 - (d) the proposed uses, their location and architectural designs;
 - (e) the proposed internal circulation system; and
 - (f) buffers, if any.
- C. A design manual which includes:
- (a) description of residential floor plans and their mix;
 - (b) lot and building calculations for each lot and building as follows:
 - (c) lot area and lot pad area;
 - (d) building footprint area;
 - (e) percentage of lot coverage;
 - (f) front setback;
 - (g) useable rear yard area and depth;
 - (h) building square footage for commercial and residential uses;
 - (i) a fencing plan including details of proposed materials to be used;
 - (j) dimensioned conceptual floor plans and elevations, including details of proposed materials for elevations, and square footages and heights of individual units; and
 - (k) a proposed phasing plan showing the planned sequence of subdivision map recordation and development.
- (5) Unless one of the Mixed Use Overlay Zones as outlined in Section 3 of this Ordinance is utilized, the development standards for mixed use projects within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be as follows:
- A. The maximum building height shall be fifty feet (50').
 - B. No lot shall have more than fifty percent (50%) of its net area covered with buildings or structures.
 - C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
 - D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building setbacks are involved, and no less than ten feet (10') where solely secondary (side) building setbacks or accessory building setbacks are involved.
 - E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum yard dimension in any direction of six feet (6').
 - F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.
- (6) The development standards for one family dwellings, within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same standards as those for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:
- A. Residential lot area shall be not less than one thousand eight hundred (1,800) square feet and shall not exceed four thousand, five hundred (4,500) square feet.
 - B. The minimum average width of each lot shall be forty feet (40') and the minimum average depth shall be forty feet (40').
 - C. The minimum frontage of a lot along a straight street shall be thirty-five feet (35') and along a curvilinear street shall be twenty feet (20'). Lot

frontage along curvilinear streets shall be measured at the building setback in accordance with zone development standards.

- D. The maximum building height shall be forty feet (40').
 - E. In no case shall more than eight-five percent (85%) of any lot be covered by a dwelling.
 - F. The minimum space between buildings shall be ten feet (10').
 - G. The front yard shall be not less than five feet (5'), measured from the existing street right-of-way or from any interior drive or future street right-of-way. Porches at the front of the structure may encroach two and one-half (2.5') into the front yard setback.
 - H. Side yards on interior and through lots shall be not less than five feet (5'). Side yards on corner and reverse corner lots shall not be less than five feet (5') from the existing street right-of-way or from any interior drive or future street right-of-way.
 - I. The rear yard shall be not less than ten feet (10') from any property line or interior drive, except that second floor living space and balconies located in the rear yard shall be permitted within one and one-half foot (1.5') of the rear property line.
 - J. Fireplaces, media niches, bay windows, porches, window boxes, and similar architectural features shall be allowed to encroach a maximum of one and one-half feet (1.5') into setbacks. At least one side of the structure shall maintain a minimum three foot (3') side yard setback regardless of encroachments. Media niches shall be a maximum of eight feet (8') in width. No second floor structural encroachments shall be permitted within one and one-half foot (1.5') of the rear property line. No other structural encroachments shall be permitted in the front, rear, or side yard setback except as provided for in Section 18.19 of Ordinance No. 348.
 - K. No dwelling unit shall be constructed unless it has a minimum floor living area of not less than seven hundred and fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
 - L. The minimum private usable yard space per residential unit shall be three hundred (300) square feet, with a minimum yard dimension of four (4) by four (4) feet.
- (7) The development standards for multiple family dwellings permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375, shall be subject to the standards for Planned Residential Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:
- A. The maximum building height shall be fifty feet (50').
 - B. No lot shall have more than fifty percent (50%) of its net area covered with buildings or structures.
 - C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.
 - D. The distance between buildings shall be no less than fifteen feet (15') where primary (e.g., front and/or rear) building elevations are involved, and no less than ten feet (10') where solely secondary (side) building elevations or accessory building elevations are involved.
 - E. The minimum private usable yard space per residential unit shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6').
 - F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than two to one (2:1), not including basement floor area.

- (8) The development standards for commercial development permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b shall be deleted and replaced by the following:

A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a commercial planning area adjoins a residential planning area or a residential development within a mixed use planning area. For commercial buildings over forty feet (40') in height, an additional one foot (1') of side and/or rear yard setback shall be added for each one foot (1') of height over forty feet (40').

For purposes of this section, a commercial use shall be defined as development which includes any permitted use other than an agricultural use, single family dwelling, multiple family dwelling or apartment.

- (9) Walkable commercial uses shall be defined as resident serving and pedestrian oriented commercial uses not to exceed ten thousand (10,000) square feet of gross building square footage in any one planning area.

A. The following uses are permitted in a walkable commercial use area of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 provided a plot plan has been approved pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique shops; art galleries; art supply shops and studios; bakery shops, including baking only when incidental to retail sales on the premises; banks and financial institutions; bicycle sales and rentals; book stores and binders; clothing stores; convenience stores, not including the sale of motor vehicle fuel; delicatessens; florist's shops; food markets and frozen food lockers; gift shops; golf cart sales and service; grocery, dry goods, health food, and variety stores; hardware stores, including not more than one thousand (1,000) square feet of outside storage lumber; hobby shops; ice cream shops; interior decorating shops; jewelry stores, including incidental repairs; laundries and laundromats; laundries, with dry cleaning shops; leather goods stores; libraries; locksmith shops; meat markets, not including slaughtering; music stores; neighborhood electric vehicle (NEV) sales and service; news stores; non-profit community centers; notions or novelty stores; nurseries and garden supply stores; parcel delivery services (stores); pet shops and pet supply shops; post offices; produce markets; real estate offices; residences, live-work dwellings; restaurants and other eating establishments; shoe stores and repair shops; shoeshine stands; spas, including day spas and medical spas; sporting goods stores; stationer stores; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; tailor shops; tourist information centers; toy shops; travel agencies; utilities, both public and private; and watch repair shops.

In addition, the following uses shall be permitted, provided a conditional use permit has been approved pursuant to the provisions of Section 18.28 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns; clinics, including but not limited to medical, dental and chiropractic; and micro-breweries and micro-wineries.

B. The development standards for walkable commercial uses within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375, shall be the same standards as identified in Article IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth in Article IXa, Section 9.26.a, b. and c. shall be deleted and replaced with the following:

- (a) No more than one walkable commercial use area shall be permitted within each planning area.

- (b) Walkable commercial uses may be located within and/or adjacent to facilities owned and operated by a Homeowners Association.
- (c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
- (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
- (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
- (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
- (g) The minimum side yard setback from an interior residential lot line shall be ten feet (10').
- (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
- (i) All uses must be conducted within buildings unless otherwise expressly authorized as part of the plot plan or conditional use permit conditions of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
- (j) No outdoor storage shall be permitted.
- (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
- (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
- (m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.
- (n) Access for service vehicles should provide a direct route to service and loading dock areas.

f. **Planning Areas 1-12, 2-2, and 3-5 (Local Commercial Retail).**

- (1) The uses permitted in Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those as the uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a.(1), (5), (6), (7), (9), (17), (18), (25), (28), (29), (30), (33), (35), (43), (49), (54), (61), (66), (68), (69), (80), (82), (83), (84), (85), (91), (93), and (94); Section 9.1.b.(3), (6), (10), (11), (12), (15), (16), (18), (19), and (20); and Section 9.1.d.(1), (2), (3), (4), (6), (7), (9), (10), (11), (12), and (18) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies, and local civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Areas 1-12, 2-2 and 3-5. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one (1) unlighted sign that does not exceed two (2) square feet in size pertaining to the sale of products within Planning Areas 1 – 12,

2-2 and 3-5 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-12, 2-2 and 3-5 all agricultural uses including those incidental thereto within the affected Planning Area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article IX Section 9.1.a. shall include: administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale; art galleries; cell towers concealed within architectural projections or similar structures; clinics, including but not limited to medical, dental and chiropractic; community recreation facilities; conference centers; dance schools; farmers markets; grocery, including but not limited to dry goods, health food, and variety stores; health and exercise centers; lakes, including noncommercial fishing therefrom; laundries, with dry cleaning shops; micro-breweries and micro-wineries; museums; non-profit community centers; parcel delivery services (stores); pedestrian paseos; post offices; professional offices; live-work dwellings; spas, including day spas and medical spas; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; sports courts and recreational fields and uses; utilities, both public and private; warehouse stores/big-box retail; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.

In addition, the permitted uses identified under Section 9.1.b shall also include: neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural; power generation and distribution, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy facilities; and public parks and playgrounds, golf courses with standard length fairways, and country clubs.

In addition, the permitted uses identified under Section 9.1.d shall also include: automobile and truck service stations, including the concurrent sale of beer and wine for off-premises consumption; bed and breakfast inns; automobile and truck service stations, not including the concurrent sale of beer and wine for off-premises consumption; libraries; liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed 10,000 gallons; private schools; archery ranges; golf driving ranges; gymnasiums; miniature golf facilities; parks and playgrounds; sports arenas; skating rinks; stadiums; commercial swimming pools; theaters, not including drive-ins; and wedding chapels.

The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

- (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Area 3-5, the uses permitted in Planning Area 3-5 of Specific Plan No. 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348.

No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning Area 3-5 of Specific Plan No. 375 until such time as Map No. 162 of Coachella Valley Agricultural Preserves No. 27 has been diminished or disestablished in Planning Area 3-5 and any corresponding Williamson Act contract is no longer in effect for Planning Area 3-5. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Area 3-5 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within Planning Area 3-5 shall cease and no longer be a permitted use.

Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Area 3-5 of Specific Plan No. 375

shall be the same as those uses permitted in Planning Areas 1-12 and 2-2 of Specific Plan No. 375.

- (3) The development standards for interim agriculture uses within Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those standards identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (4) The development standards for Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b shall be deleted and replaced by the following:
 - A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a Commercial Planning Area adjoins a Residential Planning Area or a residential development within a Mixed Use Planning Area. For commercial buildings over forty feet (40') in height, an additional one foot (1') of side and/or rear yard setback shall be added for each one foot (1') of height over forty feet (40').
- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article IX of Ordinance No. 348.

g. **Planning Area 2-19 (Regional Commercial Retail).**

- (1) The uses permitted in Planning Area 2-19 of Specific Plan No. 375 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 9.1.a.(30), (33), (43), (54), (61), (80), (82) and (93); Section 9.1.b.(10), (11), (15) and (16); and Section 9.1.d.(1), (3), (4), (6), (7), (9), (10) and (18) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies, and local civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Area 2-19.

Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products shall be permitted within Planning Area 2-19 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Area 2-19 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article IX Section 9.1.a. shall include: administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale; art galleries; automobile sales and rental agencies; automobile and truck service stations, not including the concurrent sale of beer and wine for off-premises consumption; cell towers concealed within architectural projections or similar structures; clinics, including but not limited to medical, dental and chiropractic; community recreation facilities; conference center; cultural centers; dance school; entertainment venues and night clubs; farmers markets; grocery, dry goods, health food, and variety stores; health and exercise centers, provided all facilities are located within an enclosed building; hospitals (medical/surgical, convalescent, nursing, hospice care, etc.); lakes, including noncommercial fishing therefrom; laundries, with dry cleaning shops; libraries; micro-breweries and micro-wineries; museums; non-profit community centers; office equipment sales and service; parcel delivery services (stores); pedestrian paseos; post offices; prescription pharmacy when related and incidental to a professional office building; professional offices; real estate offices; residences, live-work dwellings; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; spas, including day spas and medical spas; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for

sale; sport courts and recreational fields and uses; utilities, both public and private; warehouse stores/big-box retail; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.

In addition, the permitted uses identified under Section 9.1.b shall also include: boat and other marine rentals and services; building supply stores and equipment rental, including outside storage; neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural; power generation and distribution, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy facilities; parks and playgrounds, golf courses with standard length fairways, and country clubs; and travel trailers, motor homes and recreational vehicles sales and service.

In addition, the permitted uses identified under Section 9.1.d shall also include: automobile and truck service stations, including the concurrent sale of beer and wine for off-premises consumption; concrete batch plants and asphalt plants; gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption; liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed ten thousand (10,000) gallons; mortuaries; performing arts theaters and centers including live music, stage productions, etc.; schools, private; archery ranges, golf driving ranges, gymnasiums, miniature golf, parks and playgrounds; sports arenas; skating rinks; stadiums; commercial swimming pools; and wedding chapels.

The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

(2) The development standards for interim agriculture uses within Planning Area 2-19 of Specific Plan No. 375 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

(3) The development standards for Planning Area 2-19 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b shall be deleted and replaced by the following:

A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a Commercial Planning Area adjoins a Residential Planning Area or a residential development within a Mixed Use Planning Area. For commercial buildings over forty feet (40') in height, an additional one foot (1') of side and/or rear yard setback shall be added for each one foot (1') of height over forty feet (40').

(4) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article IX of Ordinance No. 348.

h. Planning Areas 3-9, 5-3 and 5-4 (Commercial Tourist / Resort).

(1) The uses permitted in Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a(1), (3), (4), (5), (8), (9), (15), (25), (26), (27), (28), (29), (30), (33), (36), (37), (39), (42), (43), (47), (48), (49), (52), (54), (55), (60), (61), (62), (64), (65), (66), (68), (69), (72), (77), (80), (82), (84), (91), (92), (93) and (94); Section 9.1.b.(4), (6), (8), (9), (10), (11), (12), (13), (15), (16), (18), (19) and (20); and Section 9.1.d.(1), (4), (6), (7), (9), (10), (11), (12), (13) and (14) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies, and local civic centers, police and fire stations, libraries, public health and welfare offices, and employment departments shall be permitted within Planning Areas 3-9, 5-3 and 5-4. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products within Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning

Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article IX Section 9.1.a. shall include: administrative and professional offices, including but not limited to business, law, medical, dental, chiropractic, architectural, engineering, community planning, and real estate offices, in which no activity is carried on catering to retail sales and no stock of goods is maintained for sale; amusement parks; art galleries; bed and breakfast inns; campgrounds; cell towers concealed within architectural projections or similar structures; community recreation facilities; conference center; cultural centers; dance schools; entertainment venues and night clubs; golf courses and appurtenant facilities, including clubhouses (a clubhouse is permitted to have customary retail shop and restaurant facilities); grocery, dry goods, health food, and variety stores; health and exercise centers, provided all facilities are located within an enclosed building; lakes, including noncommercial fishing therefrom; laundries, with dry cleaning shops; libraries; meeting, fraternal lodge, and community halls; micro-breweries and micro-wineries; museums; pedestrian paseos; picnic grounds; prescription pharmacy when related and incidental to a professional office building; rock climbing walls; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; spas, including day spas and medical spas; studios for professional work in or teaching of any form of fine arts, including but not limited to photography, music, drama, and dance, where no stock of goods is maintained for sale; swimming pools; sport courts and recreational fields and uses; utilities, both public and private; warehouse stores/big-box retail; wedding chapels; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.

In addition, the permitted uses identified under Section 9.1.b shall also include: boat and other marine rentals and services; electrical substations; neighborhood electric vehicle (NEV) sales and service; power generation and distribution facilities, including solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-based energy facilities; public parks and playgrounds, golf courses with standard length fairways, and country clubs; and recreational vehicle parks.

In addition, the permitted uses identified under Section 9.1.d shall also include: automobile sales and rental, automobile and truck service stations, including the concurrent sale of beer and wine for off-premises consumption; gasoline service stations, not including the concurrent sale of beer and wine for off-premises consumption; hunting clubs, skeet, trap, rifle and pistol ranges; liquid petroleum service stations, not including the concurrent sale of beer and wine, provided the total capacity of all tanks shall not exceed 10,000 gallons; performing arts theaters and centers; private schools; archery ranges; golf driving ranges; gymnasiums; miniature golf; parks and playgrounds; sports arenas; skating rinks; stadiums; and commercial swimming pools.

The following uses are permitted provided a public use permit has been granted pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches, temples and other places of religious worship.

- (2) The development standards for interim agriculture uses within Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (3) The development standards for Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of Ordinance No. 348 except that the development standards set forth in Article IX, Section 9.4.b and .c shall be deleted and replaced by the following:
 - A. There are no yard requirements for commercial buildings except that a fifteen foot (15') minimum rear and/or side yard setback shall be required where a commercial building within a Commercial Planning Area adjoins a Residential Planning Area or a residential development within a Mixed Use Planning Area. For commercial buildings over forty feet (40') in

height, an additional one foot (1') of side and/or rear yard setback shall be added for each one foot (1') of height over forty feet (40').

- B. No building or structure shall exceed one hundred and fifty feet (150') in height unless a greater height is approved pursuant to Section 18.34 of Ordinance No. 348. In no event, however, shall a building or structure exceed two hundred feet (200') in height, unless a variance is approved pursuant to Section 18.27 of this Ordinance.

- (4) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article IX of Ordinance No. 348.

i. Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 (Open Space - Recreation).

- (1) The uses permitted in Planning Area 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Section 8.100.a. (6) and (8) and c.(1) shall not be permitted. Governmental uses, offices, and facilities including but not limited to federal and state agencies and local civic centers, police and fire stations, libraries, public health and welfare offices and employment departments shall be permitted within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.

In addition, the uses permitted under Article VIII, Section 8.100.a. shall include:

boat and other marine sales; boat and other marine rentals and services; campgrounds; cultural centers; fishing and casting pools; museums; non-profit community centers; pedestrian paseos; picnic grounds; public parks and playgrounds; refreshment stands; restaurants and other eating establishments; rock climbing walls; spas, including day spas and medical spas; sports and recreational facilities, not including motor-driven vehicles and riding academies, but including archery ranges, athletic fields, golf driving ranges, gymnasiums, miniature golf, sports arenas, skating rinks, stadiums, and commercial swimming pools; sport courts and recreational fields and uses; tourist information centers; and accessory buildings to a specific use, provided that the accessory building is established as an incident to a principal use and does not change the character of that use.

In addition, the uses permitted under Article VIII, Section 8.100.b. shall include:

auditoriums and conference rooms; hunting clubs, skeet, trap, rifle and pistol ranges; meeting, fraternal lodge, and community halls; performing arts theaters and centers; and recreational vehicle parks.

- (2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the uses permitted in Planning Areas 1-21 and 3-11 of Specific Plan No. 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348. No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning Areas 1-21 and 3-11 of Specific Plan No. 375 until such time as Map No. 162 of Coachella Valley Agricultural Preserves No. 27 has been diminished or disestablished in the planning area and any corresponding Williamson Act contract is no longer in effect for Planning Areas 1-21 and 3-11. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-21 and 3-11, all agricultural uses including uses incidental thereto within the affected planning area shall cease and shall no longer be a permitted use. Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-21 and 3-11 of Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-23, 2-4 and 2-5 of Specific Plan No. 375.

- (3) The development standards for interim agriculture uses within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (4) The development standards for Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same standards as those identified in Article VIII, Section 8.101 of Ordinance No. 348 except that the standards set forth in Article VIII, Section 8.101.b shall be deleted and replaced with the following:
 - A. Whenever a building is to be constructed on a lot, it shall have a front yard, side yard, and rear yard, each of which shall be not less than twenty feet (20'). If more than one building is constructed on one lot, there shall be not less than twenty feet (20') of separation between the buildings. No structural encroachments shall be permitted in the front, side or rear yard except as provided for in Section 18.19 of this Ordinance.
- (5) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

j. Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 (Open Space – Water).

- (1) The uses permitted in Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same as those uses permitted in Article VIII, Section 8.100 of Ordinance No. 348, except that the uses permitted pursuant to Article VIII, Section 8.100.a(1), (2) (6) and (8); b.(1) and c.(1) shall not be permitted. Field crops, flower and vegetable gardening, tree crops, and greenhouses used only for purposes of propagation and culture, including the sale thereof from the premises and one unlighted sign that does not exceed two square feet in size pertaining to the sale of products within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a grading permit for uses other than the aforementioned agricultural uses within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-17 and 5-24 of Specific Plan No. 375, all agricultural uses including uses incidental thereto within this planning area shall cease and shall no longer be a permitted use.
 In addition, the uses permitted under Article VIII, Section 8.100.a. shall include: boat marinas; boat and other marine sales, rentals and services; and fishing and casting pools.
- (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11, the uses shall be the same as those uses permitted pursuant to Section 13.1 of Ordinance No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6), (7), (9), (10) and (11) shall not be permitted.
 No use, other than an agricultural use and any use incidental thereto permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11 of Specific Plan No. 375. Thereafter, the uses permitted on land formerly subject to Agricultural Preserves and/or Williamson Act contracts within Planning areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11 of Specific Plan No. 375 shall be the same as those uses within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-17 and 5-24.
- (3) The development standards for interim agriculture uses within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same as those standards identified in Article XIII, Section 13.2 of Ordinance No. 348.
- (4) The development standards for Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-

18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same standards as identified in Article VIII, Section 8.101 of Ordinance No. 348 except that the standards set forth in Article VIII, Section 8.101.b. shall be deleted and replaced with the following:

- (5) Yards. Whenever a building is to be constructed on a lot, it shall have a front yard, side yard, and rear yard, each of which shall be not less than twenty feet (20'). If more than one building is constructed on one lot, there shall be not less than twenty feet (20') of separation between the buildings. No structural encroachments shall be permitted in the front, side, or rear yard except as provided for in Section 18.19 of this Ordinance.
- (6) Except as provided above, all other zoning requirements shall be the same as those requirements identified in Article VIII of Ordinance No. 348.

Section 3. Mixed Use Overlays

(1) INTENT.

This Ordinance hereby creates three Mixed Use Overlay Zones (MUOZ) for Specific Plan No. 375. Although the allowable uses as listed in Section 2.e.1 of this Ordinance are applicable with all three MUOZ, additional allowable uses and different development standards and required findings are unique to each MUOZ. The applicant of a project may decide to apply the uses and development standards of Section 2.e. and use an MUOZ. If there is any conflict between the uses and development standards of Section 2.e. and the MUOZ, the uses and development standards of the MUOZ shall be applicable. The MUOZ are intended to encourage a mixture of compatible land uses, such as residential with compatible non-residential uses including additional retail uses, employment-intensive uses (including light industrial), and entertainment uses (including hotels and night clubs), with a particular focus on fostering pedestrian activity, vertical mixed use projects, public spaces, and other community amenities. Each of the three distinct MUOZs is described below as follows:

- A. MUOZ-1 provides uses and standards for areas appropriate for the development of a broad range of retail commercial uses potentially integrated with office and/or residential uses. Projects may include vertical or horizontal mixed uses. All projects shall provide and maintain strong pedestrian linkages with neighboring Planning Areas, parks and schools. Single use structures in this MUOZ are acceptable. It is envisioned that this MUOZ will permit retail, restaurant, and commercial goods and services in conjunction with residential development early in the implementation of the Specific Plan.
- B. MUOZ-2 provides uses and standards for areas appropriate for the development of high employment-generating land uses – strong retail, office, and/or light industrial uses – integrated with nearby residential development. Projects may include vertical or horizontal mixed uses with the intent of creating a defined, high-energy pedestrian-focused zone where residential uses will be coupled with covenant retail and/or office uses and/or with nearby light industrial uses. Limited single use structures are acceptable, however, it is envisioned that many, if not all, MUOZ-2 projects will be some form of mixed use development.
- C. MUOZ-3 provides uses and standards for areas appropriate for the development of entertainment-oriented uses, including night clubs and overnight accommodations with limited retail, office, and/or residential use integration. Development may include horizontal or vertical mixed uses with strong pedestrian and vehicular integration with connections to neighboring traffic-ways and complementary Planning Areas. Residential uses in this Overlay are not a requirement but may be provided as an option. It is envisioned, though not required, that up to fifty percent (50%) of the MUOZ-3 may be mixed use.

(2) APPLICABILITY.

- A. The MUOZ may only be used within Districts 1, 2, or 4 as set forth in Specific Plan No. 375. Each MUOZ used shall cover a minimum of one Planning Area.

- B. The provisions of the MUOZ may also apply to all existing and future development within Districts 1, 2 and 4 unless otherwise specified in this Section.

(3) DEFINITIONS.

As used in this Section, the following terms shall have the following meanings:

- A. Base Zone. The set of allowable uses and zoning standards that are applicable over Districts 1, 2 and 4 which are found in Section 2.e.1 of this Ordinance.
- B. Mixed Use Structure. A building or structure that contains at least one floor devoted to allowed nonresidential uses and at least one devoted to allowed residential uses.
- C. Block. Traditional grid pattern development with street length limitations, defined within each village, to foster a pedestrian friendly environment.
- D. Mixed Use Dwelling. A dwelling located above the ground floor of a permitted commercial, retail, office, or institutional use permitted by a MUOZ.
- E. Horizontal Mixed Use. A mixing of uses in a development project or with neighboring structures, although not necessarily in the same building.
- F. Vertical Mixed Use. A mixing of uses within the same structure, usually with residential over commercial, retail, office, or institutional use though this is not required to meet the definition.
- G. Pedestrian Friendly. Urban design elements including landscaping, amenities, sidewalk or plaza design, structure placement, or other elements all designed with an emphasis on creating a pleasant, walkable, and comfortable environment.
- H. Covenants, Conditions and Restrictions (CC&Rs). A document used to describe restrictive limitations placed on real property and its uses, and which usually are made a condition of holding legal title to, or leasehold interest in, the real property in question.
- I. Overlay Zone. A set of zoning requirements that are superimposed upon the underlying base zone. Overlay zones are generally used when a particular mixed use area is intended to emphasize a particular non-residential use (e.g., retail commercial, employment, or entertainment), or requires special protection, or has a special neighborhood concern. If there is any conflict between the uses and development standards of Section 2.e. and the Overlay Zone, the uses and development standards of the Overlay Zone shall be applicable.
- J. Human Scale. The design of neighborhoods, buildings, and recreational spaces that are welcoming and inviting to pedestrian uses, and also encourage the reduced use of automobiles. Density of the neighborhoods and the heights of the buildings are not restricted in this definition.
- K. Conventional Shopping Center. A development of retail and/or other commercial establishments that are planned, developed, owned and managed as a single property, typically with parking provided on-site. The center's size and orientation will be generally determined by the market characteristics of the trade area served by the center.
- L. Project. A development proposal by one or more applicants involving a single structure or series of structures, under one development application.

(4) REQUIRED FINDINGS.

In order for the applicable hearing body to approve a mixed use overlay zone for a project in Districts 1, 2 or 4, the following findings shall be made:

- A. The project is consistent with the applicable District 1, 2 or 4 Refinement Plan(s).
- B. The project integrates with neighboring uses in terms of vehicular connections, pedestrian connections on- and off-street, architectural styles, and landscaping.
- C. The project is designed to a human scale.

- D. Efforts have been adequately made so that parking areas have been located where they can be conveniently and safely accessed and not interfere with pedestrian activity.
 - E. Parking does not dominate the street frontage and is screened appropriately.
 - F. The project is complimentary to a mix of uses and blends with surrounding developments.
 - G. Uses and structures are sited and designed to complement one another.
- (5) MIXED USE OVERLAY ZONE 1 (RETAIL FOCUSED).
- A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ 1) for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted pursuant to Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: dance halls; dance schools; sale, rental, repair or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; and wholesale businesses with samples on the premises but not including storage; boat and other marine sales; equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment; feed and grain sales, including outside storage; fishing and casting pools; and labor temples.
In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: ambulance services; body and fender shops and spray painting; building materials sales yards; drive-in theaters; heliports; lumber yards, including only incidental mill work; mortuaries; swap meets; and underground bulk fuel storage.
 - B. The development standards for one family dwellings within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for one family dwellings identified in the Mixed Use Base Zone.
 - C. The development standards for multiple family dwellings within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for multiple family dwelling identified in the Mixed Use Base Zone.
 - D. The development standards for walkable commercial uses within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for walkable commercial uses identified in the Mixed Use Base Zone.
 - E. The development standards for vertical mixed use projects within the MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4 b. and c; and those development standards set forth in Article XVIII, Section 18.5 b., c., e., i., and k. shall be deleted and replaced by the following:
 - (a) The maximum vertical mixed use building height shall be seventy-five feet (75').
 - (b) There shall be no minimum yard requirements for vertical mixed use structures, except where adjacent to a Residential Planning Area or a residential building or development within a Mixed Use Planning Area, in which case a minimum fifteen foot (15') rear and/or side yard shall be required. For such vertical mixed use structures over forty feet (40') in height, an additional foot of rear and/or side yard shall be added for each foot above forty feet (40').

- (c) The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than three to one (3:1), not including basement floor area.
- (d) The minimum private yard open space per residential unit within a vertical mixed use structure shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6'). Roof top open space may be used as private yard space when directly accessible to the unit(s) it serves.
- (e) No multiple family dwelling shall be constructed within a vertical mixed use structure unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
- (f) At least one vertical mixed use structure on each block shall be required to use a design-related architectural projection.
- (g) A minimum of sixty percent (60%) of vertical mixed use street-facing building façades between two feet and eight feet in height shall be comprised of windows that allow views of indoor space or product display areas.
- (h) Vertical mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
- (i) Vertical mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- (j) Residential structures may place residential uses on the ground floor of a structure provided said structure is contiguous to a non-residential ground floor use.

F. The following findings shall be made for all projects within MUOZ 1, in addition to those referenced in Section 3.(4) of this Ordinance:

- (a) MUOZ 1 projects shall establish and maintain strong pedestrian connections to neighboring compatible development including parks and schools, to ensure a fully green and sustainable pedestrian environment.
- (b) MUOZ 1 projects provide usable public and private open spaces, including but not limited to plazas in commercial areas that enhance commercial activity.
- (c) Residential land uses, exclusive of vertical mixed use projects, shall not comprise more than fifty percent (50%) of the total MUOZ 1.

(6) MIXED USE OVERLAY ZONE 2 (EMPLOYMENT FOCUSED).

A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ 2) of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted pursuant to Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: dance halls; dance school; manufacturing of grain and bakery products, sugar and confectionary products, nonalcoholic beverages, ice, and furniture and fixtures including cabinets, partitions, and similar items ; printing and publishing of newspapers, periodicals, books, forms, cards, and similar items; binding of books and other publications; manufacturing of clothing and accessory products, handbags, luggage, footwear and other personal leather goods; manufacturing of pharmaceuticals including research, blown, pressed and cut glass and other glassware products; manufacturing of jewelry including repair, electronic devices, equipment and components including assembly

testing and repair; vehicle storage and impoundment within an enclosed building; trailer, recreational vehicle, and boat storage within an enclosed building; manufacture and repair of engineering, scientific and medical instrumentation; public utility substations and storage buildings; warehousing and distribution, including mini-warehouses; communication and microwave installations; cold storage facilities; telephone exchanges and switching equipment; post offices; water and gas company service facilities; parcel delivery services; recycling collection facilities; banks and financial institutions; blueprint and duplicating services; laboratories, film, medical, research, or testing centers; office equipment sales and service; offices, professional sales and service, including business, law, medical, dental, chiropractic, architectural and engineering; parking lots and parking structures; restaurants and other eating establishments; barber and beauty shops; day care centers; health and exercise centers; mobilehomes, provide they are kept mobile and licensed pursuant to state law, when used for construction offices and caretaker's quarters on construction sites for the duration of a valid building permit; one family dwellings on the same parcel as the industrial or commercial use provided such dwellings are occupied exclusively by the proprietor or caretaker of the use and their immediate families; signs, on-site advertising; automobile service stations, not including the concurrent sale of beer and wine for off-premises consumption; motels; churches, temples, or other structures used primarily for religious worship; labor temples; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; warehousing and distribution; and wholesale businesses with samples on the premises but not including storage; boat and other marine sales; equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment; feed and grain sales, including outside storage; fishing and casting pools; mobile home sales and storage, trailer sales and rental house trailers; recreational vehicle parks; travel trailers, motor homes and recreational vehicles sales and service; truck and trailer sales, rentals and service.

In addition, the following uses shall be permitted provided a conditional use permit has been pursuant to Section 18.28 of Ordinance No. 348: body and fender shops and spray painting; building materials sales yards; heliports; hunting clubs, skeet, trap, rifle and pistol ranges; lumber yards, including only incidental mill work; mortuaries; swap meets; tire recapping; trailer and boat storage; and underground bulk fuel storage. The development standards for one family dwellings within the MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for one family dwellings identified in the Mixed Use Base Zone.

- B. The development standards for multiple family dwellings, within the MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, , 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for multiple family dwellings identified in the Mixed Use Base Zone.
- C. The development standards for walkable commercial uses within the MUOZ 2 of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-1, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those standards for walkable commercial uses identified in the Mixed Use Base Zone.
- D. The development standards for commercial, industrial, and horizontal and vertical mixed use projects within the MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4. b. and c. and the

development standards set forth in Article XVIII, Section 18.5. b., c., e., i. and k. shall be deleted and replaced by the following:

- (a) The maximum commercial, industrial and horizontal and vertical mixed use building heights shall be seventy-five feet (75').
- (b) There shall be no minimum yard requirements for commercial, industrial and horizontal and vertical mixed use structures, except where adjacent to a Residential Planning Area or a residential building or development within a Mixed Use Planning Area, in which case a minimum fifteen (15) foot rear and / or side yard shall be required. For such commercial, industrial and horizontal and vertical mixed use structures over forty feet (40') in height, an additional foot of rear / side yard shall be added for each foot above forty feet (40').
- (c) The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than three to one (3:1), not including basement floor area.
- (d) The minimum private usable yard space per residential unit within a vertical mixed use structure shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6'). Roof top space may be used as private yard space when directly accessible to the unit(s) it serves.
- (e) No multiple family dwelling shall be constructed within a vertical mixed use structure unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
- (f) At least one non-residential structure on each block shall be required to use a design-related architectural projection.
- (g) A minimum of sixty percent (60%) of non-residential street-facing building façades between two feet (2') and eight feet (8') in height must be comprised of clear windows that allow views of indoor space or product display areas.
- (h) Commercial, office, light industrial, and horizontal and vertical mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
- (i) Vertical mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
- (j) Vertical mixed use buildings may place residential uses on the ground floor of a structure provided said building is contiguous to a non-residential ground floor use.

E. These findings must be made for all projects within MUOZ 2, in addition to those referenced in Section 3.(4) of this Ordinance:

- (a) MUOZ 2 projects shall establish and maintain strong pedestrian connections to neighboring compatible development including parks and schools, to ensure a fully green and sustainable pedestrian environment.
- (b) Residential land uses, exclusive of vertical mixed use projects, shall not comprise more than fifty percent (50%) of the total MUOZ 2.

(7) MIXED USE OVERLAY ZONE 3 (ENTERTAINMENT FOCUSED).

A. The uses permitted in Mixed Use Overlay Zone 3 (MUOZ 3) of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted in

Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: automobile sales and rental agencies; campgrounds; cell towers concealed by architectural features or similar structures; dance halls; dance schools; entertainment venues and night clubs; labor temples; picnic grounds; racing and competition events other than between humans; rock climbing walls; sale, rental, repair, or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; boat and other marine sales; fishing and casting pools; mobile home sales and storage; trailer sales and rentals; recreational vehicle parks; recreational vehicles sales, rentals and service; truck rentals.

In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: amusement parks; body and fender shops and spray painting; drive-in theaters; heliports; hunting clubs, skeet, trap, rifle and pistol ranges; riding academies and stables; trailer and boat storage; and swap meets.

- B. The development standards for one family dwellings within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for one family dwellings identified in the Mixed Use Base Zone.
- C. The development standards for multiple family dwellings within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards for multiple family dwellings identified in the Mixed Use Base Zone.
- D. The development standards for walkable commercial uses within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those standards for walkable commercial uses identified in the Mixed Use Base Zone.
- E. The development standards for commercial entertainment uses authorized by the MUOZ 3 or vertical mixed use projects within the MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those standards identified in Article IX, Section 9.4 and Article XVIII, Section 18.5, except that the development standards set forth in Article IX, Section 9.4. b. and c. and those development standards set forth in Article XVIII, Section 18.5. b., c., e., i. and k. shall be deleted and replaced by the following:
 - (a) The height of commercial entertainment or vertical mixed use buildings shall not exceed a maximum height of one hundred fifty feet (150').
 - (b) There shall be no minimum yard requirements for commercial entertainment or vertical mixed use buildings, except where adjacent to a Residential Planning Area or a residential building within a Mixed Use Planning Area, in which case a minimum fifteen (15) foot rear and /or side yard shall be required. For vertical mixed use buildings over forty feet (40') in height, an additional foot of rear /side yard shall be added for each foot above forty feet (40').
 - (c) The maximum ration of floor area to lot area (i.e., FAR) shall not be greater than four to one (4:1), not including basement floor area.
 - (d) The minimum private usable yard space per residential unit within a vertical mixed use building shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6'). Roof top space may be used as private yard space when directly accessible to the unit(s) it serves.
 - (e) No multiple family dwelling shall be constructed within a vertical mixed use building unless it has a minimum floor living

area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.

- (f) At least one non-residential structure on each block shall be required to use a design-related architectural projection.
 - (g) A minimum of sixty percent (60%) of non-residential street-facing building façades between two feet (2') and eight feet (8') in height must be comprised of windows that allow views of indoor space or product display areas.
 - (h) Commercial entertainment and vertical mixed use buildings must have a primary entrance door facing a public sidewalk. Entrances at building corners may be used to satisfy this requirement.
 - (i) Commercial entertainment and vertical mixed use building entrances may include doors to individual shops or businesses, lobby entrances, entrances to pedestrian-oriented plazas, or courtyard entrances to a cluster of shops or businesses.
 - (j) Vertical mixed use buildings may have residential uses on the ground floor of the building provided said building is contiguous to a non-residential ground floor use.
- F. The following findings shall be made for all projects within MUOZ 3, in addition to those findings referenced in Section 3.(4) of this Ordinance:
- (a) MUOZ 3 projects shall establish and maintain strong pedestrian connections to neighboring compatible development including parks and schools, to ensure a fully green and sustainable pedestrian environment.
 - (b) Residential land uses, exclusive of vertical mixed use projects, shall not comprise more than fifty percent (50%)of the total MUOZ 3 Zone.

Section 4. This ordinance shall take effect thirty (30) days after its adoption.

John Tavaglione, Chairman of the Board

I HEREBY CERTIFY that at a regular meeting of the Board of Supervisors of said County, held on **February 7, 2012**, the foregoing Ordinance consisting of four (4) sections was adopted by said Board by the following vote:

AYES: Buster, Tavaglione, Stone, Benoit and Ashley
NAYS: None
ABSENT: None

Kecia Harper-Ihem, Clerk of the Board
By: Cecilia Gil, Board Assistant

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



FROM: TLMA - Planning Department

SUBMITTAL DATE:
January 26, 2012

SUBJECT: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623.

RECOMMENDED MOTION:

ADOPTION of RESOLUTION NO. 2012 – 036 amending the Riverside County General Plan in accordance with the Board's previous actions taken on December 13, 2011 concerning General Plan Amendment (GPA) No. 910; and

Carolyn Syms Luna

Carolyn Syms Luna
Planning Director

Initials:
CSL:ar

(continued on next page)

FINANCIAL DATA	Current F.Y. Total Cost:	\$ 0.00	In Current Year Budget:	0.00
	Current F.Y. Net County Cost:	\$ 0.00	Budget Adjustment:	0.00
	Annual Net County Cost:	\$ 0.00	For Fiscal Year:	0.00
SOURCE OF FUNDS: NOT APPLICABLE			Positions To Be Deleted Per A-30	<input type="checkbox"/>
			Requires 4/5 Vote	<input type="checkbox"/>

C.E.O. RECOMMENDATION:

County Executive Office Signature

Dept't Recomm.: Consent Policy

Per Exec. Ofc.: Consent Policy

Prev. Agn. Ref. 16.1/12-13-11

District: 4/4

Agenda Number:

REVIEWED BY EXECUTIVE OFFICE

DATE _____
Tina Grande

Departmental Concurrence

FORM APPROVED BY COUNTY COUNSEL
BY: *[Signature]* 1/30/12
DATE
VICTOR FANNING, NORTH

The Honorable Board of Supervisors

RE: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623

Page 2 of 3

ADOPTION of **RESOLUTION NO. 2012 – 040** Certifying Environmental Impact Report No. 514 and Adopting Specific Plan No. 375 (Travertine Point) in accordance with the Board of Supervisors' previous actions on December 13, 2011; and

ADOPTION of **ORDINANCE NO. 348.4737** for Change of Zone No. 7623 amending the zoning classification for the subject property from Light Agriculture with a 5, 10 and 20 Acre Minimum (A-1-5, A-1-10, A-1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), Controlled Development (W-2) to Specific Plan (SP) as shown on Map No. 41.086 and to incorporate the Specific Plan Zoning Ordinance text in accordance with Board's previous actions on December 13, 2011.

BACKGROUND:

Specific Plan No. 375, General Plan Amendment No. 910 and Change of Zone No. 7623 were processed concurrently before the Planning Commission and the Board of Supervisors and collectively comprise the Travertine Point project.

General Plan Amendment No. 910 proposes to amend the Land Use Element of the General Plan as it applies to the project site. General Plan Amendment No. 910 is comprised of several components. The first component is a Technical Amendment to clarify and eliminate a source of confusion with regard to the sovereign lands within the project. The second component is an Entitlement/Policy Amendment to amend the Land Use Map designations from Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space-Water (OS-W) to Specific Plan No. 375 – Travertine Point. The third component of General Plan Amendment No. 910 is an Agriculture Foundation Component amendment utilizing the County's 7% conversion allowed under the Administration Element of the General Plan. Specific Plan No. 375 is a Community Development Foundation Component Specific Plan which establishes Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential (MHDR), Very High Density Residential (VHDR), Highest Density Residential (HDR), Public Facility (PF), Open Space-Recreation (OS-R), Open Space Conservation (OS-C), and Open Space-Water (OS-W) designations, as reflected on the Specific Plan Land Use Plan.

Specific Plan No. 375 (Travertine Point) is a 4,918 acre master planned community, located along the east and west sides of California State Route (SR-86S), and spanning three different jurisdictions, Riverside County, Imperial County and the sovereign Nation of the Torres Martinez Desert Cahuilla Indians. Overall, the entire project proposes the construction of 16,655 residential units on approximately 2,853 acres, and 5,029,500 square feet of non-residential development (retail, office, industrial, etc.) on approximately 668 acres (including mixed use acres), as well as parks, open space and public facilities. 3,938 acres is within Riverside County and 980 acres is within Imperial County. Approximately 1,410 acres of the total Specific Plan area consists of land located under the jurisdiction of the sovereign Nation of the Torres

RECEIVED RIVERSIDE COUNTY
CLERK / BOARD OF SUPERVISORS
2012 JUN 11 11:11 AM

The Honorable Board of Supervisors

RE: RESOLUTION 2012 – 036 AMENDING THE RIVERSIDE COUNTY GENERAL PLAN – SECOND CYCLE OF GENERAL PLAN AMENDMENT FOR 2012 (GPA NO. 910); RESOLUTION 2012 – 040 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514 AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT); AND ORDINANCE NO. 348.4737 ADOPTING CHANGE OF ZONE NO. 7623

Page 3 of 3

Martinez Desert Cahuilla Indians, 763 acres of which is in Riverside County and 647 acres in Imperial County. While the project includes all three jurisdictions, the total acreage under the direct jurisdiction of Riverside County and the subject of this requested Board action is approximately 3,175 acres.

On December 13, 2011, at the close of the public hearing, the Board of Supervisors tentatively certified Environmental Impact Report No. 514, tentatively approved Specific Plan No. 375, and tentatively approved Change of Zone No. 7263.

In response to late comment letters submitted at the December 13, 2011 Board of Supervisors' public hearing, the applicant submitted supplemental rebuttal information regarding affordability in support of the Board of Supervisors' findings certifying Environmental Impact Report ("EIR") No. 514, which has been independently peer-reviewed and validated by a third party consultant, Pacific Municipal Consultants ("PMC"). In addition, several typos and internal inconsistencies in the text of the Final EIR have been corrected in an Errata. None of the supplemental rebuttal information, or text revisions in the Final EIR reflected in the Errata, have changed any conclusions previously set forth in the Final EIR, which was tentatively certified by the Board of Supervisors on December 13, 2011.

The supplemental information submitted by the applicant, the peer-review memo by PMC, and the Errata to the Final EIR, are attached to this Form 11; additionally, the Errata is available on the Planning Department website for public review.

Confidential Trade Secret Information



27127 CALLE ARROYO, SUITE 1910
SAN JUAN CAPISTRANO, CA 92675
TEL (949) 388-9269 FAX (949) 388-
9272 www.dpf.com

Matt Straite
Riverside County Planning Department
4080 Lemon Street
Riverside, CA 92502-1629

December 30, 2011

RE: Travertine Point Financial Feasibility Analysis

DPFG has analyzed the financial feasibility of developing the Travertine Point project ("Project") under a land use scenario with 40% affordable units, as suggested in the December 12, 2011 letter submitted by California Rural Legal Assistance, Inc. To complete this analysis, DPF has modified the Excel model used for the Financial Feasibility Analysis ("FFA"), dated 5/6/2011, prepared by GDC, LLC ("GDC") for the Project, to address how such a drastic change in the mix of residential units would impact the financial feasibility of developing the Project.

I. Background

At the request of the County, the developer asked GDC to prepare the FFA to verify the Project's ability to fund all required infrastructure and demonstrate that developer investment, loan proceeds, and cash flow from the Project would be sufficient to complete the Project and cover annual debt service requirements over a 40 year build out period.

To establish the Project's financial feasibility, the FFA calculated the following metrics for the Project and compared them to established standards:

1. Internal rate of return ("IRR") on the developer's capital invested in the Project.
2. Infrastructure cost burden as a percentage of final sales proceeds of a developed property.
3. Analysis of the residual value of the land to the developer or homebuilder after accounting for all development and home construction costs.

Based on these tests, the FFA concluded that the Project only minimally exceeds the threshold for financial feasibility according to GDC. The FFA was reviewed by County staff and peer-reviewed by PMC, a third party consultant. PMC found that the FFA's assumptions were accurate, the modeling was conducted according to industry accepted standards, and the conclusions were supported by the data and analysis in the FFA.



II. DPFG Methodology

DPFG prepared a revised FFA scenario ("Revised FFA Scenario") to determine a revised IRR, infrastructure cost burden and land residual value under a 40% affordable scenario as follows:

- Modified land plan to assume 40% affordable as follows:

Type	%
Moderate	50%
Low	40%
Very-Low	10%
Total	100%

- DPFG prepared an analysis to estimate affordable product home sales values based on moderate, low and very-low income levels that could be supported based on Riverside County median incomes for a 3 person household. These affordable home values were then used to determine residual land values.
- For the low and very-low, the calculations resulted in a negative land residual value as the sale prices did not cover the associated construction and financing costs. Based on discussions with an affordable housing consultant and developer, this is a typical result as it indicates the need for financial assistance (from the Project and outside assistance) to make an affordable housing project feasible.
- For purposes of the Revised FFA Scenario we have assumed \$0 land value for the low and very-low affordable housing.
- Adjusted CFD bond proceeds as a result of reduced or zero taxes on affordable units.

DPFG has not performed a detailed review of the calculations or assumptions contained the FFA as the model and FFA were already subjected to independent peer review by the County's consultant. Accordingly, DPFG is not expressing an opinion on the original FFA, previously reviewed and approved by County Staff.

III. Financial Feasibility

A. Internal Rate of Return

- The FFA calculated a 14.8% IRR for the Project. Per the FFA, a 15% IRR would be at the lower end of what would be considered financially feasible by an investor or developer in the current market and economic environment.
- Under the Revised FFA Scenario, that assumes 40% affordable units as requested by CRLA, the Project has an IRR of 5.4% for the Project, which an investor or developer would consider financially infeasible given the risk associated with large real estate development projects.

B. Infrastructure Cost Burden

- The FFA calculated an infrastructure cost burden of 14% per residential unit. Per the FFA, a 14%-15% infrastructure cost burden per residential unit may be considered the upper limit for the Project to be considered financially feasible.
- Under the Revised FFA Scenario that assumes 40% affordable units, the Project has an infrastructure cost burden of 21.7% for the Project, which is considerably higher than the upper limit of feasibility under the infrastructure cost burden analysis, where the 15-20% cost burden standard is used as a metric, with 15% typically being deemed feasible and 20% or higher typically being deemed infeasible.

C. Land Residual Value

- The Land Residual Analysis projects the lot sales revenue to the developer by taking home sales revenue and then deducting the cost to build the home and homebuilder's profit to arrive at a price homebuilders would pay for lots or home sites.
- The FFA determined that the residential land residual value of \$62,004 per residential unit supported the conclusion that the Project is financially feasible, but only marginally. The FFA states that if the land residual values were reduced through higher development costs or reduced revenues, the Project would become financially infeasible to develop.
- Under the Revised FFA Scenario that assumes 40% affordable units, the Project has a land residual value of \$40,775 per residential unit, because the projected revenues would be substantially reduced with 40% affordable units. This further supports the conclusion that the Project would not be financially feasible to develop if it were required to include 40% affordable units.

IV. Conclusions

Under the base land use scenario, the FFA determined that based on the expected IRR, infrastructure cost burden, and land residual value, the Project was only marginally financially feasible. It follows that increasing the number of affordable units to 40%, which decreases sales revenue and CFD proceeds, would render the Project financially infeasible. In addition, the deed restriction related to affordable housing covenants, can negatively impact the developer's ability to obtain construction and permanent financing, as agencies typically do not want to subordinate the affordable covenant to a first deed of trust. Based on DPF's calculation of the established feasibility standards of IRR, infrastructure cost burden and land residual value, the revised 40% affordable scenario is not financially feasible as summarized below:

	FFA	Revised FFA Scenario
Weighted Average Unit Price	\$319,612	\$206,082
A. IRR	14.8%	5.4%
B. Infrastructure Cost Burden	14.0%	21.7%
C. Land Residual Per Unit	\$62,004	\$40,775

Should you have any questions or comments relating to this matter, please feel free to contact me at (949) 218-6010.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Chris Lightburne", followed by a long horizontal line extending to the right.

R. Chris Lightburne
Managing Principal



MEMO

To: Matt Straite
Riverside County Planning

From: Derek Wong, AICP

Date: January 25, 2012

Re: Peer Review of Travertine Point Affordable Housing Financial Feasibility Analysis

PMC has performed a peer review of the financial feasibility analysis ("Analysis") of developing the Travertine Point project ("project") under a land use scenario with 40% affordable units. The Analysis, as suggested by California Rural Legal Assistance, Inc. and dated December 30, 2011, was prepared by the firm DPFG.

PMC's review included a multi-step approach that included the following:

- Review of the DPFG report ("report")
- Spot check of data references through outside research
- Preparation of the peer review report on our findings

This memorandum is intended to assist the County of Riverside to determine whether the report's assumptions are accurate, the modeling is conducted per industry standards, and if the conclusions can be supported by the report's documentation.

In summary, the Analysis uses industry metrics to evaluate the financial feasibility of a land use alternative comprising 40% affordable housing using three methods: (1) internal rate of return; (2) infrastructure cost burden; and (3) residual land value. Each evaluation method tests for different measures of economic viability in terms of developer's return on investment, and the projected revenues to fund infrastructure and other public facilities.

As we have indicated in our prior review of the original Financial Feasibility Analysis, one of the most significant variables supporting the report's finding of financial feasibility is the assumption of the average housing sales price. Lower market sales prices that were modeled by GDC LLC in the original Financial Feasibility Analysis showed that the project would not be financially feasible. The updated analysis provided by DPFG shows this consistency in the financial results from lower sales prices through development of

Matt Straite
January 25, 2012

affordable housing. This appears to show that the assumed housing sales price is a significant component in the calculations.

The assumptions, approach, and conclusions made in the DPFG report appear reasonable given the increased level of affordable housing that was modeled and the fact that the Travertine project was already found to be marginally financially feasible under the original land use scenario that assumes 10% affordable housing. It is widely known that development of affordable housing presents hurdles from a financial feasibility perspective for a developer. Most, if not all, affordable housing projects require some form of outside assistance to be financially attractive. Further, we believe the DPFG conclusions represent a "worse case" scenario for the land use alternative.

While the report did not include the detailed inputs and calculations that derived the revised metrics and conclusions, the updated analysis appears to employ a one-to-one substitution of market rate units for affordable units. That is, assuming everything else equal, a market rate home is replaced by an affordable housing unit.

The Analysis states in the assumptions that the low and very-low groups of affordable housing result in a negative land residual value since the sales price does not cover the associated construction and financing costs. This would adversely affect the developer metrics. We agree that a one-to-one substitution of market rate for affordable housing will decrease the developer's land residual value, among other metrics, and keeping all other land use and development assumptions equal.

However, affordable housing is typically characterized by increased densities over market rate housing which in turn can increase the revenues and valuation of the same land area. Incentives such as density bonuses and concessions can promote increased density for affordable homes which can use less land area per housing unit and potentially less development cost.

Should an assumption be made that higher density affordable homes be constructed on a given land area as market rate units, the developer metrics might not be as infeasible as shown. In addition, infrastructure costs could be lowered as a result of higher density housing and scale economies for such components as trunklines, thus lowering the infrastructure cost burden.

The feasibility of affordable housing can also be dependent in part on its location relative to other development. On a case by case basis, in developed locations that have high value, including mixed use areas, a larger mix of affordable housing might be viable. Specialized affordable housing developers have created programs that have helped the construction and financial feasibility of affordable housing projects.

Conclusion: We have reviewed whether the report's assumptions are accurate, the modeling is conducted per industry standards, and if the conclusions can be supported

Matt Straite
January 25, 2012

by the report's documentation. Overall, we agree with the report's conclusions that the revised 40% affordable scenario is not financially feasible without any outside assistance and given the context of the original financial feasibility analysis that showed marginal financial feasibility under a 10% affordable scenario. However, our concurrence is limited to the understanding that the updated analysis was conducted under a static scenario where affordable housing is essentially substituted for market rate housing, keeping all else equal, without consideration of density adjustments and possible changes to land use and infrastructure needs that can result from conversion to higher density affordable homes. These additional variables can affect the metrics and financial feasibility of the project.

TRAVERTINE POINT FINAL EIR ERRATA

Changes to the December 2011 Final EIR and September 2011 Recirculated Draft EIR are identified below with underline and ~~strikeout~~ text.

The following text on page 1.0-9 of the Executive Summary as contained in the December 2011 Final EIR is revised as follows:

**Table 1.0-1
Summary of Mitigation Measures**

Air Quality		
Threshold:	Violate any air quality standard or contribute substantially to an existing or projected air quality violation.	
Level of Significance before Mitigation:	Significant	
Level of Significance after Mitigation:	Impacts would be significant and unavoidable during project construction and operation.	
Mitigation Measure	Implementation Stage	Responsible Agency
Construction		
6.3-1: Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, <u>providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configuring construction parking to minimize traffic interference,</u> scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.	Prior to implementing project approval	County Planning Department

The following text on page 1.0-12 as contained in the December 2011 Final EIR is revised as follows:

Operation		
6.3-4: Prior to <u>the issuance of building final inspection permits</u> , the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.	Prior to <u>issuance of building final inspection permits</u>	County Building Department
6.3-5: Prior to <u>the issuance of building permits final inspection</u> , the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.	Prior to <u>issuance of building final inspection permits</u>	County Building Department
6.3-6: Prior to building final inspection, the applicant shall provide preferential parking spaces for <u>alternative-fueled and electric vehicles, carpools, and vanpools</u> at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.	Prior to building final inspection	County Building and Safety Department

6.3-9a: Prior to <u>implementing project approval</u> , the applicant shall <u>provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the project shall be considered not feasible.</u>	Prior to <u>implementing project approval</u>	<u>County Planning Department</u>
6.3-9b: Prior to <u>implementing project approval</u> , the applicant shall <u>require that electrical outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.</u>	Prior to <u>implementing project approval</u>	<u>County Planning Department</u>
6.3-9c: Prior to <u>implementing project approval</u> , the applicant shall <u>require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.</u>	Prior to <u>implementing project approval</u>	<u>County Planning Department</u>

The following text on page 1.0-13 as contained in the December 2011 Final EIR is revised as follows:

Air Quality		
Threshold: Expose sensitive receptors to substantial pollutant concentrations.		
Level of Significance before Mitigation: Significant		
Level of Significance after Mitigation: Impacts would be significant and unavoidable.		
Mitigation Measure	Implementation Stage	Responsible Agency
Mitigation measures 6.3-1 through 6.3-9c would reduce impacts related to this threshold.		

The following text on page 1.0-14 as contained in the December 2011 Final EIR is revised as follows:

Air Quality (continued)		
6.3-16: Prior to <u>the first</u> implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority <u>a one-time payment</u> in the amount of \$100,000 for IFD formation.	Prior to implementing project approval	County Planning Department

The following text on page 1.0-95 as contained in the December 2011 Final EIR is revised as follows:

Public Services – Parks and Recreation	
Threshold: Increase the use of existing neighborhood and regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated.	
Level of Significance before Mitigation: <u>Impacts from increased use of existing park facilities would not be significant.</u>	
<u>Potential impacts to open space areas in adjacent parks would not be significant.</u>	
Level of Significance after Mitigation: Impacts from increased use of park facilities would remain significant and unavoidable. Impacts to open space areas in adjacent parks from project residents and visitors will be mitigated to less than significant with the implementation of project design features and mitigation measures 6.16-4 through 6.16-6 and 6.5-6.	

The following text on page 1.0-141 as contained in the December 2011 Final EIR is revised as follows:

Greenhouse Gasses		
Threshold: Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment.		
Level of Significance before Mitigation: Significant		
Level of Significance after Mitigation: Impacts would be significant and unavoidable.		
Mitigation Measure	Implementation Stage	Responsible Agency
6.24-2: Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. <u>Furthermore, the project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible to the extent that it is feasible to do so based on the technological and financial feasibility factors at the time of permit application.</u>	Prior to the issuance of building permits.	County Planning Department

The following text on page 1.0-142 as contained in the December 2011 Final EIR is revised as follows:

Greenhouse Gasses (continued)		
6.24-4: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements <u>for all roofs and pavements to the extent that such products are commercially available for the implementing project.</u> (See Consumer Energy Center, Cool Roofs at http://www.consumerenergycenter.org/coolroof/)	Prior to the issuance of building permits.	County Planning Department
6.24-5: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for <u>all pools and spas to the extent that such products are commercially available for the implementing project.</u> (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).	Prior to the issuance of building permits.	County Planning Department

The following text on page 6.3-95 of the Air Quality Section as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Mitigation Measures

Construction

- 6.3-1: Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to maximize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

The following text on page 6.3-98 of the Air Quality Section as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Operation

- 6.3-4: Prior to the issuance of building permits final inspection, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-5: Prior to the issuance of building permits final inspection, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-6: Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be

pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.

6.3-9a: Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the project shall be considered not feasible.

6.3-9b: Prior to implementing project approval, the applicant shall require that electrical outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.

6.3-9c: Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.

The following text on pages 6.16-32 to 34 of the Public Services – Parks and Recreation section as contained in the December 2011 Final EIR is revised as follows:

Trail Access within Other Regional Parks and Recreation/Conservation Areas

The ABDSP is located adjacent to the southwest corner of the proposed specific plan site. A portion of the proposed trail network that would run through the Imperial County portion will connect to an existing trail system that leads to the ABDSP, located just southwest of the project site adjacent to Planning Areas 5-6 and 5-9, which is part of the California Wilderness Area within the boundaries of the ABDSP. California Wilderness Areas are pristine areas that have very little influence from humans. With the development of the trail as proposed, access to this area by project residents could increase, and this area could experience more use and intrusion in the Travertine Palms area and the California Wilderness Area. Impacts would be potentially significant prior to the incorporation of Mitigation Measures 6-16 and 6-17 into the project, which will revise the design of the proposed project to effectively preclude access to the adjacent portion of the ABDSP from the project site and mitigate this potential impact.

As discussed above, the project design will effectively preclude access to the adjacent portion of the ABDSP from the project site. Residents of Travertine Point would, therefore, access the park and use the

existing facilities in the same manner as any other visitors to ABDSP. The number of visitors to the park that would be generated by the project as this new community develops over time cannot be estimated.

ABDSP does collect user fees for use of facilities within the park. Correspondence from the California State Parks Foundation¹In 2009-2010, ABDSP collected \$486,000 in user and concession fees from almost 500,000 visitors to the park. This level of visitation was slightly under the 595,000 visitors per year average reported in the 2005 ABDSP General Plan between 1989 and 2002. The highest annual level of visitors reported over this 13-year period was 800,000 visitors in 1994/95. Almost 70 percent of the park visits occur in the January through April season. The proposed Travertine Community, with a projected population of approximately 43,000, is not likely to increase the annual number of visitors beyond these levels.

The ABDSP General Plan states the mission of the park is to be the premier park in California in protecting and managing resources and serving the needs of the public, which are consistent with park objectives. The mission statement includes providing facilities consistent with the enjoyment of the park that are clean and in good repair. The ABDSP General Plan indicates that the majority of the visitor serving facilities and concessions are to remain in the Focused-Use Zone I as defined in the plan. The park currently collects user fees for visitor serving facilities in this zone of the park and is not, therefore, relying solely on direct state funding to maintain park facilities.

Since the park currently collects appropriate user fees and will collect those fees from residents of Travertine that visit the park, these fees are available to the park to maintain the park facilities. Based on this information, the increase in the use of the ABDSP park facilities that would result from the Travertine Point project will not result in a substantial physical deterioration of the park facilities as the park collects fees that can be used for facility maintenance.

Although some increase in park attendance can be anticipated from the increase in local population, any accompanying increase in visitor fees, if established, may not keep pace with the increased maintenance needs. In 2008, of total departmental spending, \$137 million came from the General Fund, \$122 million came from the State Parks and Recreation Fund (primarily fee revenues), \$115 million came from bond funds, and \$90 million came from the Off Highway Vehicle Trust Fund.²

The state park system includes 278 parks, of which about 250 are directly managed by the department (the remainder are mainly managed by local governments). These park facilities vary from state beaches,

¹ Comment Letter 12, Section 2.1 of this Final EIR.

² California Legislative Analyst's Office, Analysis of the 2008-09 Budget Bill: Resources, Department of Parks and Recreation (3790), http://www.lao.ca.gov/analysis_2008/resources/res_anl08011.aspx.

~~to historic parks, to off-highway vehicle recreation areas. The department estimates that almost 80 million people visited the system in 2006-07. The size and breadth of the state park system, heavy usage by the public, and the fact that so much of the system's infrastructure is exposed to the elements, means that the department has a significant obligation to perform maintenance activities.~~

~~Based on its internal facility management program, the department estimates that its ongoing maintenance needs exceed its maintenance budget by almost \$120 million per year. (This imbalance between ongoing maintenance funding and identified need has persisted for many years.) Over the years, the difference between ongoing maintenance needs and available funds has created a backlog of deferred maintenance projects currently estimated at \$1.2 billion. Typically, these projects encompass the replacement or rehabilitation of an existing asset that has not been adequately maintained such as water or sewer systems. Given the current shortfall between the department's maintenance budget and its estimated maintenance requirements, this backlog will likely continue to grow over time unless corrective action is taken.~~

The Santa Rosa and San Jacinto National Monument is located to the west of the proposed project site. Although there are trails located within the Santa Rosa and San Jacinto National Monument and directly east of the southern portion of the Coachella Valley Multiple Species Habitat Conservation Plan Area-Santa Rosa and San Jacinto Mountains Conservation Area, no trails would connect with trailheads leading into the proposed specific plan. However, the possibility does exist that human intrusion from the proposed project could increase unauthorized activities on these lands, thus causing physical damage. Impacts would be potentially significant.

The proposed project includes a number of features that would restrict and limit the ability of project residents to intrude into adjacent open parklands. These include the use of buffer zones, trail access features and restrictions, fencing, and other measures.

As proposed, the Travertine Point project will include a 100- to 300-foot-wide buffer system that will be restricted access for flood control and drainage purposes only, along the entire western boundary of the project site. The drainages would be 10 to 20 feet deep and would be fenced to prevent individuals from accessing off-site areas. These areas would also be posted with signs warning against intrusion into adjacent parklands. Further, trails would only be permitted to occur within the portion of the drainages proximate to the project site and would not be permitted to occur on the portion of the drainages that border open space.

The barrier provided by these drainage channels is in addition to the barrier provided by other fences and walls that will be built along the edge of all development areas along the edge of the project site. The

proposed Specific Plan includes a perimeter wall or fence with a minimum height of 6 feet that will be provided along the edge of all planning areas at the western and southern edge of the project site.

~~The proposed specific plan provides a Wilderness Trail Access Control feature that would be developed at the trailheads in the southwest portion of the proposed project site that would connect to a trail leading into the ABDSP. This trailhead feature would consist of a non-fenced, non-gated access control feature using natural materials found on site to discourage motorized vehicle passage.~~

~~The proposed project would also implement a Wall and Fence Concept Plan where view fences would be developed along the western side of the proposed project separating the residential uses from drainage corridors and the adjacent lands. These fences would provide some deterrence to reduce human intrusion onto adjacent lands.~~

~~The proposed project includes trail development standards; however, these are directed more towards the trails system that would be developed within the boundaries of the project site, and not directed at the possible direct and indirect impacts to adjacent areas.~~

The following text has on page 6.16-37 of the Public Services Parks and Recreation section as contained in the December 2011 Final EIR is revised as follows:

Residual Impacts

Impacts from unauthorized intrusion onto off-site open space areas that are adjacent to the project site are deemed less than significant after implementation of project design features restricting public access and with implementation of the mitigation measures provided above and **Mitigation Measure 6.5-6**. Potential impacts on facilities in the ABDSP state and other regional facilities from increased use would not be significant as the level of visitation would not increase above historic annual averages given the projected population of the project and the fact that ABDSP currently collects appropriate user fees and will collect those fees from residents of Travertine Point that visit the park. The increase in the use of the ABDSP park facilities that would result from the Travertine Point project will not result in a substantial physical deterioration of the park facilities as the park collects fees that can be used for facility maintenance.

~~offset by increased user fees or state funding and are therefore deemed significant and unavoidable.~~

The following text on page 6.18-15 of the Public Services – Medical section as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Mitigation Measures

The specific plan shall be revised to include the following implementation measures:

- 6.18-2: Prior to building final inspection issuance of the for the 2,500th residential unit building permit within the specific plan, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational constructed and operating.
- 6.18-3: Prior to building final inspection for the issuance of the 5,000th building permit within the specific plan, a site for a hospital within the Travertine Point Specific Plan area or other nearby location acceptable to the Planning Director shall be identified and approved by the Planning Department. The development of such site shall be subject to an agreement with a health care provider to construct and operate a hospital at such time as a provider determines there is sufficient need to make the construction and operation of a hospital financially feasible. The design shall substantially conform to the design criteria as specified in the district refinement plan for the respective district residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.
- 6.18-4: Prior to the issuance of the 15,000th building permit within the specific plan a structure for a hospital shall be constructed and operational.

The following text on page 6.24-61 of the Greenhouse Gases section as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Mitigation Measures

- 6.24-2: Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the project

shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent target for residential and commercial buildings as possible, to the extent that it is feasible to do so based on technological and financial feasibility factors at the time of permit application.

6.24-4: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at <http://www.consumerenergycenter.org/coolroof/>)

6.24-5: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for all pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).

The following text on page 7.0-38 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Cultural Resources

2. Would implementation of Alternative 1 cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?

Significant archaeological resources are known to exist within and immediately adjacent to the proposed project site. As Alternative 1 would not include any development on the project site ~~and would not introduce additional residents to the area, both direct impacts resulting from construction and indirect impacts resulting from graffiti and vandalism of archeological resources would be less than significant.~~ Potential indirect impacts to cultural resources in adjacent offsite and open space areas from residents and visitors accessing these areas from the project site would be mitigated to a less than significant level by the design of the edge of the project, which will serve as a barrier to access that does not currently exist to prevent ongoing impacts from the illicit collection of cultural artifacts, and by implementation of education and patrol programs. While this alternative would not introduce additional residents to the area, the potential impacts from graffiti and vandalism of archeological resources would be less than significant with the project as proposed with mitigation. In addition, development of the proposed

project with the identified mitigation measures would eliminate the existing access to cultural resources on the site as well as access through the site to adjacent areas containing archeological resources. Existing vandalism of these resources has been identified by the Torres Martinez Desert Cahuilla Indians.

Alternative 1 would result in fewer direct impacts as compared to the proposed project in Riverside and Imperial County, because no cultural resources would be ~~destroyed~~-impacted during construction. Indirect impacts would not be significant with either the proposed project or this alternative. However, the existing access to archeological resources on and around the project site and resulting vandalism problems impacting archeological resources would not be mitigated with this alternative. Since the proposed project would mitigate these existing impacts and this alternative would not, the impact of Alternative 1 is considered greater than the proposed project, and no additional human activity would be introduced to the area that could potentially result in a greater incidence of graffiti and vandalism.

The following text on page 7.0-65 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

2. **Would implementation of Alternative 1 increase the use of existing neighborhood facilities such that substantial physical deterioration of the facility would occur or be accelerated?**

...

Existing parks that contain trails for recreational use are located near the project site. With development of the proposed project, the potential exists for indirect impacts to off-site areas from the intrusion of humans, pets, and motorized vehicles in these sensitive areas. ~~Even with mitigation measures, impacts would be significant and unavoidable. Mitigation measures have been identified to mitigate these potential impacts to a less than significant level. Presently, access through the project site to adjacent park and open space lands is unrestricted. Development of the project as proposed with the mitigation identified would restrict access to these areas.~~ As Alternative 1 would not have the potential to negatively impact recreational facilities, impacts would be less than those of the proposed project in both Riverside and Imperial County.

The following text on page 7.0-81 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Alternative 1 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, cultural resources, land use, noise, ~~public services—parks and recreation,~~ transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

The on page 7.0-114 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

2. **Would implementation of Alternative 2 cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?**

Implementation of Alternative 2 would increase the population and use of the project site. The proximity of residential areas and the resulting increased use of open space areas near identified sites containing cultural resources could result in significant impacts to cultural resources sites, including illicit collection of cultural artifacts and vandalism. ~~As areas containing significant cultural artifacts are open to the public, it is not feasible to prevent all access and trespass. Indirect impacts would be significant and unavoidable. Potential indirect impacts to cultural resources in adjacent offsite and open space areas from residents and visitors accessing these areas from the project site would be mitigated to a less than significant level by the design of the edge of the project, which will serve as a barrier to access that does not currently exist to prevent ongoing impacts from the illicit collection of cultural artifacts, and by implementation of the education and patrol programs proposed as mitigation for the proposed project.~~

Alternative 2 would implement similar mitigation measures as the proposed project that would reduce direct impacts on archaeological sites, but would not implement project features designed to reduce both direct and indirect impacts to archaeological resources. The increase in both residential and transient population with implementation of Alternative 2 would be less than the residential and transient population increase of the proposed project, ~~and would more than likely result in slightly less of an impact than the proposed project.~~ However, as stated above, Alternative 2 would not implement the project features and mitigation measures designed to reduce direct and indirect impacts to archaeological resources, and implementation of Alternative 2 would therefore have a **greater** impact than the proposed project in Riverside and Imperial County.

The following text on page 7.0-151 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Alternative 2 is located near and adjacent to regional recreation and conservation areas that are accessed by a series of trails leading to the Anza Borrego Desert State Park, the Santa Rosa and San Jacinto National Monument, and the Santa Rosa and San Jacinto Mountains Conservation Area. Impacts to the adjacent park and open space areas could result from residents of the project accessing these areas. Mitigation measures, including the provision of fencing around the project site, and patrol and resident education programs, have been identified to mitigate these potential impacts to a less than significant level. Presently, access through the project site to adjacent park and open space lands is unrestricted. Development of the project as proposed with the mitigation identified would restrict access to these

areas. These design features of the proposed specific plan project would not be part of development under the existing land use designations as not specific plan would be adopted. Residents of Alternative 2 would have easy access to the trailheads, which would cause an increase in the use of sensitive areas and acceleration of the physical deterioration of these sensitive areas. Residents using these trails could also cause irreversible indirect damage if they were to use motorized vehicles such as motor-cross bikes, 4x4 vehicles, all-terrain vehicles (ATVs) on the trails within these areas. Indirect impacts to fauna and flora, along with potential impacts to cryptobiotic soils within the surrounding desert landscape, could occur due to the increased use and access into sensitive areas as provided by these trails in Riverside County and Imperial County. Alternative 2 would not implement project features and mitigation measures provided under the proposed project to reduce indirect impacts to park facilities.

The following text on page 7.0-129 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Even though implementation of Alternative 3 would not result in development in Imperial County the potential does exist for the increased population to access lands in Imperial County. Archaeological resource sites do exist south of Alternative 3 in Imperial County. These sites include: CA-IMP-8784 (13-009821); CA-IMP-8785 (13-009822); CA-IMP-8786 (13-009823); CA-IMP-33; CA-IMP-92; CA-IMP-100; and, CA-IMP-2626. Implementation of mitigation measures similar to those ~~of identified~~ the proposed project, including the provision of fencing around the development area, patrol and education programs, would ~~not~~ reduce indirect impacts to these sites within Imperial County. Therefore, implementation of a Alternative 3 would not have direct or indirect impacts to archaeological sites in Imperial County, but would have indirect significant and unavoidable impacts in Imperial County.

...

Alternative 3 does not ~~includes~~ development within Imperial County and incorporation of the mitigation measures identified for the proposed project would effectively mitigate potential indirect impacts to archaeological resources; ~~however the increased population of Alternative 3 could have indirect impacts to archaeological sites found located in the adjacent land in Imperial County. The indirect impacts to Imperial County archaeological sites would be more than those of the proposed project since Alternative 3 would not implement mitigation measures in Imperial County that would reduce indirect impacts to archaeological resources.~~ Therefore, implementation of Alternative 3 would have ~~greater~~ similar impacts ~~than to~~ the proposed project in Imperial County under this criterion.

The following text on pages 7.0-265 to 266 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Similar to the proposed project, Alternative 3 would implement a buffer system and fencing system along the western and southern perimeter of the site to restrict access to adjacent park and open space lands and also include the patrol and education programs identified as measures to mitigate this potential impact. ~~reduce the chances of residents gaining access to these sensitive areas.~~ Wilderness Trail Access Control devices would also be implemented at any trailheads leading from Alternative 3 to the above mentioned regional recreation and conservation areas to reduce the types of uses that can damage land within these areas. ~~Alternative 3 would incorporate similar mitigation measures as the proposed project such as not allowing motorized vehicles on trailheads leading into these sensitive areas and developing information kiosks at trailheads to inform visitors of the importance of respecting the land within the regional recreational and conservation areas. This~~ These measures would reduce indirect impacts to less than significant. Alternative 3 would not include development within Imperial County. However, due to the close proximity of Alternative 3 to Imperial County (Imperial County is directly south of Alternative 3) residents could traverse over the vacant land within Imperial County and access regional recreational and conservation areas. Alternative 3 would implement similar mitigation measures as the proposed project along its southern border to reduce the access to these areas. ~~However, Alternative 3 would not implement mitigation measures in Imperial County to reduce indirect impacts to ABDSP. Impacts would remain significant and unavoidable in Imperial County due to implementation of Alternative 3.~~

Alternative 3 would allow for the development of parks and recreational facilities within its boundaries that would reduce the use of existing neighborhood and regional recreational facilities in the Riverside County area. Similar to the proposed project, Alternative 3 is located adjacent to land leading to the Anza Borrego Desert State Park, the Santa Rosa and San Jacinto National Monument, and the Santa Rosa and San Jacinto Mountains Conservation Area where residents can access and potentially accelerate the deterioration of these lands. Alternative 3 would implement similar features as the proposed project to reduce the access of these lands to its southwest. However, similar to the proposed project, the increased population under Alternative 3 ~~would~~ could result in ~~cause~~ increased use of existing park facilities, including facilities in the Anza Borrego Desert State Park. The impact to facilities within the Anza Borrego Desert State Park would not be significant as user fees are collected from visitors to the park, which are available to maintain these facilities. ~~which would accelerate their deterioration.~~ Implementation of Alternative 3 would have the same degree of impact as that of the proposed project in Riverside County under this criterion.

Alternative 3 would not include development in Imperial County. However, since Alternative 3 is located directly north of Imperial County, residents from Alternative 3 may ~~traverse~~ access land within Imperial County to gain access to these regional recreational areas and conservation areas. Alternative 3 would

implement mitigation measures similar to those of the proposed project along the southern Planning Areas to mitigate these potential impacts to a less than significant level. ~~help reduce the access to these lands. However, residents would more than likely still find ways of accessing these areas by traversing the vacant land in Imperial County, and mitigation measures would not be implemented in Imperial County to reduce indirect impacts.~~ Therefore, implementation of Alternative 3 would result in ~~more~~ similar impacts than the proposed project in Imperial County under this criterion.

The following on page 7.0-342 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Implementation of Alternative 4 would increase the population within Riverside County which in turn could have direct and indirect impacts on existing archaeological sites. Alternative 4 would implement similar mitigation measures as the proposed project that would reduce direct and indirect impacts on the sites located in Riverside County to a less than significant level. Therefore, implementation of Alternative 4 would have similar impacts as those of the proposed project in Riverside County under this criterion.

The following text on page 7.0-387 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Similar to the proposed project, Alternative 4 would implement a buffer system and fencing system along the western and southern perimeter of the site, along with the patrol and education programs identified as mitigation measures for the proposed project, to reduce the chances of residents gaining access to these sensitive areas. There would also be no direct connections to offsite trails in these adjacent areas from the project site. ~~Wilderness Trail Access Control devices would also be implemented at any trailheads leading from Alternative 4 to the above mentioned regional recreation and conservation areas to reduce the types of uses that can damage land within these areas. Alternative 4 would incorporate similar mitigation measures as the proposed project such as not allowing motorized vehicles on trailheads leading into these sensitive areas and developing information kiosks at trailheads to inform visitors of the importance of respecting the land within the regional recreational and conservation areas. Even with such mitigation measures applied, implementation of Alternative 4 in Riverside County and Imperial County would increase use of parks facilities and therefore would result in similar impacts to the project cause a significant and unavoidable impact under this criterion.~~

Alternative 4 would allow for the development of parks and recreational facilities within its boundaries that would reduce the use of existing neighborhood and regional recreational facilities in the Riverside County and Imperial County area. Similar to the proposed project, Alternative 4 is located adjacent to land leading to the Anza Borrego Desert State Park, the Santa Rosa and San Jacinto National Monument, and the Santa Rosa and San Jacinto Mountains Conservation Area which would increase the use of these parks and potentially accelerate the deterioration of these lands. Alternative 4 would implement similar features as the

proposed project to ~~reduce the~~restrict access of these lands to its southwest and west. ~~However, even with such features in place, the increased use of these parks would likely cause accelerated deterioration.~~ However, Alternative 4 would result in less of a population increase than the proposed project. This could reduce the amount of instances that damage is done by residents using existing adjacent parks facilities. Implementation of Alternative 4 would have a **similar but slightly less** of an impact as that of the proposed project in Riverside County and Imperial County under this criterion.

The following text on page 7.0-388 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Alternative 4 would include the development of a trail network that would promote walkability on a comprehensive network or trails that would extend to all areas of the community. ~~Alternative 4 would include trail development standards to ensure that the trails are properly designed and that they are not designed in a way that would impact the surrounding land use areas. Finally,~~ Alternative 4 would provide reservoirs as part of the projects hydrology and drainage system within Reservoir Overlays designated areas. These reservoirs would provide a multitude of functions such as recreational activities and primary drainage conveyance and peak attenuation storage for the proposed project's off-site and on-site stormwater runoff. Since Alternative 4 would implement similar guidelines as those of the proposed project in developing internal park and recreational uses, implementation of Alternative 4 would result in a less than significant impact in Riverside County and Imperial County under this criterion.

The following text on pages 492 to 493 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

The Santa Rosa Mountains and San Jacinto Mountains National Monument lie directly to the southwest of Alternative 5. With the development of this area and the increase in population, residents of Alternative 5 may try to access the National Monument lands through trailheads near the site. Similar to the proposed project, Alternative 5 would implement a buffer system and fencing system along the western perimeter of the site restrict access to adjacent park and open space lands and also include the patrol and education programs identified as measures to mitigate this potential impact. ~~to reduce the chances of residents gaining access to these sensitive areas. Wilderness Trail Access Control devices would also be implemented at any trailheads leading from Alternative 5 to the National Monument to reduce the types of uses that can damage land within the National Monument. Even with features that would help reduce intrusion of residents and motorized vehicles on these sensitive areas of land adjacent to Alternative 5, increased use of existing park facilities would potentially accelerate deterioration of these facilities. Therefore impacts would be significant. Alternative 5 would incorporate similar mitigation measures as the proposed project such as not allowing motorized vehicles~~

~~on trailheads leading into the National Monument and developing information kiosks at trailheads to inform visitors of the importance of respecting the land within the National Monument. Even w~~ With such mitigation measures applied, implementation of Alternative 5 in Riverside County would result in similar impacts to those associated with the proposed project. ~~cause a significant and unavoidable impact under this criterion.~~

Alternative 5 would not include development within Imperial County and therefore would not cause accelerated deterioration of neighborhood parks or local recreational areas within Imperial County. There would be no impacts in Imperial County with implementation of Alternative 5 under this criterion.

Alternative 5 would allow for the development of park and recreational facilities within its boundaries that would reduce the use of existing neighborhood and regional recreational facilities in the Riverside County area. Similar to the proposed project, Alternative 5 is located adjacent to land within the Santa Rosa Mountains and San Jacinto Mountains National Monument where residents can access and potentially accelerate the deterioration of these lands. Alternative 5 would implement similar features as the proposed project to mitigate these potential impacts to a less than significant level ~~reduce the access of these lands to its southwest. However, even with such features in place, increased use of existing parks facilities could cause accelerated deterioration.~~ Implementation of Alternative 5 would have the same degree of impact as that of the proposed project in Riverside County under this criterion.

The following on page 7.0-494 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Alternative 5 would include the development of a trail network that would promote walkability on a comprehensive network or trails that would extend to all areas of the community. No trail connections to offsite open space lands would be provided. ~~Alternative 5 would include trail development standards to ensure that the trails are properly designed and that they are not designed in a way that would impact the surrounding land use areas.~~ Finally, Alternative 5 would provide a lake and reservoirs as part of the projects hydrology and drainage system within Planning Area 3-6 and within Reservoir Overlays designated areas, respectively. These reservoirs and this lake would provide a multitude of functions such as recreational activities and primary drainage conveyance and peak attenuation storage for the proposed project's off-site and on-site stormwater runoff. Since Alternative 5 would implement similar guidelines as those of the proposed project in developing internal park and recreational uses, implementation of Alternative 5 would result in a less than significant impact in Riverside County under this criterion.

...

~~Alternative 5 would not include development within Imperial County.~~ Additionally, Alternative 5 is not close enough to Imperial County where residents would seek out park and recreational uses in Imperial County. The proposed project would include development in Imperial County. Therefore, implementation of Alternative 5 would result in less similar of an impacts ~~than that of~~ to the proposed project in Imperial County under this criterion.

The following text on page 7.0-533 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

Table 7.0-50
Comparison of Alternatives to the Proposed Project

Threshold	County Jurisdictions	Proposed Project Impact (After Mitigation)				
		Alternative 1	Alternative 2	Alternative 3	Alternative 4	Alternative 5
2. Would the proposed project cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5 of the CEQA Guidelines?	Cultural Resources					
	Riverside County	Less than Significant	Greater	Similar	Similar	Similar
	Imperial County	Significant and Unavoidable	Greater	Similar	Similar	Similar
		Less than Significant	Greater	Similar	Similar	Less

The following text on page 7.0-537 of Section 7.0 Alternatives as contained in the September 2011 Recirculated Revised Draft EIR is revised as follows:

2. Would the proposed project increase the use of existing neighborhood facilities such that substantial physical deterioration of the facility would occur or be accelerated?	Public Services - Parks and Recreation					
	County Jurisdictions	Less than Significant	Less	Greater	Similar	Similar
	Riverside County	Significant and Unavoidable	Less	Greater	Similar	Similar
	Imperial County	Significant and Unavoidable	Less	Greater	Similar	Similar

RESOLUTION NO. 2012-036

AMENDING THE RIVERSIDE COUNTY
GENERAL PLAN –
SECOND CYCLE GENERAL PLAN AMENDMENTS FOR 2012
(GPA NO. 910)

**RESOLUTION NO. 2012-036
AMENDING THE RIVERSIDE COUNTY
GENERAL PLAN**

(Second Cycle General Plan Amendments for 2012 – General Plan Amendment No. 910)

WHEREAS, pursuant to the provisions of Government Code Section 65350 et seq., public hearings were held before the Riverside County Board of Supervisors in Riverside, California, on August 16, 2011 and December 13, 2011, and before the Riverside County Planning Commission in La Quinta, California on May 25, 2011, and in Perris, California on June 15, 2011, to consider a proposed amendment to the Land Use Element of the Eastern Coachella Valley Area Plan of the Riverside County General Plan; and,

WHEREAS, all provisions of the California Environmental Quality Act (“CEQA”) and Riverside County CEQA implementing procedures have been satisfied; and,

WHEREAS, the proposed general plan amendment was discussed fully with testimony and documentation presented by the public and affected government agencies; and,

BE IT RESOLVED, FOUND, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside in regular session assembled on February 7, 2012 that:

A. A. General Plan Amendment No. 910 (GPA No. 910) is a proposal to amend the Land Use Element by amending the Eastern Coachella Valley Area Plan Land Use Map designation for the project site. General Plan Amendment No. 910 is comprised of several components. The first component is a Technical Amendment to clarify and eliminate a source of confusion with regard to the sovereign lands within the project. Specifically, the Eastern Coachella Valley Area Plan Land Use Map depicts some properties as “Areas Subject to Indian Jurisdiction” or “IND”. At the time of adoption of the General Plan, properties so depicted were, according to best available records, either located within the boundaries of Indian reservations or owned by Indian tribes. This depiction in the General Plan as “Areas Subject to Indian Jurisdiction” is specifically designed to acknowledge the sovereignty of the various Tribes relative to state and local government. General Plan Amendment No. 910 indicates discrepancies in ownership and the use of the “Areas Subject to Indian Jurisdiction” depiction for some

BY: Tiffany N. North DATE: 1/31/12

1 properties within the subject General Plan Amendment project site and clarifies and corrects such
2 discrepancies. The second component of General Plan Amendment No. 910 is an Entitlement/Policy
3 Amendment which would allow the development of the Specific Plan as described below in more detail.
4 The third component of General Plan Amendment No. 910 is an Agriculture Foundation Component
5 amendment utilizing the County's 7% conversion allowed under the Administration Element of the
6 General Plan.

7 Specifically, General Plan Amendment No. 910 would amend the Land Use Map designation from
8 Agriculture (AG), Community Development: Commercial Tourist (CT), Public Facilities (PF) and Open
9 Space-Water (OS-W) to Specific Plan No. 375 – Travertine Point on approximately 3,175 acres located
10 easterly and westerly of Highway 86 South, northerly of the Imperial County line and southerly of 81st
11 Avenue in the Lower Coachella Valley Zoning District of the Fourth Supervisorial District, as shown on
12 the exhibit entitled "GPA00910 Proposed General Plan, Exhibit 6" a copy of which is attached hereto and
13 incorporated herein by reference. Specific Plan No. 375 is a Community Development Foundation
14 Component Specific Plan which establish Business Park (BP), Commercial Retail (CR), Commercial
15 Tourist (CT), Mixed Use (MU), Medium Density Residential (MDR), Medium High Density Residential
16 (MHDR), Very High Density Residential (VHDR), Highest Density Residential (HDR), Public Facility
17 (PF), Open Space-Recreation (OS-R), Open Space Conservation (OS-C), and Open Space-Water (OS-W)
18 designations, as reflected on the Specific Plan Land Use Plan.

19 General Plan Amendment No. 910 also proposes to amend Figure 3 of the Eastern Coachella
20 Valley Plan to show the boundary of the Specific Plan No. 375 – Travertine Point and to amend Table 3
21 of the Eastern Coachella Valley Area Plan to list Specific Plan No. 375. General Plan Amendment No.
22 910 is associated with Specific Plan No. 375 - Travertine Point, Change of Zone No. 7623 and
23 Environmental Impact Report (EIR) No. 514, which were considered concurrently with this amendment at
24 the public hearings before the Planning Commission and the Board of Supervisors.

25 Specific Plan No. 375 is a 4,918 acre master planned community, located along the east and west
26 sides of California State Route (SR-86S), and spanning three different jurisdictions, Riverside County,
27 Imperial County and the sovereign Nation of the Torres Martinez Desert Cahuilla Indians. 3,938 acres is
28 within Riverside County and 980 acres is within Imperial County. Approximately 1,410 acres of the total

1 Specific Plan acreage consists of land located under the jurisdiction of the sovereign Nation of the Torres
2 Martinez Desert Cahuilla Indians, 763 acres of which is in Riverside County and 647 acres in Imperial
3 County. While the Specific Plan will include all three jurisdictions, the total acreage under the direct
4 jurisdiction of Riverside County and the subject of this resolution is approximately 3,175 acres. The
5 portion of the project within the Riverside County extends from 81st Avenue to the Imperial County line.
6 Overall, the entire Specific Plan project proposes the construction of 16,655 residential units on
7 approximately 2,853 acres, and 5,029,500 square feet of non-residential development (retail, office,
8 industrial, etc.) on approximately 668 acres (including mixed use acres), as well as parks, open space and
9 public facilities. The portion of the Specific Plan project located within the jurisdiction of Riverside
10 County consists of up to 14,640 residential units and 3,443,100 square feet of non-residential
11 development. Change of Zone Case No. 7623 proposes to change the existing zoning classifications of
12 Light Agriculture with a 10 and 20 Acre Minimum (A-1-10, A-1-20), Heavy Agriculture with a 10 and 20
13 Acre Minimum (A-2-10, A-2-20), and Controlled Development (W-2), to Specific Plan (SP). The SP
14 zoning designation would establish those development standards required to implement the Specific Plan.
15 The Planning Commission recommended approval of GPA No. 910 on June 15, 2011 and the Board of
16 Supervisors tentatively adopted GPA No. 910 on December 13, 2011. Resolution No. 2012-040
17 Certifying Environmental Impact Report No. 514 and Adopting Specific Plan No. 375, a copy of which is
18 attached hereto and incorporated herein by reference, was adopted by the Board of Supervisors on
19 February 7, 2012.

20 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented on
21 this matter, both written and oral, including Environmental Impact Report No. 514, that:

- 22 1. The site is located in the Eastern Coachella Valley Area Plan.
- 23 2. The Eastern Coachella Valley Area Plan Land Use Map determines the extent, intensity,
24 and location of land uses within the Eastern Coachella Area.
- 25 3. The site is currently designated Agriculture (AG) (10 acre minimum), Commercial Tourist
26 (CT) (0.20 -.35 FAR), Public Facilities (PF) (< 0.60 FAR), Indian Lands (IND), and Open
27 Space Water (OS-W) allowing 10 acre minimum lots, Commercial and Public Facility
28

1 development, with property subject to open space and Indian Land jurisdiction within the
2 Agriculture, Community Development, and Open Space Foundation Components.

- 3 4. General Plan Amendment No. 910 proposes to amend the Eastern Coachella Valley Area
4 Plan Land Use Map for the project site from Agriculture (AG) (10 acre minimum),
5 Commercial Tourist (CT) (0.20 – 0.35 FAR), Public Facilities (PF) (< 0.60 FAR), and
6 Open Space Water (OS-W) within the Agriculture, Community Development and Open
7 Space Foundation Components to Specific Plan No. 375 – Travertine Point. Specific Plan
8 No. 375 is a Community Development Foundation Component Specific Plan which
9 establish Business Park (BP), Commercial Retail (CR), Commercial Tourist (CT), Mixed
10 Use (MU), Medium Density Residential (MDR), Medium High Density Residential
11 (MHDR), Very High Density Residential (VHDR), Highest Density Residential (HDR),
12 Public Facility (PF), Open Space–Recreation (OS-R), Open Space Conservation (OS-C),
13 and Open Space–Water (OS-W) designations, as reflected on the Specific Plan Land Use
14 Plan on approximately 4,918 acres (3,938 in Riverside County, of which 3,175 is under
15 Riverside County’s jurisdiction).
- 16 5. Surrounding land use designations include: Agriculture: Agriculture (AG), Community
17 Development: Commercial Tourist (CD:CT), Commercial Retail (CR), Medium Density
18 Residential (MDR), and Indian Land (IND) to the north, Open Space – Water (OS-W) to
19 the east in the Eastern Coachella Valley Area Plan. The County of Imperial is located to
20 the south.
- 21 6. The site is currently zoned Light Agriculture with a 10 and 20 Acre Minimum (A-1-10, A-
22 1-20), Heavy Agriculture with a 10, and 20 Acre Minimum (A-2-10 and A-2-20), and
23 Controlled Development (W-2).
- 24 7. The associated Change of Zone No. 7623 proposes to change the zoning on the site to SP
25 (Specific Plan Zone).
- 26 8. The site is surrounded by properties zoned Heavy Agriculture with a 10 and 20 acre
27 minimum (A-2-10 and A-2-20) to the north, east and west, Controlled Development (W-2)
28

1 to the north, east and west, Watercourse, Watershed & Conservation Areas (W-1) to the
2 northeast, and Imperial County to the south.

3 9. The site is currently being used as agricultural and vacant land.

4 10. Surrounding land uses include agriculture, limited commercial and single family uses to
5 the north, south, east and west.

6 11. General Plan Amendment No. 910 includes changes to the Agriculture Foundation of the
7 General Plan. General Plan Amendment No. 910 proposes to remove 2,541 acres from the
8 Agriculture Foundation. The following findings support the Agriculture Foundation
9 Amendment:

10 a. The proposed amendment contributes to the purposes of the General Plan, or at a
11 minimum, is not detrimental to them. The purposes of the General Plan are guided
12 by the Vision and Policies contained in the General Plan. The policies are arranged
13 into different categories intended to first create policies that cater to an area plan
14 level, then a community level and finally down to a specific project level, such as
15 subdivisions or use permits. The General Plan explains these as macro, medium
16 and micro levels. The macro level, entitled the "efficient use of land" in the
17 General Plan has only one policy, LU 2.1, which has several different components.
18 General Plan No. 910 and its associated Specific Plan No. 375 and Change of Zone
19 No. 7623 (hereinafter collectively referred to as "the Project"), satisfies these
20 components, lettered a through g. The policy components of LU 2.1 require a
21 broad range and mix in land uses provided at the area plan level, supported by
22 infrastructure and evaluation of impacts to the environment. The Project satisfies
23 this requirement for Land Use diversity which is supported by the development of
24 Planning Area Plans combined with design standards that ensure the maximization
25 of land uses and zoning through the development of a master planned community.
26 The Specific Plan developed a comprehensive infrastructure plan, which includes a
27 master storm water, and drainage plan, circulation plan, parks and recreation plan,
28 land use plan, and energy efficiency plan. The Project proposes a master planned

1 community wherein the land use plan offers a variety of densities and housing
2 opportunities which is supported by a comprehensive infrastructure plan to
3 minimize land uses that are not utilized to their highest and best use under the
4 proposal of the Specific Plan. These requirements are provided through the
5 Specific Plan document, analyzed in the EIR for potentially significant impacts,
6 and all mitigation measures and land use proposals are implemented through the
7 establishment of project Conditions of Approval and Specific Plan Planning and
8 Development Standards. LU 2.1 requires site development to capitalize on multi
9 modal transportation opportunities. The proposed Project includes over 40 miles of
10 walking and bike trails and includes provisions for use of Neighborhood Electric
11 Vehicles (NEVs). Further, smaller commercial areas have been required
12 throughout the Project to encourage limited car use and maximize pedestrian use.
13 These are required to be at least a quarter mile of all residential units. A park is
14 also required within a quarter mile of all residential units. Lastly, the downtown
15 area of the Project has been required to design with pedestrian's needs first and
16 limit distances between uses for pedestrians. The Project is designed consistently
17 with LU Policy 2.1, which prohibits inappropriate development in areas that are
18 environmentally sensitive or subject to severe natural hazards. The Project has
19 completed an Environmental Impact Report which address impacts to
20 environmentally sensitive areas or areas that are subject to severe natural hazards
21 through mitigation of the project design and Conditions of Approval. LU 2.1 also
22 requires that growth should cluster near community centers that provide a mixture
23 of commercial, employment, entertainment, recreation, civic, and cultural uses.
24 The Specific Plan creates its own community center; a downtown area is a
25 requirement of the Project with mixed use planned throughout to foster residential
26 density, keeping activity in the area throughout the day, and to create a center for
27 the project area, both physically and socially. Component e. of LU 2.1 explains
28 that growth should concentrate near or within existing urban and suburban areas to

1 maintain the rural and open space character of Riverside County to the greatest
2 extent possible. Clustering development density in a master plan fashion allows the
3 Project to capitalize on design aspects, while accommodating the needs of the
4 development in a way that will enable the Project to be a new town. Increased
5 density, structured around a master plan, will help discourage traditional midsized
6 suburban development that traditionally threatens rural areas.

7 b. The General Plan establishes Agriculture Foundation Amendment Cycles in 2 ½
8 year increments. Within each cycle, up to 7% of all land designated as Agriculture
9 may be changed to other foundation and land use designations without additional
10 review by the Agricultural Task Force established for this purpose. The General
11 Plan divides the County into three areas subject to the 7% threshold: (1) the area
12 covered by the Palo Verde and Desert Center Area Plans and the Eastern Desert
13 Land Use Plan; (2) the area covered by the Eastern Coachella Valley and Western
14 Coachella Valley Area Plans; and (3) the area covered by all other Area Plans. The
15 proposed amendment is located within the “area covered by the Eastern Coachella
16 Valley and Western Coachella Valley Area Plans.” General Plan Amendment No.
17 910 proposes to remove 2,541 acres from the Agriculture Foundation. Pursuant to
18 a GIS analysis, 920.10 acres of property located within the Agriculture Foundation
19 component has been removed and converted to another foundation consistent with
20 the Administration Element of the General Plan from October 1, 2003 to December
21 31, 2010 among all three sub-areas as listed above. This amount is well below the
22 7% threshold in any sub-area during the first 2 ½ - year cycle and the County is
23 currently within our third, 2 ½ - year, review cycle. Therefore, the adoption of
24 GPA No. 910 will not result in the 7% threshold being exceed, within the third
25 Agriculture Foundation review cycle.

26
27 12. General Plan Amendment No. 910 includes a Technical Amendment to the General Plan.
28 Specifically, the proposed amendment identifies discrepancies in ownership and properties

1 that have been depicted on the General Plan as “Areas Subject to Indian Jurisdiction” or
2 “IND” within the Project site. The following findings support the Technical Amendment:

3 a. The proposed technical amendment would not change any policy direction or intent
4 of the General Plan. The intent of the “Areas Subject to Indian Jurisdiction” or
5 “IND” descriptions as used in the General Plan, was to indicate where tribal land
6 was located. The proposed amendment identifies discrepancies in ownership and
7 properties that were described as IND within the Project site. The intent of the
8 Technical Amendment component of General Plan Amendment No. 910 is to
9 correct these discrepancies in ownership where the IND description was incorrectly
10 applied during the 2003 County General Plan; the technical correction will correct
11 these errors and clarify the intent of the General Plan relative to the portions of the
12 Specific Plan that are labeled with the IND description.

13 b. The proposed technical amendment will correct an error in the General Plan due to
14 an omission based upon a lack of data about the ownership of the subject
15 properties. Such correction will properly reflect the policy intent of the General
16 Plan. Properties that were incorrectly labeled as IND in the General Plan but have
17 now been determined to be under the County’s jurisdiction will be properly
18 reflected as part of the Community Development Specific Plan.

19 13. General Plan Amendment No. 910 includes an Entitlement/Policy amendment to the
20 General Plan. As described herein, General Plan Amendment No. 910 proposes to amend
21 the Land Use Map designation for the project site from Agriculture (AG), Community
22 Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space–Water
23 (OS-W) to Specific Plan No. 375 – Travertine Point on approximately 3,175 acres. The
24 following findings support the Entitlement/Policy Amendment:

25 a. The proposed amendment will not involve a change in or conflict with the
26 Riverside County Vision. The Riverside County Vision explains that random
27 sprawl is discouraged and development should follow transportation and open
28 space corridors, with concentrations of development, in other words, important

1 open space and transportation corridors should define growth areas. Population
2 growth should be focused where it can best be accommodated. And while the
3 Vision goes on to explain that leapfrog development (development that “skips
4 over” developable land and establishes inefficient development patterns) is
5 discouraged, it also explains that development proposed at some distance from
6 existing communities should occur because of a conscious commitment to a new
7 community there, and these types of projects must demonstrate self-sufficiency in
8 terms of public facilities and services. Indeed, the Vision explains that new
9 communities should demonstrate methods for achieving efficient development and
10 building a sense of community from the very beginning. The Project develops
11 methods and zoning to achieve an efficiency of land use and establishes a self-
12 sufficient community through the development of Specific Plan Standards. The
13 design of the project and the Conditions of Approval have been crafted to assure
14 that the project will be self-sufficient and efficient in ways that are not possible
15 without a large scale master planning effort intended to create a new town.

16 b. The proposed amendment will not involve a change in or conflict with any General
17 Plan Principle as shown herein and detailed further in the Planning Area Design
18 Standards listed in Board of Supervisors’ Resolution No. 2012-040 Certifying
19 Environmental Impact Report No. 514 and Adopting Specific Plan No. 375, a copy
20 of which is attached hereto and incorporated herein by reference in its entirety.

21 c. The proposed amendment will not involve a change in or conflict with any
22 Foundation Component designation in the General Plan. Although General Plan
23 Amendment No. 910 includes an Agriculture Foundation Component amendment,
24 the Board of Supervisors has made findings set forth above to support the change.
25 All other changes proposed by General Plan Amendment No. 910 are within the
26 Community Development Foundation Component and are compatible with the
27 Community Development Foundation Component.
28

- 1 d. The proposed amendment would either contribute to the achievement of the
2 purposes of the General Plan or, at a minimum, would not be detrimental to them as
3 shown herein and detailed further in the Planning Area Design Standards listed in
4 Board of Supervisors' Resolution No. 2012-040 Certifying Environmental Impact
5 Report No. 514 and Adopting Specific Plan No. 375, a copy of which is attached
6 hereto and incorporated herein by reference in its entirety.
- 7 e. Special circumstances or conditions have emerged that were unanticipated in
8 preparing the General Plan. There are three special circumstances or conditions
9 that have changed since the approval of the General Plan in 2003. The first special
10 circumstance is the application for the Project. The County has discouraged
11 smaller General Plan amendments in the desert areas in an attempt to curb further
12 urban sprawl. In 2003, the General Plan gave special consideration for three larger
13 scale Specific Plan projects in the desert areas that were in the design phase at the
14 time. Specific Plan No. 375 was not one of the three; however, the inclusion of the
15 three, along with the General Plan recognizing the possibility of the creation of new
16 towns, implies that new large scale communities do not constitute sprawl and
17 would be permitted by the General Plan. Following this logic, the accumulation of
18 land holdings and landowner consent to form a large scale community sized project
19 is something that was not foreseen by the General Plan, and is a special
20 consideration in and of itself. The Community Development changes include a 15
21 acre parcel going from Commercial Tourist to Specific Plan, and a 166 acre parcel
22 going from Public Facilities to Specific Plan. These proposed changes must be
23 taken in context of the entire proposal which because of its size, will grant the
24 opportunity to be a new community. The General Plan permits new communities,
25 so long as they are separated by natural boundaries, located along transportation
26 corridors, and can provide adequate public facilities. The Project makes such
27 provisions. The second special circumstance or condition that has emerged and
28 was unanticipated is the ability to continue viable agriculture production has been

1 diminished. As evidenced by an additional report included in the Specific Plan,
2 substantial evidence exists to show that the Project area is not a viable location for
3 the continuation of agricultural uses. The conditions described in the report have
4 accelerated since the General Plan adoption in 2003. Additionally, competition
5 from foreign agriculture production has further impacted the ability to viably
6 produce agricultural products. Thus, the Project site is less viable for produce
7 production than it was in 2003 and constitutes a special circumstance or condition.
8 The third special circumstance or condition that has emerged and was unanticipated
9 is the further deterioration of the Salton Sea since 2003 which has contributed to a
10 need for both funding and infrastructure to assist in the revitalization of the Salton
11 Sea, a vital resource to the economy and community infrastructure of the Eastern
12 Coachella Valley Area Plan. The Project is required to create a Infrastructure
13 Financing District and annually contribute to their efforts. This IFD is specifically
14 created with assisting in Salton Sea restoration efforts.

15 14. General Plan Amendment No. 910 will not be detrimental to public health, safety, and
16 welfare as shown herein and detailed further by the mitigations measures listed in Board of
17 Supervisors' Resolution No. 2012-040 Certifying Environmental Impact Report No. 514
18 and Adopting Specific Plan No. 375, a copy of which is attached hereto and incorporated
19 herein by reference in its entirety.

20 15. The following potentially significant environmental impacts associated with the proposed
21 amendment and related cases (Specific Plan No. 375 and Change of Zone No. 7623) were
22 identified in Environmental Impact Report No. 514:

23 a. The following impacts were identified in Environmental Impact Report No. 514 as
24 potentially significant - Biology, Geology and Soils, Hazards and Hazardous
25 Materials, Hydrology and Water Quality, Mineral Resources, Population and
26 Housing, and Utilities. These impacts will be avoided or substantially lessened
27 (reduced to a level of insignificance) by the mitigations measures listed in Board of
28 Supervisors' Resolution No. 2012-040 Certifying Environmental Impact Report

1 No. 514 and Adopting Specific Plan No. 375, a copy of which is attached hereto
2 and incorporated herein by reference in its entirety.

- 3 b. Environmental Impact Report No. 514 also addressed significant and unavoidable
4 impacts on Aesthetics, Agricultural Resources, Air Quality, Cultural Resources,
5 Land Use and Planning, Noise, Public Services, Transportation and Traffic, and
6 Greenhouse Gases which will be only partially avoided or lessened by the
7 mitigation measures listed in Resolution No. 2012-040. According, overriding
8 findings were prepared in Resolution No. 2012-040 which are incorporated herein
9 by reference.

10 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **CERTIFIES** Environmental
11 Impact Report No. 514 ("EIR") and finds that the EIR has been completed in compliance with CEQA and
12 that the EIR was presented to, reviewed, and considered by the Board of Supervisors prior to rendering its
13 decision and that the EIR reflects the independent judgment and analysis of the Board of Supervisors

14 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it **ADOPTS** the findings
15 required by Public Resources Code Section 21081 with respect to each of the significant environmental
16 impacts of the project identified in the EIR, including the Statement of Overriding Considerations which
17 are set forth in Resolution 2012-040 and incorporated herein by reference.

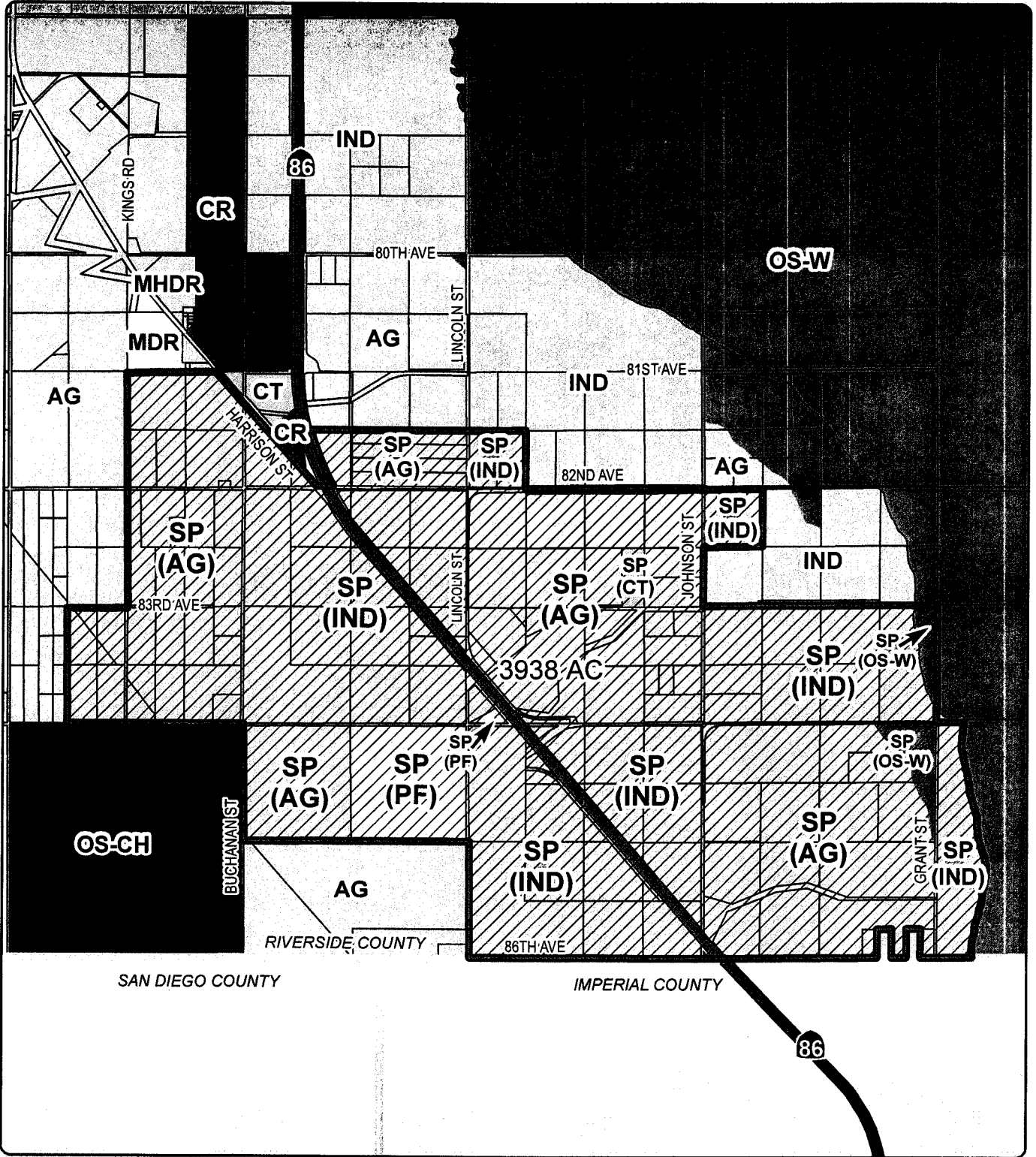
18 **BE IT FURTHER RESOLVED** by the Board of Supervisors, based on the evidence presented
19 on this matter, including Environmental Impact Report No. 514, that it **ADOPTS** General Plan
20 Amendment No. 910 from "Agriculture: Agriculture (AG) (10 acre minimum), Community Development:
21 Commercial Tourist (CT) (0.20 – 0.35 FAR), Public Facilities (PF) (< 0.60 FAR), and Open Space –
22 Water (OS-W) to Specific Plan No. 375 – Travertine Point, a Community Development Specific Plan as
23 described herein and shown on the attached exhibits.

24 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
25 documents upon which this decision is based are the Clerk of the Board of Supervisors and the County
26 Planning Department, and that such documents are located at 4080 Lemon Street, Riverside, California.

**RIVERSIDE COUNTY PLANNING DEPARTMENT
GPA00910 CZ07623 SP00375 EIR514
PROPOSED GENERAL PLAN**

Supervisor Benoit
District 4

Date Drawn: 8/15/11
Exhibit 6



Zoning District: Lower Coachella Valley
Township/Range: T8SR8E & T8SR9E
Section: 19, 20, 25, 28, 29, 31, 32, 33, & 34

Assessors Bk. Pg. 737-09 > 29, 755-27 > 31
Thomas Bros. Pg. 683 E5
Edition 2009



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different types of land use than is provided for under existing zoning. For further information, please contact the Riverside County Planning Department offices in Riverside at (951) 955-3200 (Western County), or in Indio at (760) 863-8277 (Eastern County) or website at <http://www.lma.co.riverside.ca.us/index.html>



RESOLUTION NO. 2012-040

CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514
AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT)

CEQA FINDINGS
and
STATEMENT OF OVERRIDING CONSIDERATIONS
OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
for the
TRAVERTINE POINT SPECIFIC PLAN
REVISED DRAFT ENVIRONMENTAL IMPACT REPORT
EIR NO. 514

EXHIBIT A TO RESOLUTION NO. 2012-040

**RIVERSIDE COUNTY FINDINGS
REQUIRED UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code Section 21000 *et seq.*)**

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction.....	1
II. General Findings and Overview.....	5
A. The Travertine Point Project.....	5
B. Description of the Environmental Impact Report.....	5
C. Record of Proceedings and Custodian of Record.....	7
D. Consideration of the Project's Final EIR.....	8
E. Severability.....	9
F. Mutually Supportive Findings.....	9
G. Citation To Revised EIRs.....	9
III. Findings Regarding Significant and Unavoidable Impacts.....	9
A. Aesthetics.....	9
1. Have A Substantial Adverse Effect On A Scenic Vista.....	9
2. Substantially Degrade A Scenic Resource.....	10
3. Substantially Degrade Visual Character.....	12
4. Create New Sources of Light and Glare.....	13
5. Light and Glare Impacts Upon Mount Palomar Observatory and Nearby Residences.....	14
6. Cumulative Aesthetic Impacts.....	15
B. Agricultural Resources.....	16
1. Direct and Cumulative Loss of Farmland.....	16
C. Air Quality.....	17
1. Violate Existing Air Quality Standards.....	17
2. Conflict With Existing Air Quality Plans.....	23
3. Expose Sensitive Receptors to Pollutants.....	24
4. Expose Sensitive Receptors to Hazardous Materials.....	28
5. Emission of Non-Regulated Emissions.....	36
6. Expose Sensitive Receptors to Objectionable Odors.....	44
7. Cumulative Air Quality Impacts.....	46
D. Intentionally Omitted.....	54
E. Land Use and Planning.....	54
1. Result In An Incremental Loss of Open Space.....	54
2. Cumulative Land Use Planning Impacts.....	55
F. Noise.....	56

1.	Exceed Established Noise Standards.....	56
2.	Generate Excessive Groundborne Vibration/Noise	57
3.	Cause a Permanent Increase in Ambient Noise Levels.....	59
4.	Increased Noise Levels From Military Flight Operations.....	62
5.	Cumulative Noise Impacts	63
G.	Public Services – Law Enforcement.....	64
1.	Cause Impacts Due to New Facilities	64
H.	Public Services – Fire Protection.....	65
1.	Result In An Increase In Response Times	65
I.	Public Services – Education.....	66
1.	Create A Need for New School Facilities That Could Cause Adverse Impacts.....	66
2.	Impact School Districts and Facilities.....	67
3.	Cumulative Impact to School Facilities	68
J.	Intentionally Omitted	69
K.	Public Services – Medical.....	69
1.	Construction Injuries/Demand for New Medical Facilities	69
2.	Temporary Increase In Distances for Medical Services.....	70
L.	Transportation and Traffic.....	71
1.	Cause A Substantial Increase In Traffic.....	71
2.	Temporarily Exceed County LOS Standards.....	90
3.	Temporary Cumulative Traffic Impacts.....	93
M.	Greenhouse Gases	99
1.	GHG Emission Increase.....	99
2.	Conflict With A Plan To Reduce GHGs.....	104

IV.	Findings Regarding Significant Impacts and Potentially Significant Impacts Which Are Avoided or Mitigated To A Less Than Significant Level.....	109
A.	Agricultural Resources.....	109
1.	Cause Potential Conflicts Between Agricultural Operations and Future Project Residents.....	109
B.	Biology.....	111
1.	Have a Substantial Adverse Effect On Protected and Special Status Species, Either Project Specific Or Cumulatively.....	111
2.	Have A Substantial Adverse Effect On Riparian Habitat and Sensitive Natural Communities.....	135
3.	Have a Substantial Adverse Effect On Federally Protected Wetlands.....	136
C.	Cultural Resources.....	138
1.	Cause A Substantial Adverse Change In the Significance of Historical Resources.....	138
2.	Cause A Substantial Adverse Change In Archaeological Resources	139
3.	Disturb Unique Paleontological Resources.....	149
4.	Disturb Native American Human Remains.....	150

D.	Geology and Soils.....	151
1.	Expose People or Structures to Seismic Ground Shaking.....	151
2.	Expose People or Structures to Liquefaction/Ground Failure	152
3.	Expose People or Structures to Landslides	153
4.	Result In Substantial Soil Erosion.....	154
5.	Cause Construction on Unstable Soils	156
6.	Cause Construction On Expansive Soils.....	158
7.	Expose People or Structures to Major Hazards.....	158
8.	Cause Impacts to Soil As A Natural Resource.....	162
E.	Hazards and Hazardous Materials.....	165
1.	Create A Significant Hazard By Routine Transport, Use and Disposal of Hazardous Materials	165
2.	Create A Significant Hazard of Accidental Release of Hazardous Materials.....	167
3.	Emit Hazardous Emissions In Proximity to Schools	168
4.	Cause Exposure to Excess Levels of Hazardous Materials.....	168
F.	Hydrology and Water Quality.....	170
1.	Violate Any Water Quality and Waste Discharge Requirements.....	170
2.	Substantially Alter Drainage Patterns	171
G.	Noise.....	174
1.	Cause Exposure to Excess Noise Levels.....	174
2.	Expose People to Excessive Groundborne Vibration and Noise	176
3.	Cause A Permanent Increase In Ambient Noise Levels	178
H.	Population and Housing.....	180
1.	Induce Substantial Population Growth.....	180
I.	Public Services – Fire Protection	182
1.	Cause Adverse Impacts by Development of New Fire Facilities.....	182
2.	Cause Inadequate Fire Protection Services	183
3.	Cause Development In A High Fire Hazard Area.....	185
J.	Public Services – Law Enforcement.....	188
1.	Cause Adverse Impacts By Construction of New Police Facilities and Services.....	188
K.	Public Services – Education.....	189
1.	Cause Adverse Impacts by Construction of New School Facilities.....	189
L.	Public Services – Parks and Recreation.....	190
1.	Cause Adverse Impacts By Construction of New Park Facilities	190
2.	Cause An Increase Use of Park Lands and Facilities.....	191
M.	Public Services – Libraries.....	195
1.	Cause Substantial Adverse Impacts By Construction of New Library Facilities	195
N.	Public Services – Medical.....	197

1.	Cause Substantial Adverse Impacts By Construction of New Medical Facilities	197
2.	Exceed Existing Medical Services	198
O.	Transportation and Traffic	199
1.	Exceed Levels of Service Standards	199
2.	Conflict with Adopted Alternative Transportation Policies.....	202
3.	Cumulative Traffic Impacts	203
P.	Utilities – Water	209
1.	Cause Substantial Adverse Impacts By Construction of New Water Treatment Facilities	209
Q.	Utilities – Wastewater Services	210
1.	Exceed Wastewater Treatment Requirements.....	210
2.	Cause Substantial Adverse Impacts By Construction of New Wastewater Treatment Facilities.....	211
3.	Cause Inadequate Wastewater Treatment Capacity	213
R.	Utilities – Solid Waste	215
1.	Exceed Existing Landfill Capacity.....	215
2.	Limit Oasis Landfill Expansion	217
3.	Disrupt Solid Waste Services.....	218
S.	Utilities – Energy	219
1.	Cause Increased Use of Energy.....	219
2.	Cause Increased Use/Need For Energy Supplies and Transmission Capacity	220
3.	Cause Increased Electricity Demands	221
4.	Transportation Energy Use.....	222

V.	Findings Regarding Impacts and Potential Impacts Determined To Be Less Than Significant.....	222
A.	Aesthetics	222
B.	Agricultural Resources	223
C.	Air Quality	226
D.	Biology.....	228
E.	Cultural Resources	232
F.	Geology and Soils	234
G.	Hazards and Hazardous Materials.....	236
H.	Hydrology and Water Quality.....	240
I.	Land Use and Planning	247
J.	Mineral Resources.....	251
K.	Noise	254
L.	Population and Housing	257
M.	Public Services – Fire Protection	260
N.	Public Services – Law Enforcement	262
O.	Public Services - Education	263
P.	Public Services – Parks and Recreation.....	264
Q.	Public Services – Libraries.....	267

R.	Transportation and Traffic	268
S.	Utilities – Water	270
T.	Utilities – Wastewater Services	276
U.	Utilities – Solid Waste	277
V.	Utilities – Energy	279
W.	Greenhouse Gases	282
VI. Findings Regarding Alternatives Analyzed in the Revised EIR and Rejected.....		282
A.	Alternative 1: No Project	283
B.	Alternative 2: Build out Under Existing Land Use Designations... ..	285
C.	Alternative 3: Riverside County Only.....	287
D.	Alternative 4: Decreased Land Use Intensity Project.	289
E.	Alternative 5: Alternate Site.....	291
F.	Additional Findings Regarding Alternatives.	293
1.	The Environmentally Superior Alternative.....	293
VII. Statement of Overriding Considerations.....		294
VIII. Other General Findings.....		296
A.	The Project's Long Term Buildout/Phasing.....	296
B.	Affordable Housing.....	296
C.	EIR Cumulative Impacts Methodology.	297
D.	Growth Inducing.	297
E.	Programmatic Level of Review.	298

**RIVERSIDE COUNTY FINDINGS
REQUIRED UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code Section 21000 *et seq.*)**

I. Introduction.

The revised Travertine Point Specific Plan project would establish a new model town allowing for the development of up to 16,655 residential units and up to approximately 5,029,500 square feet of commercial space, primarily focused upon a town center. The Project site consists of approximately 4,918 acres of land, located in Riverside County and Imperial County. Approximately 3,938 acres (80%) is located in Riverside County and 980 acres (20%) is located in Imperial County. Approximately 1,410 acres (approximately 29%) of the total Specific Plan area consists of land located within the lands of the Torres Martinez Desert Cahuilla Indians (hereafter "TMDCI").

The following is a brief description of the major component areas or districts of the Specific Plan:

- **The Town District** – The heart, or "Town District," of Travertine Point is located near its geographic center, at a future SR-86S interchange proposed to support the Specific Plan's circulation system. Land uses include a mixed-use area that allows for a variety of land uses, including retail, offices, business park, light industrial, institutional uses, multi-family residential, as well as other visitor-serving uses.
- **The Resort** – The resort area is located to the south of the Town District on the west side of SR-86 and is a suitable location for a hotel, spa, specialty retail, conference facilities and potential casino, an upscale RV park, and golf. Approximately half of the resort area is on TMDCI land.
- **The Marina** – A marina is proposed at the southeast portion of the Specific Plan area on TMDCI Reservation land. The marina development is a potential future use that assumes the successful restoration of the Salton Sea as presently proposed by the Salton Sea Authority. In addition to boat slips and marine sales and services, the marina area will also provide specialty retail shops, restaurants, and an opportunity for lodging.
- **The Cultural Preserve and Living Desert** – The northern portion of TMDCI Reservation land is planned to be maintained as a cultural preserve and "living desert." This area is known to have significant archeological artifacts. The cultural preserve is planned to protect and preserve these culturally sensitive lands and artifacts.

- **The Residential Neighborhoods** – The residential component of Travertine Point is planned for a wide array of product types, home sizes, lot sizes, and pricing. The residential neighborhoods will support a diverse population, lifestyles, and family groups.

Residential housing is planned to be predominantly single family in character, but may include compact residential lots, attached homes, condominiums, multi-family (for-sale and rental units), and opportunities for active adult neighborhoods. A resort-style residential neighborhood is planned.

The residential areas are characterized by the following categories:

- **Medium Density Residential (MDR)** areas allow development in the range of up to 2–5 dwelling units per average gross acre.
- **Medium-High Density Residential (MHDR)** areas allow development in the range of up to 5–8 dwelling units per average gross acre.
- **High Density Residential (HDR)** areas allow development in the range of up to 8–14 dwelling units per average gross acre.
- **Highest Density Residential (HHDR)** areas allow development to 20+ dwelling units per average gross acre.
- **Accessory Commercial Overlays** are to provide residential planning areas with access to a limited number of convenient retail and personal service uses. The Accessory Commercial Overlays are intended to provide areas for smaller-scale, lower-intensity retail developments that are consistent with the architecture and character of the surrounding residential area. The locations of the accessory commercial uses within the neighborhood will be primarily located along selected local or collector streets. The accessory commercial uses shall be located on the permitted lot size of the residential zone in which it is located and should be oriented with a pedestrian or auto orientation consistent with the character of the surrounding residential neighborhood.
- **Commercial Retail (Regional and Local)** – Regional and local neighborhood retail centers provide supermarkets and drug stores that are anticipated to anchor these centers that include other supported shops, services, and conveniences.
- **Open Space, Recreation, Trails and Parks** – A significant portion of Travertine Point's Specific Plan—approximately 1,525 acres, of the total land area—is designated as open space for a variety of open space uses. In addition to the open space planning areas, residential as well as the nonresidential planning areas will also provide recreational facilities and amenities.

- **Schools** – Several elementary and, middle schools as well as a high school are to be planned and located in coordination with the Coachella Valley Unified School District (CVUSD) to serve the needs of the community. Travertine Point will ultimately require a new high school and potentially an adult education facility for continuing education, trade school, or satellite campus. The actual number and location of all public school facilities will be determined by the number of homes built and the number of new students generated by the development, in collaboration with the CVUSD. The land use plan currently anticipates the need for six elementary (grades K–6), one middle (grades 7 and 8), and one high school campus (grades 9–12) based on current CVUSD facilities requirements and forecasted build out of student-generating housing.

- **Public Services and Facilities** – Public safety services and emergency facilities (police, fire, EMT) is accommodated in the planning for Travertine Point in collaboration with the responsible agencies. Civic uses (libraries, museums, performing arts, government centers, courts, etc.) are permitted uses in the Town District as well as throughout the specific plan area where appropriate.

In connection with the above-described Project, the Applicant (Black Emerald LLC, in coordination with the TMDCI) is requesting Riverside County's approval of the following:

1. General Plan Amendment No. 910;
2. Specific Plan No. 375;
3. Change of Zone No. 07623; and
4. Certification of the Revised Draft EIR 00514.

Previously, in 2006, the Applicant began a collaborative planning process with the TMDCI to master plan both tribal and non-tribal land, consistent with both parties' objectives. That collaborative process resulted in the following actions by the TMDCI:

- August 3, 2007, TMDCI Economic Development Corporation approval.
- August 21, 2007, TMDCI Planning Commission approval.
- December 11, 2007, TMDCI Council approval.
- January 12, 2008, TMDCI General Council approval.
- August 5, 2009, the Tribal Council approved a formal resolution approving the Travertine Point project.

Concurrently with the Tribal land use process, the Applicant submitted its original Project application to Riverside County in October 2007. The original application sought approval of a Specific Plan and related entitlements authorizing up to 12,300 residential units and approximately 3,404,800 square feet of commercial space on the same account of acreage approximately 4,918 acres ("Original S.P. Application").

On October 31, 2007, the County commenced its environmental review process for the Original S.P. Application by circulating a Notice of Preparation of an EIR. On November 7, 2006, the County held a public scoping meeting to receive comments on the issues to be analyzed in the EIR. Subsequently, on January 19, 2010, the County released a Draft EIR ("Original Draft EIR"), for a 45-day public review and comment period, subsequently extended to 60 days, addressing the environmental impacts of the Original S.P. Application, *i.e.*, a project not to exceed 12,300 residential units and 3,408,000 square feet of commercial uses. During this first review/comment period, the County received written comments from 14 agencies and a number of organizations, which are summarized in Table 2.0-2 of the Revised Draft EIR, and all of which were responded to by the County in the Final Revised Draft EIR.

One of the alternatives analyzed in the Original EIR included a higher density project, with approximately 16,600 residential dwelling units, and approximately 5 million square feet of commercial square footage. In response to comments received on the Original Draft EIR, in particular the need for a more fully integrated and sustainable town, and in consultation with Riverside County Staff, the Applicant agreed to proceed with the higher density alternative as the proposed project, with several significant changes. In particular, these changes included enhanced integration of the Project to facilitate significant automobile trip reduction features within the Specific Plan area. The Revised Draft EIR also substantially expanded the air quality section and added a new separate section on Greenhouse Gas.

The final revised Project, reviewed in the Revised Draft EIR, provides for up to 16,655 residential dwelling units and 5,029,500 square feet of commercial space.

County Staff worked with the EIR consultant and other expert consultants, on various issues, including traffic, to ensure that the Revised Draft EIR and Final EIR fully disclose and analyze all of the Project's potentially significant environmental impacts, as well as mitigation measures and Project alternatives that may reduce or avoid these impacts to the maximum extent feasible. As set forth below, in section II (B), description of the Environmental Impact Report, the County circulated the EIR three times, including a third and final time to address late comments received at the Board of Supervisors' August 16, 2011 public hearing. After circulating the EIR for a third time in September 2011, and preparing a Final EIR responding to all comments received, the Board of Supervisors voted to certify the final EIR, as revised, and approve the proposed project.

The Findings and Statement of Overriding Considerations set forth below (the "Findings"), are made by the Board of Supervisors of Riverside County, as its Findings for the Project under the California Environmental Quality Act ("CEQA") (*Public Resources Code* section 21000 *et seq.*) and CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, *et seq.*). These Findings provide the written analysis and conclusions of the County regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations which, in the County's view, justify approval of the Project, despite the Project's significant environmental effects.

II. General Findings and Overview.

A. The Travertine Point Project.

The proposed Specific Plan area is located along the northwestern shore of the Salton Sea, in the existing community of Oasis. The Project site is traversed by California State Route 86S, a designated North American Free Trade Agreement Highway.

The Travertine Point Specific Plan contemplates the development of the approximately 5,000-acre site as a master planned community, with significant job generating commercial uses, shopping and services to create a new sustainable town at the intersection of three Counties, Riverside, Imperial and San Diego. The Project will include a mix of residential housing types to accommodate various income levels and significant open space areas (approximately 1,525 acres). Other planned uses include a resort, marina, several schools and public safety facilities. More specifically, the Project contemplates the zoning and development of 1,917 acres of medium density residential (4,800 units); 878 acres of medium high density residential (5,646 units); 266 acres of high density residential (2,206 units); 51 acres of regional commercial uses (780,000 square feet of commercial space); 32 acres of local commercial retail (340,000 square feet); 118 acres of tourist commercial uses (615,500 square feet) and 467 acres of mixed used (3,294,000 square feet and 2,778 residential units). In addition, the Project proposes 148 acres of public facilities, 379 acres of recreational open space; 670 acres of conservation open space; 328 acres of drainage open space and 109 acres of Salton Sea open space. Project roads total 230 acres.

B. Description of the Environmental Impact Report.

The County distributed a Notice of Preparation and Initial Study ("NOP") to local, state and federal agencies, and to interested organizations and individuals, for a 30-day comment period from October 31, 2007 to November 30, 2007. A public scoping meeting was held in La Quinta, California, on November 7, 2007. The Riverside County Planning Commission held a further noticed Project study session on March 17, 2010, and received public comment. A copy of the NOP and comments on the NOP can be found in Appendix 2.0 to the Revised Draft EIR. A summary of the NOP comments is set forth in the Revised Draft EIR in Table 2.0-1, at pages 2.0-9 to 2.0-29.

Based upon the preliminary review conducted by the County and responses to the NOP, the County found that the original Project (12,300 residential units and 3,404,800 square feet of commercial space), could have potential adverse environmental effects, and ordered preparation of a Draft EIR.

The following potential adverse environmental effects were determined by the County to be less than significant after the imposition of specified mitigation measures: Biological Resources, Geology and Soils, Hazards/Hazardous Materials, Population and Housing, Public

Services (Fire Protection, Law Enforcement, Education, Libraries, Medical Services) and Utilities (solid waste, wastewater and energy).

The following potential adverse environmental effects were determined by the County to be significant and unavoidable impacts; because feasible mitigation could not reduce their effect to a less than significant level: Aesthetics, Agricultural Resources, Air Quality, Cultural Resources, Greenhouse Gases, Land Use and Planning, Noise, Parks and Recreation, and Transportation/Traffic, with respect to temporary impacts prior to implementation of all required traffic mitigation measures.

In January 2010, the County released the Original Draft EIR for 45 days of public review and comment, subsequently extended to a 60-day review period. See Revised Draft EIR, Table 1.0-4, at pages 1.0-28, summarizing the significance of environmental effects for the proposed Project.

Based upon public comment received upon the Original Draft EIR, in particular requests for a more integrated sustainable community of sufficient critical mass for those purposes, the Applicant agreed to adopt a variation of the more intensive Alternative development scenario in the Original Draft EIR, as the proposed Project, and recirculate the Draft EIR.

On November 10, 2010, the County released the Revised Draft EIR for public review and comment, reflecting a larger Project, with an increase in residential units from 12,300 to 16,655, and an increase in commercial space from 3,408,000 square feet to 5,029,500 square feet. The 60-day comment period for the Revised Draft EIR ran from November 10, 2010 to January 10, 2011. The County prepared responses to all comments received on the Revised Draft EIR during the extended 60-day comment period, and included those responses in a Final EIR.

A Final EIR document, containing responses to all comments received was completed and made available to the public on May 9, 2011. At a public hearing held on June 15, 2011, the Riverside County Planning Commission recommended that the County Board of Supervisors approve the proposed project.

The Board of Supervisors held a public hearing on the Final EIR and the proposed project on August 16, 2011. Late comments of substantial length were received on the Final EIR immediately prior to, and the day of, the Boards' August 16, 2011 hearing. The Board of Supervisors voted to continue the public hearing to afford County Staff and the applicant an opportunity to thoroughly respond to the late comments, including a lengthy 40 plus page letter from the Shute Mihaly Firm, on behalf of the Sierra Club and Center for Biological Diversity.

In September 2011, the County elected to circulate a draft EIR for a third time, to again afford the public a 45-day comment period, to review and comment upon additional mitigation measures added to the EIR in response to the late comment letters, submitted at the Board's August 16, 2011 public hearing. On December 1, 2011, the County completed and made available another Final EIR (the "Final EIR"), containing responses to all comments received within the third 45 day comment period. The Final EIR changed the draft EIR's prior conclusion

that off-site cultural resource impacts, and impacts to nearby park facilities, would be significant and unavoidable because of potential intrusion on adjacent lands by Project residents. Based on the addition of new mitigation measures in the third recirculated draft EIR, and new information about existing user fees charged by the Anza Borrego State Park, and other new information related to the total annual visits to the park in relation to the proposed project, the County changed the impact designation for off-site cultural resources and impacts to park facilities to less than significant.

On December 13, 2011, the Board of Supervisors held a public hearing on the proposed project and the third recirculated EIR. Again, late comment letters were submitted by various organizations within the 24-hour period prior to the scheduled Board of Supervisors hearing, including letters from the Shute Mihaly firm, on behalf of the Sierra Club and Center for Biological Diversity, and from California Rural Legal Assistance ("CRLA") on behalf of a Coachella Valley resident. The Board of Supervisors considered all of the late comment letters, and all oral comments, including County counsel's and the applicant's rebuttal to the late letters.

The Board of Supervisors closed the public hearing and voted unanimously to approve the requested project entitlement, including SP 375, GPA 910 and change of Zone 7623.

A Timeline of the Travertine Project's entitlement and CEQA Compliance milestones is attached as Exhibit A.

C. Record of Proceedings and Custodian of Record.

For purposes of CEQA and for the Findings set forth herein, the record or proceedings for the County's Findings and determinations consists of the following documents and testimony, at a minimum.

- Riverside County's General Plan, as amended, and all environmental documents relating thereto;
- The records of the TMDCI pertaining to its support for and approval of the proposed Travertine Point Specific Plan;
- The records of the Salton Sea Authority pertaining to its restoration plans for the Salton Sea and development intensity assumptions for the area surrounding the Salton Sea, including the Project site;
- The Travertine Point Specific Plan;
- The Original Draft EIR for the original Project;
- The two Revised Draft EIRs for the Project (the RDEIR and RRDEIR), including all appendices thereto, and all supporting materials referenced therein;

- The two Final EIRs for the Project, including all comments on the two Revised Draft EIRs, all responses thereto, and all supporting materials referenced therein;
- All testimony and written comments received at all public hearings relating to the Project, including the November 7, 2007 scoping meeting; the March 17, 2010 study session, the May 25, 2011 Planning Commission hearing, the June 15, 2011 Planning Commission hearing, and the August 16 and December 13 2011 Board of Supervisors hearings;
- All staff reports of the County relating to the Project, including reports submitted to the County by expert consultants, and all supporting materials referenced therein;
- These Findings made by the County Board of Supervisors and the Mitigation Monitoring and Reporting Program ("MMRP") adopted by the County for the Project;
- All other public reports, documents, studies, memoranda, maps, or other planning documents relating to the Project, the RDEIR and RRDEIR, or the Final EIR, prepared by the County, consultants to the County, or responsible or trustee agencies;
- The County's current General Plan Housing Element and the updated draft Housing Element, currently available for public review; and
- All matters of common knowledge to the County, including, but not limited to the County's policies, guidelines and regulations.

The documents described above, comprising the record of proceedings, are located in the Riverside County Planning Department, located at County Administrative Center, 4080 Lemon Street, 2nd Floor, Riverside, California.

D. Consideration of the Project's Final EIR.

In adopting these Findings, the County finds that the Final EIR (including the second and third Revised Draft EIRs) was presented to the County Board of Supervisors, which reviewed and considered the information in the Final EIR prior to making its decision on the Project. The County further finds that the Final EIR has been completed in compliance with the requirements of CEQA and its Guidelines. By these Findings, the County ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments and conclusions of the Final EIR. In addition, the Mitigation Monitoring and Reporting Program, and the Mitigation Measures specified therein, are hereby approved and adopted and shall be fully enforceable through permit conditions, agreements or other measures. The Final EIR and these Findings represent the independent judgment and analysis of the County's Board of Supervisors.

E. Severability.

If any term, provision or portion of these Findings or the application of these Findings to a particular situation is held by a Court to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the County. (If any conflict is determined to exist between the Final EIR (including the two Revised Draft EIRs), and these Findings, these Findings shall govern.)

F. Mutually Supportive Findings.

All evidence and facts set forth herein, for any particular finding, is incorporated into all other findings, as if set forth therein in full.

G. Citation To Revised EIRs.

The May 2011 Revised EIR is referenced as the "RDEIR." The September 2011 recirculated Revised EIR is referenced herein as the "RRDEIR." The December 2011 Final EIR is referenced herein as the "Final EIR."

III. Findings Regarding Significant and Unavoidable Impacts.

A. Aesthetics.

1. **Have A Substantial Adverse Effect On A Scenic Vista.** (*RDEIR, § 6.1.7.1, pp. 6.1-42 to 6.1-51.*)

(a) **Potential Impact.** The Project could be deemed to have a substantial adverse effect on scenic vistas because it alters existing views of and around the Project site. The Project's potential impacts to scenic vistas are discussed in the Revised Draft EIR, section 6.1.7.1, at pages 6.1-42 to 6.1-51. The Project will alter existing views of surrounding mountains, including the Santa Rosa and San Jacinto Mountains to the west and northwest, and the Mecca Hills and Chocolate Mountains to the east. The Project's impacts to existing views of the Salton Sea, the Chocolate Mountains and Travertine Rock are considered significant impacts.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would substantially lessen or avoid the Project's impacts to scenic vistas due to specific economic, legal, social, technological, or other considerations, as specified in *PRC § 21081(a)(3)*. For example, increased setbacks along SR-86(S) would not preserve views of the Salton Sea or the surrounding mountains from SR-86(S) and other landscape features for viewers traveling along the roadway, because there is little or no elevation difference between the roadway and the surrounding relatively flat topography.

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, because the topography of the Project site and SR-86S, which bisects the site, do not provide any viable option for eliminating some temporary view obstructions for passing motorists. Other more extreme options, such as elevating SR-86S are not financially feasible nor are such options within the County's control. (*PRC* § 21081(a)(3).)

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to scenic vistas, as described at pages 6.1-41 to 6.1-45 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to scenic vistas are determined to be: (i) unavoidable because there are no feasible mitigation measures that would substantially lessen or avoid the Project's impacts to scenic vistas; and (ii) acceptable because the impacts are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Substantially Degrade A Scenic Resource.** (*RDEIR*, § 6.1.7.2, pp. 6.1-51 to 6.1-56.)

(a) **Potential Impact.** The Project might result in damage to scenic resources, including but not limited to prominent rock outcroppings on the Project site visible from a state scenic highway, as discussed in the Revised Draft EIR, section 6.1.7.2, at pages 6.1-51 to 6.1-56. Specifically, implementation of the proposed project would substantially increase the population – in and use – of the specific plan area, which could result in increased graffiti and vandalism. However, more nearby residents could also reduce such impacts – which currently exist – due to greater observation, barriers to access created by the Project, the opportunity for volunteers to monitor such resources and greater economic resources to fund the Tribe's existing patrol program.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.1-1 Prior to tentative tract map approval for the first development in the Imperial County portion of the Project site, modern graffiti shall be carefully removed from Travertine Rock in coordination with the Torres-Martinez Desert Cahuilla Indians and under the supervision of an archaeological preservation specialist. Where modern graffiti cannot be removed without damage to prehistoric rock art, the archaeological preservation specialist shall determine feasibility of appropriate measures for the preservation of the prehistoric art.
- 6.1-2 The specific plan shall be modified to provide for protective fencing consistent with standards provided in the wall and fencing plan for planning areas adjacent to Travertine Rock and that such fencing shall be placed no closer than 500 feet around the perimeter or physical outcropping of Travertine Rock.
- 6.1.3 The specific plan shall be modified to restrict trails within planning areas adjacent to Travertine Rock, requiring that such trails and associated parking, trailheads, rest, and/or picnic areas shall be located no closer than 500 feet from the perimeter or physical outcropping of Travertine Rock, and shall provide for signage discouraging off-trail access.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to scenic resources in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because (1) modern graffiti will be removed to the extent feasible, thereby discouraging further graffiti; (2) fencing will be installed to restrict access; and (3) trail access will be diverted to maintain a 500 foot buffer, and (4) certain project improvements, such as steep embankments in the Project's western boundary drainage channel, will materially impede current access. No further mitigation measures or project alternatives exist and/or are proportionate to this Project's impacts, which would further reduce impacts, due to specific economic, legal, social, technological or other considerations as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the feasible mitigation measures described above may not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's scenic resources to a less-than-significant level. Even with implementation of the mitigation measures listed above, there is no guarantee that a determined tagger will not damage the scenic resources on the Project site. Consequently, even though the evidence outlined above supports a net beneficial impact *vis a vis* the existing condition,

nevertheless, to be conservative in the disclosure of potential adverse impacts under CEQA, this impact is deemed significant and unavoidable.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to scenic resources are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Substantially Degrade Visual Character.** (*RDEIR*, § 6.1.7.3, pp. 6.1-58 to 6.1-60.)

(a) **Potential Impact.** The Project will substantially change the existing visual character or quality of the site and its surroundings as discussed in the Revised Draft EIR, section 6.1.7.3, at pages 6.1-58 to 6.1-60. The development of the proposed project would result in a permanent change in the visual character of the Project site, which is currently under agricultural production and also includes areas of desert scrubland; scattered residential, and farming structures. To the extent that the existing visual character of the site is deemed aesthetically beneficial or positive, the Project would result in a significant adverse change to the existing visual character.

(b) **Mitigation Measures.** No mitigation measures are physically or technologically feasible that would reduce impacts to a less than significant level, in terms of maintaining the existing visual character of the site, since by its very nature, the Project will eliminate the existing visual character of the site. (*PRC* § 21081(a)(3).)

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, as explained above, as specified in *PRC* § 21081(a)(3), because any development of the site would permanently change the visual character of the site.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to visual character, as described at pages 6.1-58 to 6.1-60 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to visual character are determined to be acceptable because they are substantially outweighed by

the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

4. **Create New Sources of Light and Glare.** (*RDEIR*, § 6.1.7.4, pp. 6.1-60 to 6.1-65.)

(a) **Potential Impact.** The Project will create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The Project's potential light and glare impacts are discussed in the Revised Draft EIR, section 6.1.7.4, pages 6.1-60 to 6.1-65. Since the proposed project includes new residential, commercial and mixed used development, nighttime lighting would be significantly increased in an area with very few existing nighttime lighting sources. New reflective surfaces would also increase daytime glare. These impacts are deemed significant.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potential significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.1-4 Prior to grading final, the project applicant shall develop a lighting plan to reduce off-site and nighttime lighting impacts that shall be subject to approval by the Riverside or Imperial County Planning Departments. The plan shall require all lighting adjacent to open space areas to be downcast luminaries with light patterns directed away from and shielded so that light is not directed into open space areas. Mercury vapor and halide lighting shall not be used on the perimeter of the developed areas and in areas adjacent to undeveloped open space. Security lighting throughout the project shall be controlled to limit light shine to necessary periods.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to light and glare in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the lighting plan described in mitigation measures 6.1-4 is designed to reduce lighting impacts. No further mitigation measures or project alternatives exist to further reduce this impact to a level of less than significant, due to the specific economic, legal, social, technological or other considerations specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's light and glare to a less-than-significant level, because there will still be a significant residual increase in nighttime lighting and daytime glare visible from both on and off the Project site

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to light and glare are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

5. **Light and Glare Impacts Upon Mount Palomar Observatory and Nearby Residences.** (*RDEIR*, § 6.1.7.5, pp. 6.1-66 to 6.1-67.)

(a) **Potential Impact.** Although the proposed project would include guidelines to reduce the amount of nighttime lighting, the proposed project would generate more light than is currently emitted on the Project site, which could adversely impact the Mount Palomar Observatory and nearby residences. *See* discussion in Revised Draft EIR, at § 6.1.7.5, pp. 6.1-66 to 6.1-67. This potential impact is deemed significant.

(b) **Mitigation Measure.** Although the Project includes measures to reduce light and glare impacts (*e.g.*, mitigation measure 6.1-4), no additional feasible mitigation measures exist to further reduce this potential impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation measures or project alternatives exist to reduce this potential impact to a less than significant level, for the reasons specified in § *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts by causing increased light and glare impacts upon the Mount Palomar Observatory and nearby residences.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to the Mount Palomar Observatory and nearby residences are determined to be acceptable because they are substantially outweighed by the overriding social,

economic, environmental and other benefits of the Project (*PRC* § 21081(b), as more fully set forth in the Statement of Overriding Considerations in **Section VII**

6. **Cumulative Aesthetic Impacts.** (*RDEIR* § 6.1.8.1, pp. 6.1-75 to 6.1-79.)

(a) **Potential Impact.** The Project will cause cumulative aesthetic impacts, which are discussed in the Revised Draft EIR, section 6.1.8.1, at pages 6.1-75 to 6.1-79. Development of the proposed project and related projects would convert thousands of acres of agricultural and/or open space areas to urban uses, and may block some views of nearby mountain ranges, foothills, rock croppings and the Salton Sea from some portions of SR86S. In addition, development of the proposed project and other projects would create new sources of light and glare. The cumulative increase in scenic view obstruction, and light and glare sources, is deemed a significant impact in both Riverside County and Imperial County.

(b) **Mitigation Measures.** No feasible mitigation measures exist to reduce these cumulative impacts to a less than significant level, for the reasons discussed above, and as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential cumulative impact to a less than significant level, as specified in *PRC* § 21081(a)(3), for the reasons discussed above.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable cumulative aesthetic impacts, as described in the Revised Draft EIR at pages 6.1-75 to 6.1-79.

(3) **Overriding Considerations.** Any remaining significant cumulative aesthetic impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(a)(3)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

B. Agricultural Resources.

1. Direct and Cumulative Loss of Farmland. (*RDEIR § 6.2.7.1, pp. 6.2-37 to 6.2-55.*)

(a) **Potential Impact.** The Project will convert Prime Farmland, Unique Farmland, and Farmland of Local Importance (hereafter "Farmland"), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the Cal. Resources Agency, to non-agricultural uses, as discussed in the Revised Draft EIR, in section 6.2.7.1, pages 6.2-37 to 6.2-55. Although the Project does not convert any Farmland of Statewide Importance, the proposed project would convert approximately 1,559 acres of Prime Farmland, 1,553 acres of Unique Farmland, and 362 acres of Farmland of Local Importance, and a total of 3,474 acres of Important Farmland, to urbanized land uses. These decreases could result in a decrease in agricultural crops, which is deemed a significant cumulative impact. With respect to challenges to the County's methodology in assessing cumulative impacts, *see* § VIII(C) below.

(b) **Mitigation Measures.** The Revised Draft EIR reviews 11 potential tools or mitigation options as set forth in Table 6.2-13, entitled the Farmland Protection Toolbox. However, none of these potential measures successfully reduce the net loss of Farmland to a less than significant level of impact. First, mitigation measures such as conservation easements over other Farmland do not successfully eliminate the physical net loss of the Farmland on this Project site. Second, the applicant conducted both a local and regional survey of Farmland owners in 2008 and 2010 to assess the feasibility of purchasing conservation easements over other Farmland. The survey responses were universally negative, *i.e.*, all of the Farmland owners surveyed were unwilling to sell a conservation easement over their land. *See* Revised Draft EIR, pp. 6.2-51 to 6.2-53. Third, other options such as a significant reduction in the size of the proposed project or the purchase of off-site farm land are not feasible mitigation because the Project's financial feasibility analysis demonstrates that the Project cannot feasibly bear this type of additional financial burden. Additionally, much of the Farmland on-site is suffering from adverse conditions, such as rocky soil, making its long-term viability increasingly in doubt for successful farming.

(c) **Findings.**

(1) **Effects of Mitigation.** The Revised Draft EIR considers several potential mitigation measures. *See* Revised Draft EIR, pp. 6.2-45 to 6.2-55. No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3). Even if the mitigation measures discussed in the Revised Draft EIR at 6.2-45 to 6.2-55, were ultimately determined to be

feasible in the future, for example, a landowner agreed to sell a conservation easement that is currently unwilling to do (*see* Revised Draft EIR, pp. 6.2-51 to 6.2-53), and/or some other regional fee based mitigation bank were formally adopted with legal measures to collect and expend funds to reduce impacts to farmland by off-site preservation (*see* Revised Draft EIR, p. 6.2-54), nevertheless, the physical net loss of farmland on this particular Project site is, for purposes of the conservative disclosure of impacts under CEQA, deemed to be a significant and unavoidable impact.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to agricultural resources, as described at pages 6.2-37 to 6.2-55 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to agricultural resources are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

C. Air Quality.

(Note: Certain pages of the RDEIR have been modified as shown in underlined text in the September 2011 recirculated Revised EIR, the RRDEIR, and should also be referenced at pp.6.3-2 to 6.3-4; 6.3-37 to 6.3-38; 6.3-99; 6.3-113 to 6.3-114; 6.3-121 to 6.3-126 and 6.3-131.)

1. **Violate Existing Air Quality Standards.** (*RDEIR*, § 6.3.7.1, pp. 6.3-82 to 6.3-98.)

(a) **Potential Impact.** The Project will cause emissions to exceed existing air quality standards as discussed in the Revised Draft EIR, section 6.3.7.1, pages 6.3-82 to 6.3-98. Specifically, both the construction related emissions through project build out (whether assumed to be 20 or 35 years) and operational emissions during and after build out, will exceed SCQAMD's and ICAPCD's emissions based thresholds for significance for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Temporary Emissions associated with on and off-site infrastructure improvements (including future SR86s improvements and the construction of regional utilities, including a wastewater treatment plant) and construction trips associated with the Project buildout, will also temporarily exceed the above referenced thresholds of significance, resulting in significant impacts. (*See* RRDEIR, pp.6.3-2 and 6.3-99.)

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.
- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).
- Suspend the use of all construction equipment during first-stage smog alerts.
- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.

- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.
- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).
- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.
- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.

Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.

- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

- The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
 - Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.
- 6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.¹
- 6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service

¹ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.

- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they materially reduce emissions from both construction activity and from both stationary and vehicle emission sources. No further feasible mitigation measures or project alternatives exist to reduce this impact to a less than significant level due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3), and/or because the mitigation is within the jurisdiction of another agency as specified in the *PRC* § 21081(a)(2), with respect to the certain off-site infrastructure, including improvements to SR86(s), within the jurisdiction of Caltrans, and construction of a regional wastewater treatment plant, within the jurisdiction of CVWD.

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's air quality to a less-than-significant level, in terms of exceeding SCAQMD's and ICAPCD's emission based thresholds of significance for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts to the area's air quality, including temporary impacts generated by project construction, and impacts caused by the construction of on and off-site infrastructure, including SR86s and regional utilities, including a regional wastewater treatment plant.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to air quality are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Conflict With Existing Air Quality Plans.** (*RDEIR*, § pp. 6.3.7.2, pp. 6.3-98 to 6.3-102.)

(a) **Potential Impact.** The Project will conflict with or obstruct implementation of the applicable air quality plan as discussed in the Revised Draft EIR, section 6.3.7.2, pages 6.3-98 to 6.3-102. Specifically, the Project's projected future population growth is a substantial increase over that assumed in the AQMP. Therefore, unless or until the AQMP is updated or modified to reflect the County's existing growth assumptions for the Project area, the Project would potentially conflict with or obstruct implementation of the current SCAQMD AQMP. This is deemed a significant impact.

(b) **Mitigation Measures.** No feasible mitigation measures exist to reduce this impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation measures or project alternatives exist to reduce this potential impact to a less than significant level, as specified in *PRC* § 21081(a)(3). The County further finds that it is not financially feasible to further mitigate this impact by purchase of off-site development rights, because, as explained in the

Project's financial feasibility analysis, the Project is only marginally feasible with its current cost burdens.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to air quality, as described at pages 66.3-98 to 6.3-102 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative air quality impacts – in terms of potential conflicts with the existing SCAQMD AQMP – are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Expose Sensitive Receptors to Pollutants.** (*RDEIR*, § 6.3.7.3, pp. 6.3-103 to 6.3-118).

(a) **Potential Impact.** The Project will expose sensitive receptors to substantial pollutant concentrations as discussed in the Revised Draft EIR, section 6.3.7.3, at pages 6.3-103 to 6.3-118. Specifically, the Project will result in significant impacts upon sensitive receptors from project related construction, dust with toxic air contaminants (TACs) and hazardous air pollutants (HAPs) from exposed Salton Sea Playa, from the sea receding and/or dust from future Salton Sea restoration efforts, diesel particulate matter from SR86S ozone, and potentially Valley Fever/Hantavirus, if present in the soil. *See* Revised Draft EIR, at pp. 6.3-54 to 6.3-67.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.

6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest

right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.²

- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.³
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:
- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.

²The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

³Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
 - Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
 - Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
 - Require that the cabs of grading and construction equipment be air-conditioned.
 - Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
 - Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
 - Where acceptable to the fire department, control weed growth by moving instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
 - During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.
- 6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.
- 6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the setbacks imposed, for example, 500 foot setbacks (for parks, schools, hospitals, etc.) and 300 foot setbacks (for residences) to address diesel particulates from SR86S, will materially reduce potential impacts upon those sensitive receptors. Other specified mitigation, for example, fugitive dust control measures, and electrostatic cleaning devices in certain residences, will also materially reduce potential impacts. In addition, the applicant's funding of an Infrastructure Financing District (IFD), for Salton Sea stabilization/restoration, will support efforts to reduce dust impacts from a receding sea and/or dust from Sea restoration efforts. (See RRDEIR, pp. 6.3-113 to 6.3-114; and written comments of Dr. Timothy Krantz, dated April 26, 2011 and oral testimony on December 13, 2011). See also Final EIR, pp. 2.0-24 to 2.0-213, Response 13-20, explaining the extent of potential impacts from exposed Salton Sea playa dust on Project residents, as compared to the region as a whole. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's air quality to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts to the area's air quality.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to air quality impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

4. **Expose Sensitive Receptors to Hazardous Materials.** (*RDEIR*, § 6.3.7.4, pp. 6.3-119 to 6.3-12; and *RRDEIR*, at pp. 6.3-4; 6.3-37; 6.3-38; 6.3-122-6.3-124).

(a) **Potential Impact.** The Project may expose sensitive receptors to toxic air contaminants, in particular diesel particulate matter from truck trips, as discussed in the Revised Draft EIR, section 6.3.7.4, pages 6.3-119 to 6.3-120. Specifically, certain proposed land uses, such as large commercial centers or light industrial uses, have the potential to attract or generate a large number of diesel fueled truck trips, resulting in emission of diesel particulate matter. Consequently, potential impacts from toxic air contaminants would be a potentially significant impact.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.
- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).
- Suspend the use of all construction equipment during first-stage smog alerts.

- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.
- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAQMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.
- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).
- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.

- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB,

SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.
- The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
- Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.

6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.⁴

6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.

6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.

⁴ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.
- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.
- 6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.

- 6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.⁵
- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.⁶
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:
- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin

⁵The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

⁶Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.

- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
- Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
- Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
- Require that the cabs of grading and construction equipment be air-conditioned.
- Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
- Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
- Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
- During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.

6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.

6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.

6.3-18 Prior to implementing project approval, stationary sources of diesel, ozone, toxic air contaminants (TACs), or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the existing established thresholds.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they collectively reduce toxic emissions from both stationary and vehicular sources, that may cause an adverse impact upon sensitive receptors. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts a less-than-significant level, regarding the exposure of sensitive receptors to toxic emissions. Even with the implementation of all feasible mitigation measures, the Project will continue to cause significant and unavoidable impacts with respect to the potential emission of toxic particulates, such as diesel particulates, upon sensitive receptors.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts, due to the exposure of sensitive receptors to potential toxic emissions (such as diesel particulates from trucks), are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

5. **Emission of Non-Regulated Emissions.** (*RDEIR*, § 6.3.7.5, pp. 6.3-122 to 6.3-123; and *RRDEIR*, pp. 6.3-2; and 6.3-99.)

(a) **Potential Impacts.** The Project will emit air contaminants that are not currently regulated by either air district, but that are on the federal or state toxics list, as discussed in the Revised Draft EIR, section 6.3.7.5, at pages 6.3-122 to 6.3-123; and *RRDEIR*, pp 6.3-2; and 6.3-99. Specifically, SCAQMD and ICAPCD currently regulate emissions from stationary sources, not mobile source emissions. The Project's commercial and light industrial uses and construction of on and off-site infrastructure and utilities (including SR86(s) improvements, and wastewater treatment facilities) are likely to cause truck trips that will generate toxic diesel emissions. Specific future projects will be required to assess specific impacts from their operations – which are currently unknown – and implement feasible mitigation measures, as specified herein, or as may be imposed on future projects over the 30 to 40 year buildout of this Project.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.

- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).
- Suspend the use of all construction equipment during first-stage smog alerts.
- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.
- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAQMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.

- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).
- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.
- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any

emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
 - An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.
 - The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
 - Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.
- 6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.⁷
- 6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all

⁷ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.

- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.
- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.

- 6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.
- 6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.⁸
- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.⁹
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following

⁸The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

⁹Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

measures, where feasible, to reduce valley fever and Hantavirus risk during construction:

- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.
- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
- Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
- Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
- Require that the cabs of grading and construction equipment be air-conditioned.
- Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
- Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
- Where acceptable to the fire department, control weed growth by moving instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
- During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.

6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.

- 6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.
- 6.3-18 Prior to implementing project approval, stationary sources of diesel, ozone toxic air contaminants (TACs), or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the existing established thresholds.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts upon air quality in the Project vicinity, specific toxic diesel particulate emissions from truck trips, will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the proposed mitigation measures directly address both regulated stationary sources and unregulated mobile sources of toxic emissions. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3), and/or because mitigation is within the jurisdiction of another agency as stated in *PRC* § 21081(a)(2), here with respect to off-site infrastructure, including mitigation for improvements to SR86(s), within the jurisdiction of Caltrans, and with respect to the construction of certain off-site utilities, such as a regional wastewater treatment plant, within the jurisdiction of CVWD.

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to a less-than-significant level, with regard to non-regulated mobile source emissions, in particular from construction dust and diesel truck emissions.

Even with the implementation of all feasible mitigation measures, the Project will continue to cause significant and unavoidable impacts.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to unregulated mobile source emissions are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

6. **Expose Sensitive Receptors to Objectionable Odors.** (*RDEIR*, § 6.3.7.6, pp. 6.3-123 to 6.3-128).

(a) **Potential Impacts.** The Project will expose sensitive receptors to objectionable odors affecting a substantial number of people as discussed in the Revised Draft EIR, in section 6.3.7.6, pages 6.3-123 to 6.3-128. The proposed project is located along the northwestern shore of the Salton Sea. Historically, the Salton Sea has experienced objectionable odors, for temporary periods of time, from several sources. Specifically, odors can be caused by dead fish, algal decay, hydrogen sulfide gas emissions from the sea floor, caused by surface wind disturbances, the salinity of the sea, geothermal plants, and nearby agricultural land uses. A reduction of the eutrophic characteristics of the Salton Sea would likely reduce the intermittent odor events in the area, as it would result in fewer fish kills, algal blooms, and less hydrogen sulfide emissions. The Salton Sea Authority's Restoration Plan will – if implemented – reduce eutrophic characteristics of the sea, which will reduce its oxygen depleted conditions. Even without implementation of the Salton Sea Restoration Authority Plan, odor impacts at the Project site location are less severe than other Salton Sea locations due to historically fewer fish kills along the northwestern shore. In addition, increasing salinity of the sea is projected to eliminate the remaining Tilapia fish between 2018 and 2023, thus eliminating the dead fish odor source, and making the Salton Sea similar to the Great Salt Lake in Utah. The evidence shows that the Great Salt Lake typically has "lake effect" smells two to three times per year, for a few hours each time, as surface winds disturb decaying organic matter on the bottom of the lake.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-19 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall

enclose odor-generating processes and utilize other odor-abatement technologies as required under state and local regulations.

- 6.3-20 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall develop a protocol for handling odor complaints.
- 6.3-21 Prior to implementing project approval, plans demonstrating that auto body shops with painting/coating operations are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.
- 6.3-22 Prior to implementing project approval, plans demonstrating that asphalt plants are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.

(c) **Findings.**

(1) **Effects of Mitigation.** Objectionable odors in the Project vicinity will be lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they reduce the wastewater treatment facility as an odor source. There are no feasible project specific mitigation measures to reduce odors generated by the Salton Sea, in particular dead fish, algal blooms and hydrogen sulfide gas emissions prior to implementation of the Salton Sea Restoration Plan by the Salton Sea Authority. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project to a less-than-significant level, with respect to the exposure of people to temporary objectionable odors from the Salton Sea.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse temporary odor impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

7. **Cumulative Air Quality Impacts.** (*RDEIR*, § 6.3.8, pp. 6.3-128 to 6.3-131).

(a) **Potential Impact.** The Project will cause Cumulative Air Quality Impacts, as discussed in the Revised Draft EIR, section 6.3.8, pages 6.3-128 to 6.3-131. The SCAQMD has recommended that emissions-based thresholds be used to determine if a project's contribution to regional cumulative emissions is cumulatively considerable. Construction of the Project would result in daily construction and operations emissions that exceed the thresholds of significance recommended by SCAQMD for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Therefore, the Project is deemed to cause cumulatively significant contributions to air pollutant emissions of VOC, NO_x, CO, PM₁₀ and PM_{2.5} during project construction and operation.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.
- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).

- Suspend the use of all construction equipment during first-stage smog alerts.
- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.
- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAQMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.
- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).

- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.
- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized

engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
 - An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.
 - The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
 - Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.
- 6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.¹⁰
- 6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently

¹⁰ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

required by Title 24 (2008) Standards at the time building permits are issued.

- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.
- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.
- 6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be

located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.

- 6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.¹¹
- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.¹²
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:

¹¹The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

¹²Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.
- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
- Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
- Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
- Require that the cabs of grading and construction equipment be air-conditioned.
- Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
- Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
- Where acceptable to the fire department, control weed growth by moving instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
- During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.

6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.

6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount

of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.

- 6.3-18 Prior to implementing project approval, stationary sources of diesel, ozone, toxic air contaminants (TACs), or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the thresholds.
- 6.3-19 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall enclose odor-generating processes and utilize other odor-abatement technologies as required under state and local regulations.
- 6.3-20 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall develop a protocol for handling odor complaints.
- 6.3-21 Prior to implementing project approval, plans demonstrating that auto body shops with painting/coating operations are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.
- 6.3-22 Prior to implementing project approval, plans demonstrating that asphalt plants are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's cumulative impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they individually and collectively address and reduce the Project's stationary and mobile source emissions of

VOC, NO_x, CO, PM₁₀ and PM_{2.5}. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3), and/or because impacts associated with certain off-site infrastructure are within the jurisdiction of other agencies (Caltrans and CVWD), as specified in *PRC* § 21081(a)(2).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's air quality to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts to the area's air quality.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to air quality are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

D. Intentionally Omitted.

E. Land Use and Planning

1. **Result In An Incremental Loss of Open Space.** (*RDEIR*, § 6.9.7.6, pp. 6.9-47 to 6.9-48.)

(a) **Potential Impact.** The Project will result in an incremental loss of open space as discussed in the Revised Draft EIR, in section 6.9.7.6, pages 6.9-47 to 6.9-48, which is deemed to be a significant impact. Specifically, almost all of the Project site (4,828 acres) is considered open space. Consequently, by definition, the development of up to 16,655 residential units and 5 million square feet of commercial space, will necessarily eliminate substantial open space on the Project site.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would reduce impacts to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No further feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, for the reasons specified in *PRC* § 21081(a)(3). First, the County finds that no mitigation measures exist that would reduce, to a less than significant level, the physical net loss of open space on this specific Project site. Second, the County finds that the financial burden of preserving more open space on the Project site, or acquiring more land off-site to be preserved as open space, would make the Project financially infeasible. However, even though the physical net loss of open space remains significant and unavoidable, the County finds that the Project's payment of approximately \$30 million in MSHCP fees will preserve off-site open space at a 4:1 ratio, thus substantially reducing the cumulative loss of open space.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts by reducing the amount of Open Space, as described at pages 6.9-47 to 6.9-48 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to the loss of Open Space are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Cumulative Land Use Planning Impacts.** (*RDEIR*, § 6.9.8.1, pp. 6.9-48 to 6.9-49; and *RRDEIR*, § 6.9-8.1, pp 6.9-50 to 6.9-51 and 6.9-66 to 6.9-67; and 6.9-70).

(a) **Potential Impact.** The Project will result in a cumulative loss of open space lands, as discussed in the Revised Draft EIR, section 6.9.8.1, at pages 6.9-48 to 6.9-49; and *RRDEIR*, § 6.9-8.1, pp 6.9-50 to 6.9-51 and 6.9-66 to 6.9-67; and 6.9-70), which is deemed to be a significant impact. With respect to challenges to the County's methodology in assessing cumulative impacts, see § VIII(C) below.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would reduce the cumulative net loss of open space to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation measures or project alternatives exist to reduce this potential impact to a less than significant level, as specified in *PRC* § 21081(a)(3). First, the County finds that no mitigation measures exist that would reduce, to a less than significant level, the physical net loss of open space on this specific Project site. Second, the County finds that the financial burden of preserving more open space on the Project site, or acquiring more land off-site to be preserved as open space, would make the Project financially infeasible. However, even though the physical net loss of open space remains significant and unavoidable, the County finds that the Project's payment of approximately \$30 million in MSHCP fees will preserve off-site open space at a 4:1 ratio, thus substantially reducing the cumulative loss of open space.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts, regarding the cumulative loss of open space, as described at pages 6.9-47 to 6.9-48 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to the loss of open space are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

F. Noise.

1. **Exceed Established Noise Standards.** (*RDEIR*, § 6.11.7.1, pp. 6.11-29 to 6.11-35.)

(a) **Potential Impact.** The Project may expose people to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies as discussed in the Revised Draft EIR, section 6.11.7.1, at pages 6.11-29 to 6.11-35. Specifically, on-site noise resulting from roadways, parking lots, loading docks and mechanical equipment will be less than significant after implementing all mitigation measures. However, off-site roadways experiencing noise level increases above 5dB(A) would be significant and unavoidable, even after the implementation of the feasible mitigation measures 6.11-1 to 6.11-6.

(b) **Mitigation Measures.** No additional feasible mitigation measures exist, after implementing Mitigation Measures 6.11-1 to 6.11-6, to further reduce

noise impacts to other off-site roadways, experiencing noise level increases above 5dB(A), due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, as specified in PRC § 21081(a)(3).

(2) **Remaining Impacts.** Remaining impacts, after imposing Mitigation Measures 6.11-1 to 6.11-6, would be significant and unavoidable for off-site impacts on roads experiencing noise level increases above 5dB(A).

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to noise are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

2. **Generate Excessive Groundborne Vibration/Noise.** (*RDEIR, § 6.11.7.2, pp. 6.11-40 to 6.11-42.*)

(a) **Potential Impact.** The Project will expose people to or generate excessive groundborne vibration or groundborne noise levels as discussed in the Revised Draft EIR, section 6.11.7.2, at pages 6.11-40 to 6.11-42. Specifically, depending upon the location of construction equipment, including for off-site infrastructure improvements, in relation to sensitive receptors, the Project could cause temporary vibration levels above 0.01 inch/second near sensitive receptors or between 0.2 and 2.0 inches/second at nearby structures that do not contain sensitive receptors resulting in a significant impact. Temporary noise impacts associated with certain off-site infrastructure improvements, such as future improvements to SR-86s and a regional wastewater treatment plant, could be significant. However, such improvements cannot be further evaluated at this time due to the lack of detailed design plans.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.11-7 Prior to grading final for each implementing project, the construction contractors shall use best management practices (BMPs) to reduce vibration due to specific plan construction activities by implementing the following:

- identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment;
- installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment;
- adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would affect structures, the sensitivity of vibration sensitive equipment, and/or human tolerance;
- utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving;
- providing notification to the residential land uses directly adjacent to the Project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds;
- conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the Project site at the same time;
- selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or
- operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites, using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible.

The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor the conditions to determine that these BMPs are being utilized correctly and efficiently in order to reduce vibration impacts throughout the proposed project.

(c) **Findings.**

(1) **Effects of Mitigation.** Groundborne vibrations in the project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measure described above, because the measure are designed and do, in fact, reduce the level of vibration in relation to nearby structures. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3). Furthermore, with respect to certain off-site infrastructure, the County finds that analysis and mitigation is too speculative currently, due to the absence of detailed plans, and further finds that such improvements are within the jurisdiction of other agencies, including Caltrans, for SR-86s, and CVWD, for a future regional wastewater plant, who can and should analyze and mitigate any temporary impacts to the extent feasible. *See PRC* § 21081(a)(2).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative vibration impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts with respect to groundborne vibrations.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts, with respect to temporary groundborne impacts, are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Cause a Permanent Increase in Ambient Noise Levels.** (*RDEIR*, § 6.11.7.4, pp. 6.11-43 to 6.11-48.)

(a) **Potential Impact.** The Project will cause a substantial periodic increase in ambient noise levels in the project vicinity, above levels existing without the project as discussed in the Revised Draft EIR, section 6.11.7.4, at pages 6.11-43 to 6.11-48. Specifically, construction activities have the potential to occur within 0.25 miles of occupied residences both on and off-site, and increase ambient noise levels more than 5dB(A) over existing conditions.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures,

as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.11-8 The project applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 1,000 feet of a Project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period.
- Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
- Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.

Schedule high noise-producing activities between the hours of 8:00 AM and 5:00 PM to minimize disruption to sensitive uses.

Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.

Use electric air compressors and similar power tools rather than diesel equipment, where feasible.

Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.

Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the Riverside County or Imperial County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by Riverside County or Imperial County prior to grading final.

The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor and oversee the

BMPs to verify that they are implemented correctly by the construction contractors.

- 6.11-9 Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County Building and Safety Department or Imperial County Planning and Development Services Department, as appropriate, indicating that construction staging areas along with the operation of earthmoving equipment within the project area is located as far away from vibration- and noise-sensitive sites as possible.
- 6.11-10 Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County or Imperial County Planning and Development Services Department, as appropriate, indicating that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to noise in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they are specifically formulated to reduce construction related noise impacts. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all noise impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts, with respect to an increase in ambient noise levels.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts relating to increased noise levels are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

4. **Increased Noise Levels From Military Flight Operations.** (*RRDEIR*, § 6.9.5.3, pp. 6.9-26 to 6.9-28; 6.9-43 to 6.9-44 and §6.11.1 p. 6.11-1; 6.11.7.2 p.6.11-40, 6.11.7.5, pp. 6.11-48 to 6.11-50.)

(a) **Potential Impact.** The Project has the potential to expose persons to intermittent but significant noise from military flights over the Project site because the Project is located under or near several Military Training Routes (MTRs), as discussed in the Recirculated Revised DEIR at pages 6.11-48 through 6.11-50.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Recirculated Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.11.11 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is subject to oversight from military aircraft. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.

(c) **Findings.**

(1) **Effects of Mitigation.** The current extent of military over flights is not quantifiable due to military secrecy constraints. See Aviation Systems, Inc. memorandum dated September 21, 2011. The potential noise impacts from military flight operations will be lessened, to the maximum extent feasible, through the implementation of the mitigation measure described above, because it will ensure that future property owners in the Project will be aware of the MTRs in the Project area, and thus expect some noise/vibration associated with the military's use of the MTRs. There are no additional feasible mitigation measures or project alternatives to further reduce the potential noise impacts from military flight operations due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3) and 21081(a)(2), including the fact that the County cannot control or alter the military's use of the air space over the Project site.

(2) **Remaining Impacts.** Remaining impacts, after imposing Mitigation Measures 6.11-1, would be significant and unavoidable because the County cannot substantially reduce or eliminate the military's use of the MTRs, and the precise extent and duration of the military's use of the MTRs is unknown due to the constraints of military secrecy.

Nevertheless, the Air Force has submitted a comment letter supporting the County's mitigation approach and recognizing the beneficial aspects of the Project, in terms of its sustainability. See Dept. of the Air Force letter dated November 30, 2011. The County further finds that the Department of the Navy, which had commented on the EIR Notice of Preparation in or about 2008, did not submit any comments on the RRDEIR's discussion and conclusion regarding MTRs over the Project site.

(3) **Overriding Considerations.** Any remaining significant noise impacts from military flight operations in the vicinity of the Project are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

5. **Cumulative Noise Impacts.** (*RDEIR*, §§ 6.11.8.1 to 6.11.8.3, pp. 6.11-50 to 6.11-52.)

(a) **Potential Impact.** The Project will cause cumulative Noise Impacts as discussed in the Revised Draft EIR, sections 6.11.8.1 to 6.11.8.3, at pages 6.11-50 to 6.11-52. Specifically, cumulative noise impacts will result when the vehicles and human activity of the Project's residents are added to existing and/or future residents in the project area.

(b) **Mitigation Measures.** Mitigation for cumulative off-site noise impacts of less than 5dB(A) is not known for certain to be feasible at this time, and thus to be conservative, is deemed infeasible in fully mitigating impacts to a less than significant level. Off-site roadways experiencing noise level increases above 5dB(A) would be significant and unavoidable regardless of the implementation of feasible mitigation measures.

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation exists to reduce this potential impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Remaining impacts for cumulative off-site noise impacts beyond 5dB(A) is deemed significant and unavoidable.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to noise are determined to

be acceptable because the impacts are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

G. Public Services – Law Enforcement.

1. Cause Impacts Due to New Facilities. (*RDEIR*, § 6.14.7.1, pp. 6.14-11 to 6.14-15.)

(a) **Potential Impact.** The Project could result in temporary adverse physical impacts associated with the need for new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for law enforcement services as discussed in the Revised Draft EIR, section 6.14.7.1, at pages 6.14-11 to 6.14-15.

(b) **Mitigation Measures.** No feasible mitigation or project alternatives exist to reduce to a less than significant level short term temporary impacts, prior to construction of the new Sheriff's station or sub-station, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** Temporary short term impacts, prior to construction of the new Sheriff's station or sub-station, are significant and unavoidable, for the reasons specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project will cause temporary significant and unavoidable impacts to law enforcement, as described at pages 6.14-11 to 6.14-15 of the Revised Draft EIR, until a new sheriff's station or sub-station is built.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to law enforcement are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

H. Public Services – Fire Protection.

1. Result In An Increase In Response Times. (*RDEIR, § 6.13.7.2, pp.6.13-26 to 6.13-28.*)

(a) **Potential Impact.** The Project will result in a temporary increase in response times for fire protection services until two new fire stations are built in project phases 1 and 2. See discussion in Revised Draft EIR, section 6.13.7.2, at pages 6.13-26 to 6.13-28. After the on-site stations are operational, impacts would be less than significant.

(b) **Mitigation Measures.** No feasible mitigation exists for short-term temporary impacts, prior to Phase 1 construction of a new fire station, due to specific economic, legal, social, technological or other considerations, as specified in *PRC § 21081(a)(3)*.

(c) **Findings.**

(1) **Effects of Mitigation.** To be conservative in the disclosure of any impact, albeit even if temporary, these Findings deem temporary, short-term impacts, prior to construction of two new fire stations in Phases 1 and 2, significant and unavoidable, due to the reasons stated in *PRC § 21081(a)(3)*.

(2) **Remaining Impacts.** The Project will cause temporarily significant and unavoidable impacts to fire services response times, until two new fire stations are operational in Phases 1 and 2 of the Specific Plan's implementation, as discussed in the Revised Draft EIR at page 6.13.-27.

(3) **Overriding Considerations.** Any remaining significant Project-specific and/or cumulative impacts to fire protection services, in particular a short-term temporary increase in response times, are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC § 21081(b)*), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

I. Public Services – Education.

1. Create A Need for New School Facilities That Could Cause Adverse Impacts. (RDEIR, § 6.15.7.1, pp. 6.15-12 to 6.15-17.)

(a) **Potential Impact.** The Project – at build out – would generate 3,929 elementary school students, 886 middle school students and 1,421 high school students. The CVUSD is currently under capacity by 1,272 students. Although the Specific Plan includes triggers for the development of new elementary, middle and high school, nevertheless, it is possible that short term overcrowding could occur during development of the initial development phases and through build out of the Project. This periodic impact, during the phased development of the Project, is deemed significant. These impacts are discussed in the Revised Draft EIR, in section 6.15.7.1, at pages 6.15-12 to 6.15-17.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.15-1 Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square footage of development per single-family residential unit, multi-family residential unit, commercial unit and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to education in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the Specific Plan requirements to dedicate school sites to CVUSD and by implementation of the mitigation measures described above, in part because payment of the required fees will fund new school facilities. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be

sufficient to reduce all Project-specific and cumulative impacts to the Project area's education system to a less-than-significant level, with respect to potential temporary overcrowding of school facilities. To be conservative in the disclosure of impacts, even short term temporary impacts, this impact is deemed significant and unavoidable, for the reasons specified in *PRC* § 21081(a)(3). Long term impacts would be less than significant. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporary significant and unavoidable impacts to the area's school facilities.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to school facility capacity are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Impact School Districts and Facilities.** (*RDEIR*, § 6.15.7.2, pp. 6.15-18 to 6.15-19.)

(a) **Potential Impact.** As discussed above, the Project could cause temporary overcrowding of school facilities until new facilities are completed, as discussed in the Revised Draft EIR, section 6.15.7.2, pages 6.15-18 to 6.15-19.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.15-1 Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square footage of development per single-family residential unit, multi-family residential unit, commercial unit and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to education in the Project vicinity will be substantially lessened, to the maximum

extent feasible, through the Specific Plan's requirement to dedicate school sites to CVUSD and by implementation of the mitigation measure described above, because the payment of the required fees will fund new school facilities over time. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's education to a less-than-significant level, with respect to temporary potential overcrowding of school facilities. However, long-term impacts would be less than significant. Even with the implementation of all feasible mitigation measures, the Project will continue to cause significant and unavoidable temporary impacts to the area's school capacity.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative temporary impacts to school facility capacity are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Cumulative Impact to School Facilities.** (*RDEIR*, § 6.15.8.1, pp. 6.15-19 to 6.15-20.)

(a) **Potential Impact.** The Project will cause temporary cumulative impacts to school facilities as discussed in the Revised Draft EIR, section 6.15.8.1, pages 6.15-19 to 6.15-20.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would reduce this temporary impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** Other than the Specific Plan school site dedication requirements and mitigation measure 6.15-1, requiring the payment of statutory fees, no feasible mitigation measures or project alternatives exist to reduce this temporary potential impact to a less than significant level, for the reasons stated in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project may cause temporarily significant and unavoidable impacts to school facilities, as described at pages 6.15-19 to 6.15-20 of the Revised Draft EIR.

J. Intentionally Omitted

K. Public Services – Medical.

1. **Construction Injuries/Demand for New Medical Facilities.** (*RDEIR, §§ 6.18.7.1 to 6.18.7.2.*)

(a) **Potential Impact.** During construction of the Project, minor and serious injuries could occur prior to the development of medical facilities on the Project site. Similarly, in earlier phases of the Project build out, residents and workers could require medical services prior to the development of medical facilities on the Project site. These temporary impacts are deemed significant. Long term operational impacts, after on-site medical facilities are built, are deemed less than significant. These impacts are discussed in the Revised Draft EIR, sections 6.18.7.1 to 6.18.7.2, at pages 6.18-9 to 6.18-16.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact to the timeliness of medical services by the following mitigation measures, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.18-1 Prior to grading final for each implementing project, the contractors for construction activities for the applicants of implementing projects shall prepare a construction safety plan and submit it to the appropriate County Planning Department and Fire Department for review and approval. The plan shall include provisions for safety activities, including prevention, work-related injuries, on-site safety equipment, notification procedures, and other activities to prevent, reduce, and respond to injuries during construction.
- 6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.
- 6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

(c) **Findings.**

(1) **Effects of Mitigation.** Potential construction injuries and the Project's impacts to medical services in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because injuries will be lessened and medical facilities will be built on the Project site. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all temporary Project-specific and cumulative impacts to the Project area's medical services to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporary significant and unavoidable impacts to the area's medical services.

(3) **Overriding Considerations.** Any remaining temporary Project-specific and cumulative adverse impacts to medical services are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Temporary Increase In Distances for Medical Services.** (*RDEIR*, § 6.18.7.2, pp. 6.18-15 to 6.18-16.)

(a) **Potential Impact.** Prior to construction of medical facilities on the Project site, residents and workers will be located at greater distances from medical services, as discussed in the Revised Draft EIR, section 6.18.7.2, at pages 6.18-15 to 6.18-16. This impact is deemed significant.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.

6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

The Specific Plan and Conditions of Approval also contain additional triggers to ensure that expanded medical facilities are feasibly developed as Project buildout occurs over 30 to 40 years.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to medical services in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will ensure development of medical facilities on the Project site. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's medical services to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause temporary significant and unavoidable impacts to the area's medical services.

(3) **Overriding Considerations.** Any remaining temporary Project-specific and cumulative adverse impacts to medical services are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

L. Transportation and Traffic.

1. **Cause A Substantial Increase In Traffic.** (*RDEIR*, § 6.19.7.3, pp. 6.19-63 to 6.19-105.)

(a) **Potential Impact.** The Project may cause a temporary increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, as discussed in the Revised Draft EIR, section 6.19.7.3, at pages 6.19-63 to 6.19-105. Specifically, there may be periods, prior to completion of Phase 1 improvements, during which some intersections/roadways could operate

at unacceptable levels of service. However, long-term impacts are less than significant, after implementation of all mitigation measures.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.19-1 All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.

6.19-2 The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.

6.19-3 During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The District-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project.

Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project.

Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.

6.19-4 All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards.

All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.

- 6.19-5 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81st Avenue.
- 6.19-6 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.
- 6.19-7 Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81st Avenue, and shall construct eastbound and westbound left turn lanes.
- 6.19-8 Prior to the issuance of the 659th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.
- 6.19-9 After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).
- 6.19-10 Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86S/SR-86 (between 62nd

Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.

Traffic Signals

6.19-11 The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

6.19-12 Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.

6.19-13 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational:

- SR-86S (NS) at:
81st Avenue (EW)
- SR-86 (NS) at:
Lincoln Street (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-14 Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Paseo Street (NS)

6.19-15 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall

be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation:

- Harrison Street (NS) at:
62nd Avenue (EW)
- Harrison Street (NS) at:
66th Avenue (EW)
- Harrison Street (NS) at:
70th Avenue (EW)
- Harrison Street (NS) at:
74th Avenue (EW)
- Harrison Street (NS) at:
Pierce Street (EW)

Unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-16 Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Harrison Street/SR-86 (NS)

with no credit given for Traffic Signal Mitigation Fees.

6.19-17 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- SR-86 (NS) at:
Town Center Way (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-18 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit

toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation.

- Harrison Street (NS) at:
72nd Avenue (EW)
- Harrison Street (NS) at:
78th Avenue (EW)
- SR-86S (NS) at:
70th Avenue (EW)
- SR-86S (NS) at:
74th Avenue (EW)
- SR-86 (NS) at:
Desert Shores Drive (EW)
- SR-86 (NS) at:
Brawley Avenue (EW)
- SR-86 (NS) at:
Sea Oasis Boulevard (EW)
- SR-86 (NS) at:
Marina Drive (EW)

unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-19 Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

with no credit given for Traffic Signal Mitigation Fees

- 6.19-20 The modification of traffic signals to accommodate the phased improvements shall be the responsibility of the SP00375 proponent or the implementing projects.

Roadway Improvements

- 6.19-21 Roadways internal to the project shall be developed as needed for development and as determined based on the recommendations presented in Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.
- 6.19-22 Prior to the issuance of any building permits within SP00375, the project proponent shall construct Lincoln Street between the northern project boundary and 81st Avenue and 81st Avenue between SR-86 and Lincoln Street as two-lane interim roadways (34 ft traveled way).
- 6.19-23 Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall construct 81st Avenue between the western boundary of Planning Area 1-1 and SR-86S as a Secondary (64-ft. curb-to-curb, 100-ft. right-of-way). At the discretion of the Director of Transportation, the right-of-way requirement in the off-site portion of the facility may be reduced, so long as four through travel lanes and necessary turn lanes at intersections are provided.
- 6.19-24 Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall realign, as necessary, the portion of SR-86/Harrison Street north of 81st Avenue to form the four-legged intersection at 81st Avenue/ SR-86/Village Way and shall get Caltrans concurrence for the relinquishment of the portion of SR-86 between 81st Avenue and SR-86S.
- 6.19-25 Prior to the issuance of any certificates of occupancy that would result in more than 7,078 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the project proponent, or implementing projects within SP00375, shall construct 81st Avenue between SR-86S and Paseo Street as a Major. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

Geometrics

- 6.19-26 The project proponent, or the implementing projects within the SP, shall be responsible for the necessary improvements or modifications at all on-site intersections. The improvements shall be made at the locations indicated and with the number of lanes as specified in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

6.19-27 Where the need is indicated in DRP-level or project-level TIAs and, unless the improvements are made by others prior to the time they are needed, the project proponent, or the implementing projects within the SP, shall also be responsible for the improvements at the off-site intersections listed below. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.

6.19-28 While the intersection improvements, both on-site and off-site, may be made in phases as the need arises, all improvements shall be designed and constructed to be consistent with the ultimate configuration of the intersection. All improvements listed below can be deferred to a later stage, or accelerated to an earlier stage of development, subject to the approval of the Director of Transportation based on subsequent traffic studies. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

6.19-29 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane

Southbound: One left turn lane, two through lanes, one right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

The intersection of SR-86S (N/S) and Lincoln Street (E/W) shall provide the following geometrics:

Northbound: Two through lanes, one right turn lane

Southbound: One left turn lane, two through lanes

Eastbound: N/A

Westbound: One left turn lane, one shared through/right turn lane

The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One shared left turn/right turn lane – stop control
Southbound: NA
Eastbound: One shared through/right turn lane
Westbound: One shared left turn/through lane

The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane
Southbound: NA
Eastbound: One right turn lane
Westbound: NA

- 6.19-30 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits.

The intersection of Harrison Street/ (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The Intersection of Harrison Street (N/S) and 665th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and 70th Avenue (E/W) shall provide the follow geometrics:

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and Pierce Street (E/W) shall provide the following geometrics:

Northbound: One through lane, one right turn lane
Southbound: One left turn lane, one through lane
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

The intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane
Southbound: Two left turn lanes, two through lanes, one right turn lane
Eastbound: One left turn lane, one through lane, one right turn lane
Westbound: One left turn lane, one through lane, one right turn lane with overlap phasing

NOTE: Signal modification will be necessary to accommodate a second southbound left turn lane, an eastbound right turn lane and a westbound right turn lane with overlap phasing.

The intersection of Paseo Street (NS) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one right turn lane
Southbound: N/A
Eastbound: One through lane, one right turn lane
Westbound: One left turn lane, one through lane

Unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-31 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of Harrison Street/Village Way (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: Two left turn lanes, one shared through/right turn lane
Eastbound: One shared left turn/through lane, one right turn lane
Westbound: Two left turn lanes, one shared through/right turn lane

Unless DRP-level or project-level TIAs indicate improvements at this intersection are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-32 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86 (N/S) and Town Center Way North (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one right turn lane with overlap
Eastbound: Two left turn lanes, two through lanes, one right turn lane
Westbound: One left turn lane, two through lanes, one right turn lane

unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-33 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits.

The intersection of Harrison Street (N/S) and 64th Avenue (E/W) shall provide the following geometrics:

Northbound: One shared through/right turn lane
Southbound: One shared left turn/through lane

Eastbound: NA

Westbound: One shared left turn/right turn lane – stop control

The intersection of Harrison Street (N/S) and 72nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one shared through/right turn lane

Southbound: One left turn lane, one shared through/right turn lane

Eastbound: One shared left turn/through/right turn lane

Westbound: One shared left turn/through/right turn lane

The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane

Southbound: One left turn lane, one through lane, one right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate an eastbound left turn lane and a westbound left turn lane.

The intersection of Harrison Street (N/S) and Pierce Street (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane

Southbound: One left turn lane, one shared through/right turn lane

Eastbound: One shared left turn/through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate a northbound left turn lane.

The intersection of Harrison Street (N/S) and 78th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane

Southbound: One left turn lane, two through lanes, one right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, three through lanes, one right turn lane
with overlap phasing

Southbound: Two left turn lanes, two through lanes, one shared through/right turn lane

Eastbound: One left turn lane, one through lane, one shared through/right turn lane

Westbound: Two left turn lanes, one through lane, one free-flow right turn lane

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, overlap phasing on the northbound approach, three southbound through lanes, and a westbound right turn lane. The intersection of Polk Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: NA

Southbound: One shared left turn/right turn lane – stop control

Eastbound: One shared left turn/through lane

Westbound: One shared through/right turn lane

The intersection of Fillmore Street (N/S) and 78th Avenue (E/W) shall provide the following geometrics:

Northbound: One shared left turn/right turn lane – stop control

Southbound: NA

Eastbound: One shared through/right turn lane

Westbound: One shared left turn/through lane

The intersection of SR-86S (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane

Southbound: One left turn lane, two through lanes, one shared through/right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and a westbound left turn lane.

The intersection of SR-86S (N/S) and 66th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: Two left turn lanes, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and two westbound left turn lanes.

The intersection of SR-86S (N/S) and 70th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one share through/right turn lane
Southbound: One left turn lane, two through lanes, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of SR-86S (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane
Southbound: One shared left turn/through lane, one through lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of SR-86 (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane
Southbound: One left turn lane, two through lanes, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of SR-86 (N/S) and Brawley Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one right turn lane

Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of SR-86 (N/S) and Sea Oasis Boulevard (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of SR-86 (N/S) and Marina Drive (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Village Way (N/S) and 82nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes
Southbound: Two through lanes, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: NA

The intersection of Travertine Estates (N/S) and Paseo Street (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of A Street (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane

Westbound: One shared left turn/through/right turn lane

The intersection of Sea Oasis Drive (N/S) and Travertine Estates (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through lane
Southbound: One shared through/right turn lane
Eastbound: One shared left turn/right turn lane
Westbound: NA

The intersection of Sea Oasis Drive (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

unless otherwise approved by Imperial County, or unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-34 Prior to the issuance of any certificates of occupancy that would result in more than 5,464 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-35 Prior to the issuance of any certificates of occupancy that would result in more than 5,718 dwelling units in SP00375, or sooner if the need is

indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86 (N/S) and Town Center Way North (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes

Southbound: One left turn lane, two through lanes, one right turn lane with overlap

Eastbound: Two left turn lanes, one through lane, one right turn lane

Westbound: One left turn lane, one through lane, one right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-36 Prior to the issuance of any certificates of occupancy that would result in more than 5,770 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane

Southbound: Two left turn lanes, three through lanes, one right turn lane

Eastbound: Two left turn lanes, two through lanes, one right turn lane

Westbound: One left turn lane, two through lanes, one right turn lane
With overlap phasing

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, two eastbound left turn lanes, two eastbound through lanes, and two westbound through lanes.

unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-37 Prior to the issuance of any certificates of occupancy that would result in more than 8,139 dwelling units in SP00375, or sooner if the need is

indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one shared left turn/through/right turn lane

Southbound: One left turn lane, one shared through/right turn lane

Eastbound: One left turn lane, one through lane, one right turn lane

Westbound: One left turn lane, one shared through/right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

NOTE: Signal modification will be necessary to accommodate a northbound left turn lane, the southbound approach, eastbound left turn and right turn lanes, and the westbound left turn lane.

The intersection of SR-86 Southbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics:

Northbound: NA

Southbound: Two left turn lanes, two right turn lanes

Eastbound: Two through lanes, two right turn lanes

Westbound: Two through lanes, one right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

The intersection of SR-86 Northbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics:

Northbound: Two left turn lanes, one right turn lane

Southbound: NA

Eastbound: Two through lanes, two right turn lanes

Westbound: Two through lanes, two right turn lanes

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-38 All improvements on Caltrans facilities shall conform to Caltrans design guidelines and shall be subject to Caltrans approval.
- 6.19-39 All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the SP00375 property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.
- 6.19-40 All implementing projects within the SP00375 shall be subject to a condition of approval providing that: Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer, consistent with Riverside County Ordinance 460 Section 3.2J.

Drainage Studies

- 6.19-41 Drainage studies will be required for all subsequent development proposals within the boundaries of Specific Plan No. 375 as approved by the Transportation Department.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to traffic and transportation in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will provide roadway and intersection improvements in a phased manner, to address increased vehicle trips caused by the Project. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all short term Project-specific and cumulative impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporary unavoidable impacts to the area's traffic circulation, during certain time periods, prior to implementation of all of the mitigation measures listed above, *i.e.*, 6.19-1 to 6.19-41. However, long-term impacts are determined to be less than significant, after all required mitigation measures are implemented.

(3) **Overriding Considerations.** Any remaining temporary Project-specific and cumulative adverse impacts to traffic and transportation are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Temporarily Exceed County LOS Standards.**

(a) **Potential Impact.** In the short term, the Project will exceed either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways as discussed in the Revised Draft EIR, section 6.19.7.4, at pp. 6.19-105 to 6.19-133; and RRDEIR, p. 6.19-124 and 6.19-133. However, long term impacts are determined to be less than significant, after implementation of all mitigation measures.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this temporarily significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.19-42 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall prepare a financial plan to make mainline improvements to add one lane in each direction on SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County and to construct interchanges at SR-86S/62nd Avenue, SR-86S/66th Avenue, SR-86S/70th Avenue, SR-86S/74th Avenue, SR-86S/81st Avenue, SR-86/Town Center Way North, SR-86/Desert Shores Drive, SR-86/Brawley Avenue, SR-86/Sea Oasis Boulevard, and SR-86/Marina Drive. The financial plan shall identify the cost of the improvements based on a Preliminary Engineering study. In addition to fair share developer contributions, the financial plan shall consider funding that may be available through CVAG, RCTC, or other agencies. The County will assist in obtaining available funding that is, or may become available, through CVAG, RCTC, and other agencies, as appropriate.

6.19-43 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall conduct a Nexus Study, based on the financial plan, and establish an RBBB or other funding mechanism in accordance with the Nexus Study recommendations.

If the County has not formed an RBBB or other area-wide funding mechanism for SR-86/SR-86S improvements at the time the proponent of SP00375 or any subsequent implementing agencies are ready to

request building permits, the project proponent shall establish a Community Facilities District (CFD) or other funding mechanism, prior to the issuance of any building permit within SP00375, to help fund its share of the cost of SR-86S/SR-86 mainline improvements (SP00375's fair share is estimated preliminarily as 37 percent of the total cost of the SR-86 additional lane improvements) and its share of interchange construction at SR-86S/81st Avenue and at SR-86/Town Center Way North (SP00375's share is estimated preliminarily as 95 to 100 percent of the total cost).

- 6.19-44 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall deposit with Riverside County the funds necessary for the County to prepare the Preliminary Engineering Study, the Financial Plan, and the Nexus Study ("the studies"). The project proponent shall be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBB or other corridor-wide funding mechanism.
- 6.19-45 After building permits for 1,608 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the project proponent, or implementing projects within SP00375, have deposited funds for Riverside County to prepare an environmental document for adding one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. The project proponent, or the implementing projects, will be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBB or other area-wide funding mechanism. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.
- 6.19-46 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until Riverside County obtains environmental clearance to add one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted. TUMF credit, where eligible, shall be provided in accordance with CVAG's policies and approvals.
- 6.19-47 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86 has been

improved to add one lane in each direction between the northern boundary of SP00375 and Town Center Way North. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

6.19-48 After building permits for 11,864 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until a construction contract, or contracts shall have been let to improve SR-86S/SR-86 to add one lane in each direction between 62nd Avenue and Marina Drive in Imperial County.

6.19-49 After building permits for 12,788 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86S/SR-86 shall have been constructed to provide three lanes in each direction between 62nd Avenue and Marina Drive in Imperial County. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to traffic and transportation in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will provide roadway and intersection improvements in a phased manner to address increased vehicle trips caused by the Project. No further feasible mitigation measures or project alternatives exist to further reduce this temporary impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all short term Project-specific and cumulative impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporarily significant and unavoidable impacts to the area's traffic circulation. However, long-term impacts, after all mitigation measures are implemented, are less than significant.

(3) **Overriding Considerations.** Any remaining short-term Project-specific and cumulative adverse impacts are determined to be

acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. Temporary Cumulative Traffic Impacts.

(a) **Potential Impact.** The Project will cause short term cumulative Transportation and Traffic Impacts as discussed in the Revised Draft EIR, section 6.19.8, at page 6.19-137 to 6.19-138; and RRDEIR, p. 6.19-124 and 6.19-133, relating to temporary on and off-site construction impacts. However, long-term cumulative impacts will be less than significant.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.19-1 All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.
- 6.19-2 The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.
- 6.19-3 During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The District-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project.

Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project.

Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.

- 6.19-4 All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards.

All turn pocket lengths shall conform to at least to the minimum County turn pocket length standards.

- 6.19-5 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81st Avenue.

- 6.19-6 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.

- 6.19-7 Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81st Avenue, and shall construct eastbound and westbound left turn lanes.

- 6.19-8 Prior to the issuance of the 659th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.

- 6.19-9 After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or

non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).

- 6.19-10 Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86S/SR-86 (between 62nd Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.

Traffic Signals

- 6.19-11 The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.
- 6.19-12 Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.
- 6.19-13 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational:
- SR-86S (NS) at:
81st Avenue (EW)
 - SR-86 (NS) at:
Lincoln Street (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-14 Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Paseo Street (NS)

6.19-15 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation:

- Harrison Street (NS) at:
62nd Avenue (EW)
- Harrison Street (NS) at:
66th Avenue (EW)
- Harrison Street (NS) at:
70th Avenue (EW)
- Harrison Street (NS) at:
74th Avenue (EW)
- Harrison Street (NS) at:
Pierce Street (EW)

Unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-16 Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Harrison Street/SR-86 (NS)

with no credit given for Traffic Signal Mitigation Fees.

6.19-17 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- SR-86 (NS) at:
Town Center Way (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-18 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation.

- Harrison Street (NS) at:
72nd Avenue (EW)
- Harrison Street (NS) at:
78th Avenue (EW)
- SR-86S (NS) at:
70th Avenue (EW)
- SR-86S (NS) at:
74th Avenue (EW)
- SR-86 (NS) at:
Desert Shores Drive (EW)
- SR-86 (NS) at:
Brawley Avenue (EW)
- SR-86 (NS) at:
Sea Oasis Boulevard (EW)
- SR-86 (NS) at:
Marina Drive (EW)

unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-19 Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010; with no credit given for Traffic Signal Mitigation Fees

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's temporary cumulative traffic impacts in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will provide roadway and intersection improvements in a phased manner, to address increased vehicle trips caused by the Project. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3). The County further finds that temporary impacts (traffic delays, dust and noise) related to off-site construction of roadways and utilities, including SR-86s improvements, is within the jurisdiction of Caltrans and/or CVWD, and can and should be analyzed and mitigated to the extent feasible, as more detailed plans for such improvements are developed and approved by Caltrans and CVWD. See *PRC* § 21081(a)(2).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all short term Project-specific and cumulative impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporarily significant and unavoidable impacts to the area's traffic circulation.

(3) **Overriding Considerations.** Any remaining short-term Project-specific and cumulative adverse impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

M. Greenhouse Gases.

1. GHG Emission Increase. (*RDEIR, § 6.24.7.2, pp. 6.24-45 to 6.24-64.*)

(a) **Potential Impact.** The Project will generate greenhouse gas emissions, either directly or indirectly, that may have a significant cumulative impact on the environment, as discussed in the Revised Draft EIR, in section 6.24.7.2, at pages 6.24-45 to 6.24-64. Although the Project's per capita GHG emission increase is well below that of the State's projection for other communities, at 4.6 MTCO_{2C} per person, impacts are still deemed significant due to the overall increase in GHG emissions from the Project.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.24-1 Prior to the issuance of each building permit, the applicant shall provide a listing of the green building practices and design elements used in the building that reduce GHG emissions to the appropriate Planning Department. The green building practices and design elements shall be consistent with the CAP and any other green building standards adopted by either Riverside County or Imperial County. (See, e.g., California Department of Housing and Community Development's Green Building & Sustainability Resources handbook at www.hcd.ca.gov/hpd/green_build.pdf; e.g., the American Institute of Architects at <http://www.wiki.aia.org/Wiki%20Pages/Home.aspx>)
- 6.24-2 Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the Project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible, to the extent that it is feasible to do so based on technological and financial feasibility factors at the time of permit application.
- 6.24-3 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy

efficient lighting, heating and cooling systems, appliances, equipment, and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energystar.gov/index.cfm?fuseaction=find_a_product; see also the California Energy Commission's database of appliances meeting federal or state energy standards at <http://www.appliances.energy.ca.gov>; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at <http://www.epeat.net/AboutEPEAT.aspx>; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aceee.org/ogeece/ch1_index.htm)

- 6.24-4 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at <http://www.consumerenergycenter.org/coolroof/>)
- 6.24-5 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).
- 6.24-6 Prior to the issuance of each building permit, the applicant shall provide evidence that the building is consistent with and/or does not conflict with the following Specific Plan wide renewable energy targets:
- 80 percent of residential units shall meet 60 percent of their baseline demand power energy needs with renewable energy; and
 - 80 percent of commercial building square footage shall meet 40 percent of their baseline demand power energy needs with renewable energy. Should the individual structure not be able to demonstrate that power provided by IID does not comply with this standard, then the individual structure shall comply by providing renewable energy power from a source within the limits of the Specific Plan.
- 6.24-7 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of water

efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide water conservation measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following water conservation measures:

- 90 percent of all builder-installed plumbing devices in each residential buildings will be low-flow and water-efficient;
- 90 percent of all builder-installed plumbing devices in each non-residential buildings will be low-flow and water-efficient;
- Turf will not exceed 20 percent of the total landscaped area of each Planning Area, with the exception of parks, recreation centers, and schools;
- 80 percent of public and common landscape areas will use smart irrigation systems per project; and
- 80 percent of public and common landscape areas will use drought-tolerant, native, and/or water-efficient plant materials per project.

(See http://www1.eere.energy.gov/femp/program/waterefficiency_bmp5.html; see also <http://www.water.ca.gov/wateruseefficiency/landscape/>.)

6.24-8 Prior to grading final for each implementing project, the applicant or their contractor shall submit to the appropriate Public Works Department for review and approval of a site construction management plan for the reuse and recycle construction and demolition waste (including soil, vegetation, concrete, lumber, metal, and cardboard). (See <http://www.ciwmb.ca.gov/condemo/>).

6.24-9 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of reuse and recycling measures in residential, industrial, and commercial projects consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide recycling and waste reduction measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following recycling and waste reduction measures:

- Provide recycling containers within all multi-family residential communities;

- Provide recycling containers within all commercial, office, and light industrial buildings;
- Provide containers for community composting within all multi-family residential communities; and
- Provide containers for community composting within all commercial, office, and light industrial buildings.

(See <http://zerowaste.ca.gov>; see also <http://www.ca-ilg.org/wastereduction>).

6.24-10 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "smart growth" principles to reduce GHG emissions (i.e., ensure mixed-use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services) consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide "smart growth" measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following "smart growth" measures:

- 60 percent of building frontages will have the principal functional entry facing a public space such as a street, square, park, paseo or plaza, but not a parking lot based on type of project;
- 75 percent of mixed-use streets shall have minimum 8-foot-wide sidewalks that front primarily commercial retail uses and all other areas will have minimum 4-foot-wide sidewalks;
- 60 percent of all housing with a density of 7 dwelling units per acre or more will lie within 0.5 mile of a transit stop;

(See <http://www.epa.gov/smartgrowth/index.htm>.)

6.24-11 Prior to implementing project approval for each tract map, the applicant shall preserve existing trees, to the extent feasible and encourage the planting of new trees consistent with the final landscape palette in the Specific Plan. Removed trees shall be replaced at a minimum 1:1 ratio in accordance with acceptable tree species defined in the final landscape palette. (See <http://www.epa.gov/dced/brownfields.htm>)

6.24-12 The Specific Plan shall be modified to include a comprehensive parking policy that disfavors private vehicle use and favors the use of alternative transportation. Comprehensive parking policy measures shall include but are not limited to the measures listed below:

- Seek approval from the appropriate County Department(s) to waive minimum parking requirements and reduce parking from the minimum standards by as much as 20 percent for projects within a quarter mile of a transit station;
- Use shared and/or centralized parking facilities consistent with a "park once" approach;
- Require that employers provide information on public transportation options to employees;
- Require that large employers (250 or more employees at a single work-site location) and encourage small employers (less than 250 employees at a single work-site location) to provide bicycle parking facilities, employee break rooms with refrigerators and microwaves, and automated teller machines (ATMs); and/or
- Require that large employers (250 or more employees at a single work-site location) provide a transportation demand management program, such as vanpools/carpools, ride-sharing/ride-matching, and/or "guaranteed ride home" services that allow employees who use public transit to get a free ride home if they need to stay at work late.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to greenhouse gases in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they collectively reduce per capita GHG emissions to 4.6 MTCO_{2C} per person, as compared to 12 MTCO_{2C} for other nearby communities. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative greenhouse gas impacts to a less-than-significant level. Even with the implementation of

all feasible mitigation measures, the Project will continue to cause significant and unavoidable impacts by substantially increasing total greenhouse gas emissions above current levels on the Project site. Further mitigation to further reduce per capita greenhouse gas emissions are not technologically and/or financially feasible for this Project.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts regarding greenhouse gas impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Conflict With A Plan To Reduce GHGs.** (*RDEIR*, § 6.24.7.3, pp. 6.24-65 to 6.24-69.)

(a) **Potential Impact.** The Project will conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases as discussed in the Revised Draft EIR, in section 6.24.7.3, at pages 6.24-65 to 6.24-69.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.24-1 Prior to the issuance of each building permit, the applicant shall provide a listing of the green building practices and design elements used in the building that reduce GHG emissions to the appropriate Planning Department. The green building practices and design elements shall be consistent with the CAP and any other green building standards adopted by either Riverside County or Imperial County. (See, e.g., California Department of Housing and Community Development's Green Building & Sustainability Resources handbook at www.hcd.ca.gov/hpd/green_build.pdf; e.g., the American Institute of Architects at <http://www.wiki.aia.org/Wiki%20Pages/Home.aspx>)

6.24-2 Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed

Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the Project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible, to the extent that it is feasible to do so based on technological and financial feasibility factors at the time of permit application.

- 6.24-3 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energystar.gov/index.cfm?fuseaction=find_a_product; see also the California Energy Commission's database of appliances meeting federal or state energy standards at <http://www.appliances.energy.ca.gov>; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at <http://www.epeat.net/AboutEPEAT.aspx>; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aceee.org/ogeece/ch1_index.htm)
- 6.24-4 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at <http://www.consumerenergycenter.org/coolroof/>)
- 6.24-5 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).
- 6.24-6 Prior to the issuance of each building permit, the applicant shall provide evidence that the building is consistent with and/or does not conflict with the following Specific Planwide renewable energy targets:
- 80 percent of residential units shall meet 60 percent of their baseline demand power energy needs with renewable energy; and

- 80 percent of commercial building square footage shall meet 40 percent of their baseline demand power energy needs with renewable energy. Should the individual structure not be able to demonstrate that power provided by IID does not comply with this standard, then the individual structure shall comply by providing renewable energy power from a source within the limits of the Specific Plan.

6.24-7 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of water efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide water conservation measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following water conservation measures:

- 90 percent of all builder-installed plumbing devices in each residential buildings will be low-flow and water-efficient;
- 90 percent of all builder-installed plumbing devices in each non-residential buildings will be low-flow and water-efficient;
- Turf will not exceed 20 percent of the total landscaped area of each Planning Area, with the exception of parks, recreation centers, and schools;
- 80 percent of public and common landscape areas will use smart irrigation systems per project; and
- 80 percent of public and common landscape areas will use drought-tolerant, native, and/or water-efficient plant materials per project.

(See http://www1.eere.energy.gov/femp/program/waterefficiency_bmp5.html; see also <http://www.water.ca.gov/wateruseefficiency/landscape/>.)

6.24-8 Prior to grading final for each implementing project, the applicant or their contractor shall submit to the appropriate Public Works Department for review and approval of a site construction management plan for the reuse and recycle construction and demolition waste (including soil, vegetation, concrete, lumber, metal, and cardboard). (See <http://www.ciwmb.ca.gov/condemo/>).

6.24-9 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of reuse and recycling measures in residential, industrial, and commercial projects consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide recycling and waste reduction measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following recycling and waste reduction measures:

- Provide recycling containers within all multi-family residential communities;
- Provide recycling containers within all commercial, office, and light industrial buildings;
- Provide containers for community composting within all multi-family residential communities; and
- Provide containers for community composting within all commercial, office, and light industrial buildings.

(See <http://zerowaste.ca.gov>; see also <http://www.ca-ilg.org/wastereduction>).

6.24-10 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "smart growth" principles to reduce GHG emissions (i.e., ensure mixed-use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services) consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide "smart growth" measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following "smart growth" measures:

- 60 percent of building frontages will have the principal functional entry facing a public space such as a street, square, park, paseo or plaza, but not a parking lot based on type of project;
- 75 percent of mixed-use streets shall have minimum 8-foot-wide sidewalks that front primarily commercial retail uses and all other areas will have minimum 4-foot-wide sidewalks;
- 60 percent of all housing with a density of 7 dwelling units per acre or more will lie within 0.5 mile of a transit stop.

(See <http://www.epa.gov/smartgrowth/index.htm>.)

6.24-11 Prior to implementing project approval for each tract map, the applicant shall preserve existing trees, to the extent feasible and encourage the planting of new trees consistent with the final landscape palette in the Specific Plan. Removed trees shall be replaced at a minimum 1:1 ratio in accordance with acceptable tree species defined in the final landscape palette. (See <http://www.epa.gov/dced/brownfields.htm>)

6.24-12 The Specific Plan shall be modified to include a comprehensive parking policy that disfavors private vehicle use and favors the use of alternative transportation. Comprehensive parking policy measures shall include but are not limited to the measures listed below:

- Seek approval from the appropriate County Department(s) to waive minimum parking requirements and reduce parking from the minimum standards by as much as 20 percent for projects within a quarter mile of a transit station;
- Use shared and/or centralized parking facilities consistent with a "park once" approach;
- Require that employers provide information on public transportation options to employees;
- Require that large employers (250 or more employees at a single work-site location) and encourage small employers (less than 250 employees at a single work-site location) to provide bicycle parking facilities, employee break rooms with refrigerators and microwaves, and automated teller machines (ATMs); and/or
- Require that large employers (250 or more employees at a single work-site location) provide a transportation demand management program, such as vanpools/carpools, ride-sharing/ride-matching, and/or "guaranteed ride home" services that allow employees who use public transit to get a free ride home if they need to stay at work late.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to greenhouse gases in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the implementation of those measures

reduce the Project's GHG emissions by 34.8% compared to a business as usual benchmark. However, the net increase of GHG emissions, approximately 243,200 MTCO_{2C} per year does not aid the State of California in achieving its GHG reduction goals, and exceeds the draft SCAQMD standard of significance of 25,000 MTCO_{2C} per year. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative GHG emission impacts to a less-than-significant level, and thus will not aid in achieving the state's GHG reduction goals, compared to the existing de minimis GHG emissions on the Project site, *i.e.*, the existing CEQA baseline. (It is noteworthy, however, that the Project's GHG emissions are 34.8% less than a business as usual benchmark, reflecting remarkable progress towards a substantial per capita decrease in GHG emissions.) However, even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts with respect to the total volume of greenhouse gas emissions. Further mitigation to reduce the Project's already low per capita GHG emissions, of 4.6 MTCO_{2C} per person, is not technologically and/or financially feasible.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts with respect to greenhouse gas emissions are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

IV. Findings Regarding Significant Impacts and Potentially Significant Impacts Which Are Avoided or Mitigated To A Less Than Significant Level.

A. Agricultural Resources.

1. Cause Potential Conflicts Between Agricultural Operations and Future Project Residents. (*RDEIR*, § 6.2.7.4, pp. 6.2-64 to 6.2-71.)

(a) **Potential Impact.** The Project's potential to expose future residents to nuisances associated with agricultural operations, or to expose farms to nuisances associated with urban uses, are discussed in the Revised Draft EIR in section 6.2.7.4, at pages 6.2-64 to 6.2-71.

(b) **Mitigation Measures.** 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/Reporting Program:

6.2-1 The specific plan shall include development of a vegetative screen within the 150-foot-wide transitional agricultural buffer. The minimum standards for the vegetative screen shall include the following:

- Two staggered rows of trees and shrubs characterized by evergreen foliage that extends from the base of the plant to the crown.
- Trees and shrubs should be vigorous, drought tolerant and at least 6-feet in height at the time of installation.
- Plants should have 50 percent to 75 percent porosity (i.e., approximately 50 percent to 75 percent of the plant is air space).
- Plant height should vary in order to capture drift within 4 feet of ground applications.
- A mature height of 15 feet or more is required for trees.
- To ensure adequate coverage, 2 staggered rows should be located 5 feet apart and consist of minimum 5 gallon plants at least 6 feet tall planted 10 feet on center.
- Recommended plants include: Toyon (*Heteromeles arbutifolia*), Sugarbush (*Rhus ovata*) Laurel Sumac (*Malosma laurina*) and Italian cypress (*Cupressus sempervirens*).
- A long-term plan shall be in place for maintaining the vegetative shelter belt.

If the development of a 500-foot-wide transitional agricultural buffer is used between intensive agricultural land uses and sensitive residential and commercial land uses, the transitional agricultural buffer shall include the development of an 8-foot-tall chain link fence, placed nearest the agricultural side to deter pilferage and vandalism of crops and agricultural uses.

6.2-2 Prior to building final inspection, applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to active agricultural land (either

active agricultural land within the project site or adjacent to the project site's boundaries) to be notified pursuant to either the Right-To-Farm notice for Riverside County (Ordinance No. 460) and/or Imperial County (Right-to-Farm Ordinance) as appropriate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect, as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning nuisances related to adjacent land uses (existing agricultural uses and future Project uses) will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that there is an adequate effective buffers between agricultural and residential/commercial uses, and will ensure that future residents receive notice of the applicable Right-to-Farm ordinances.

(2) **Remaining Impacts.** Any remaining impacts concerning nuisances related to adjacent land uses (existing agricultural uses and future Project uses) will be less than significant.

B. Biology.

1. **Have a Substantial Adverse Effect On Protected and Special Status Species, Either Project Specific Or Cumulatively.** (*RDEIR, § 6.4.7.1, pp. 6.4-74 to 6.4-108.*)

(a) **Potential Impact.** The Project could have a substantial adverse effect, either directly or indirectly through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, as discussed in the Revised Draft EIR in section 6.4.7.1, at pages 6.4-74 to 6.4-108. The Project could also have a cumulative impact for development on land not currently subject to Riverside County's existing MSHCP fees (*i.e.*, Tribal land and land within Imperial County). The Project could also increase the potential for human intrusion on sensitive lands adjacent to the Project site, including the ABDSP, as described in § IV(L)(2) herein.

(b) **Mitigation Measures.** 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/Reporting Program:

- 6.4-1 Prior to implementing project approval, a qualified biologist currently holding an MOU with Riverside County shall conduct a focused survey for the two special-status plant species observed within the Riverside County portion of the proposed project site, chaparral sand verbena and Peirson's pebble pincushion, which are not covered under the CVMSHCP within the proposed development areas in order to determine the extent of individual plants to be impacted by implementing project design. Impacts resulting from project construction, to the two special-status plant species, shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.
- 6.4-2 Prior to implementing project approval, the project applicant shall retain a qualified biologist currently holding an MOU with Riverside County to collect seed from special-status plant species during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) areas on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.
- 6.4-3 Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Riverside County Environmental Programs Department.
- 6.4-4 Impacts resulting from project construction within the Riverside County portion of the proposed project site, to those special-status wildlife species covered under the CVMSHCP, including desert pupfish, flat-tailed horned lizard, Yuma clapper rail, burrowing owl, Crissal thrasher, Le Conte's thrasher, western yellow bat, Palm Springs round-tailed ground squirrel, and Palm Springs pocket mouse, shall be mitigated through payment of the CVMSHCP Local Development Mitigation Fee.

Prior to implementing project approval, fee payment shall be made by the project applicant to Riverside County. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Coachella Valley Conservation Commission.

- 6.4-5 Impacts resulting from project construction within the Riverside County portion of the proposed project site to Couch's spadefoot, which is not covered under the CVMSHCP, shall be mitigated.

Prior to implementing project approval, in areas of suitable habitat for Couch's spadefoot on the project site, a qualified biologist currently holding an MOU with Riverside County shall conduct focused surveys including areas of ruts or small pools, as well as the irrigation ponds, and relocate any toad individuals or eggs found. The survey shall be conducted during the active season of Couch's spadefoot (which corresponds with the rainy season). The survey results shall be submitted to the Riverside County Environmental Programs Department and Imperial County and CDFG.

- 6.4-6 Prior to implementing project approval, if the above surveys result in the observation of Couch's spadefoot within project impact areas, observed individuals and/or eggs shall be removed from project impact areas (with the prior approval of the CDFG) and relocated to predetermined suitable habitat in an appropriate area within Open Space-Conservation areas on the project site that will not be impacted. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.

Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. If suitable habitat for relocation of Couch's spadefoot is found within this area, toad individuals or eggs will be taken to this location. In addition, suitable disturbed/recovering Sonoran creosote bush scrub areas will also be considered for relocation efforts.

- 6.4-7 Prior to implementing project approval, impacts resulting from project construction to rosy boa, which is not covered under the CVMSHCP, within the Riverside County portion of the proposed project site shall be mitigated through pre-construction surveys and relocation. The

applicant shall retain a qualified biologist currently holding an MOD with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of the grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation.

If rosy boa individuals are found, an active trapping and relocation program conducted by a qualified biologist currently holding an MOU with Riverside County and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation, shall take place. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of rosy boa into the grading site. The fence shall be monitored as a regular part of construction monitoring.

Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of rosy boa.

- 6.4-8 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include loggerhead shrike and blacktailed gnatcatcher, shall be mitigated through pre-construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird

Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to ensure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting loggerhead shrike and black-tailed gnatcatcher individuals shall be conducted in trees and shrubs of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts. Where nesting loggerhead shrike and/or black-tailed gnatcatcher individuals are found, protection of nests shall include postponing or halting clearing and construction activities within 500 feet of the nest until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the Riverside County Environmental Programs Department within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

- 6.4-9 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to pallid San Diego pocket mouse, which is not covered under the CVMSHCP, shall be mitigated through focused surveys utilizing small

mammal trapping and relocation of this species. The applicant shall retain a qualified biologist currently holding a MOU with Riverside County to conduct the trapping. The survey results shall be submitted to the Riverside County Environmental Programs Department and CDFG.

Prior to implementing project approval, if pallid San Diego pocket mouse is found during small mammal trapping efforts, an active trapping and relocation program shall be conducted by a qualified biologist currently holding a MOU with Riverside County, in coordination with the CDFG. The active trapping and relocation program shall move individuals to suitable on-site or off-site habitat that will not be directly impacted by project implementation. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of pallid San Diego pocket mouse.

- 6.4-10 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to Colorado Valley woodrat, which is not covered under the CVMSHCP, shall be mitigated through pre-construction surveys and relocation. The applicant shall retain a qualified biologist currently holding an MOD with Riverside County, to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation. The biologist shall survey for Colorado Valley woodrat nests.

Where a Colorado Valley woodrat nest is found, it shall be determined by the biologist in which direction escape by any rat individuals occurring inside the nest will be encouraged. Vegetation around the nest in the opposite direction shall be cleared to discourage woodrat individuals from moving in that direction. Once vegetation in that direction is cleared, the nest shall be nudged with a front-end loader, encouraging any woodrats in the nest to exit the structure in the direction that leads toward adjacent habitat occurring within the Open Space-

Conservation land use category of the proposed project or alternatively within areas near the project site (such as ABDSP and SRSJM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements). Once any woodrats present in the nest have been encouraged to exit the nest, nest materials shall be carefully and slowly picked up with a front end loader (slowly enough that any woodrats remaining in the nest can escape), and the materials shall be moved to adjacent suitable habitat, as noted above, that will not be impacted by project development, where woodrats may scavenge nest materials to build new nests. Due to hantavirus hazards, the nest shall not be excavated by hand, and nest materials shall not be carried by hand.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of Colorado Valley woodrat shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of woodrats into the grading site. The fence shall be monitored as a regular part of construction monitoring.

- 6.4-11 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to American badger, which is not covered under the CVMSHCP, shall be mitigated through a pre-construction clearance survey. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation.

Prior to implementing project approval, if an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde

wash woodland habitat located in of the project site that is not planned for development. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of badgers into the grading site. The fence shall be monitored as a regular part of construction monitoring.

Prior to implementing project approval for each implementing project, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space (Conservation) land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of American badger and sufficient carrying capacity is assumed for the conserved areas.

- 6.4-12 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include great egret, great blue heron, black-crowned night heron, double-crested cormorant, snowy egret, gull billed tern, white-faced ibis, and black skimmer, shall be mitigated through pre construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No

grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting individuals of these species shall be conducted in trees and shrubs and on the ground of Salton Sea shoreline habitat and arrowweed scrub adjacent to the Salton Sea that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts.

- 6.4-13 Proposed project construction impacts to nesting birds located in project impact areas within the Riverside County portion of the project site shall be mitigated through pre-construction nesting bird surveys and avoidance of any nesting birds found.

If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Prior to grading final for each implementing project for construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist currently holding an MOU with Riverside County to determine if active

nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Surveys shall take place in all habitat types containing trees, shrubs, or grasses. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understory, as several bird species known to the area and project site, are ground nesters, including burrowing owl, California homed lark, and mourning dove.

- 6.4-14 Impacts and potential impacts resulting from project construction within the tribal lands of the Riverside County portion of the proposed project site to those federally listed or proposed for listing special-status wildlife species protected under the CVMSHCP, such as desert pupfish, flat-tailed homed lizard, Yuma clapper rail, and Palm Springs round-tailed ground squirrel, shall be mitigated through payment of a pro-rated amount equivalent to the CVMSHCP Local Development Mitigation Fee in conjunction with consultation with US Fish and Wildlife Service. Fee payment shall be made by the proposed project applicant to Riverside County prior to issuance of grading permits for the proposed project. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Coachella Valley Conservation Commission but pro-rated to an amount equivalent to that portion covering federally listed species only.
- 6.4-15 Impacts resulting from project construction to the two special-status plant species observed within the Imperial County portion of the proposed project site, chaparral sand verbena, and Peirson's pebble pincushion, shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.

Prior to implementing project approval, a qualified biologist, shall conduct a focused survey for the two special-status plant species within

the proposed development areas in order to determine the extent of individual plants to be impacted by the implementing project design.

- 6.4-16 Prior to implementing project approval, the project applicant shall retain a qualified biologist to collect seed from special-status plant species individuals during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site designated Open Space (Conservation) will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.
- 6.4-17 Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Imperial County Department of Planning and Building, Planning Division
- 6.4-18 Proposed project construction impacts to active burrowing owl burrows located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction burrowing owl surveys and other measures described below.

Prior to implementing project approval for each implementing project, the project applicant shall retain a qualified biologist to conduct focused pre-construction burrowing owl surveys within implementing project areas and 75 meters (approximately 250 feet) of impact areas, prior to construction or site preparation activities, including grubbing or grading. Such surveys shall be conducted if ground disturbing activities commence during the burrowing owl wintering season (typically September 1 through January 31) or during the burrowing owl breeding season (typically April 15 through July 15). In accordance with the Burrowing Owl Survey Protocol and Guidelines, the pre-construction survey shall be conducted no more than 30 days prior to commencement of initial ground disturbing activity. Burrowing owl pre-construction surveys may be conducted concurrently with general nesting bird

surveys; the recommended protocol for general nesting bird surveys is provided in Mitigation Measure 6.4-22.

If active burrowing owl burrows are observed within the Imperial County portion of the implementing project impact areas or the adjacent 75 meters, during construction activities protective fencing shall be erected to provide a 75-meter buffer around the burrows during the breeding season, or a 50-meter buffer around the burrows during the wintering season. If during construction, active burrowing owl burrows are located during the breeding season, the protective fencing shall remain in place around the burrows until the young have fledged. Once the young have fledged, or if grading will occur during the non-breeding season, owls may be excluded from all active burrows through the use of exclusion devices placed in occupied burrows, in accordance with CDFG protocols. Specifically, with the approval of CDFG, exclusion devices utilizing one-way doors shall be installed in the entrances of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the proposed project impact area, as determined by a qualified biologist. If suitable, natural alternate burrowing owl burrows are not present within the vicinity of the excluded burrows (but beyond 50 meters from the project impact zone), within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls or each single bird (if not paired), where feasible, artificial burrows meeting these criteria shall be created for the owls.

Prior to implementing project approval, if construction will reduce suitable on-site habitat below the threshold level of 6.5 acres per relocated pair or single bird, off-site habitat shall be provided and could include areas near the project site (such as ABDSP, SRSJM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements. Off-site habitat shall be suitable burrowing owl habitat, as defined in the Burrowing Owl Survey Protocol and Guidelines, and CDFG shall approve the site. If the 6.5-acre threshold is not satisfied, off-site lands shall be obtained at a 1.5:1 ratio (9.75 acres per pair or single bird) for occupied habitat, at a 2:1 ratio (13 acres per pair or single bird) for habitat contiguous to currently occupied habitat, or at a 3:1 ratio (19.5 acres per pair or single bird) of suitable but unoccupied habitat. This shall be determined by a qualified biologist, at the time of implementation of ground-disturbing activities. This mitigation may be conducted concurrently with mitigating for impacts to

rosy boa, flat-tailed homed lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger, as discussed in Mitigation Measure 6.4-21. If off-site habitat is not available for purchase by the project applicant, then the applicant shall pay an in-lieu payment at the current market rate for a designated conservation area within the CVHCP.

A report shall be prepared and submitted to the CDFG upon completion of pre-construction surveys for burrowing owl and implementation of any necessary mitigation. The report shall provide the CDFG with information about survey and mitigation efforts for impacts to burrowing owl resulting from construction of the proposed project within the Imperial County portion of the proposed project site.

- 6.4-19 Prior to implementing project approval, construction impacts to breeding loggerhead shrike, black-tailed gnatcatcher, Crissal thrasher, and Le Conte's thrasher located in the project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction special-status bird surveys and other measures described below. Such surveys shall be conducted concurrently with pre-construction nesting bird surveys, and shall include reconnaissance for loggerhead shrike, black-tailed gnatcatcher, Crissal thrasher, or Le Conte's thrasher nests or individuals exhibiting breeding behavior.

If special-status bird nests are found in the Imperial County portion of the project site, clearing and construction activities within 500 feet of the nest shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the pre-construction special-status bird surveys, as well as any avoidance measures taken and the success of those measures, shall be included in the report submitted to the County of Imperial Department of Planning and Building, Planning Division, as described in Mitigation Measure 6.4-22 for nesting birds.

- 6.4-20 Prior to implementing project approval, construction impacts to rosy boa, flat-tailed homed lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger located in project impact areas within the Imperial County portion of the proposed project site shall be mitigated

through a pre-construction clearance survey and relocation. The applicant shall retain a qualified biologist, to conduct focused pre-construction surveys for the presence of these species on the proposed project site. Surveys shall be within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of Sonoran creosote bush scrub and blue palo verde wash woodland habitats.

If one of the above special-status species is observed on the project site during clearance surveys, potential loss of individual animals shall be mitigated by (1) ensuring that construction activities do not enter the specific area in which the individual was observed until the individual has been observed vacating the area and moving into nearby habitat that will not be directly impacted by project activities (appropriate for more mobile species), or (2) through an active trapping and relocation program, conducted by a qualified biologist, and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation (appropriate for less mobile species). If an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of any of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde wash woodland habitat that is not planned for development.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa, flat-tailed homed lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of these species into the grading site. The fence shall be monitored as a regular part of construction monitoring.

It is noted that this mitigation measure may be more successful during summer months, when species such as rosy boa and flat-tailed homed lizard are above ground and active, than during winter months, when such species are inactive. It is also noted that the success of this mitigation depends upon the trapping of individual animals, which may in some cases have moved out of the immediate area between the time of observation and the time of trapping. Therefore, it is recommended that a

best effort at pre-construction clearance surveys and a trap and relocate plan be implemented, as is determined to be feasible.

- 6.4-21 Prior to implementing project approval, construction impacts to rosy boa, flat-tailed homed lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger located in the Imperial County portion of the project site shall be mitigated through the preservation of suitable habitat currently present within the proposed project site. A portion of the Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site (Open Space-Conservation), which provides suitable habitat for these species, will remain undeveloped upon construction of the proposed project. This undeveloped area is located adjacent to open space lands to the west (ABDSP, SRSJM National Monument, and other state and federally owned lands), allowing for connectivity with nearby suitable habitat for these species. The project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland that are to remain undeveloped through a conservation easement, deed restriction, or similar mechanism. This mitigation may be conducted concurrently with mitigating for impacts to active burrowing owl burrows, as discussed in Mitigation Measure 6.4-18.
- 6.4-22 Prior to implementing project approval, construction impacts to nesting birds located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction nesting bird surveys and the other measures described below. Within 30 days of ground-disturbing activities associated with construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist, to determine if active nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understory, as several bird species

known to the area and project site, are ground nesters, including burrowing owl, California homed lark, and mourning dove.

If active nests are found, clearing and construction activities within 300 feet of the nest (500 feet for raptors) shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the County of Imperial Department of Planning and Building, Planning Division within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

- 6.4-23 Prior to implementing project approval, impacts resulting from proposed project conversion of potential western yellow bat habitat (date palms) to residential and commercial development shall be mitigated through a pre-construction roosting bat survey and the mitigation measures described below. Palm trees that will be impacted (removed or within approximately 300 feet of construction areas) by proposed project construction shall be surveyed by a qualified biologist for western yellow bat. Surveys may involve visual examination of palm trees (especially hanging, dead palm fronds, behind which bats roost) for bat sign (stains created by body oils, urine, and guano) or study of bats utilizing on-site palm trees with an Anabat bat detector system. If visual surveys result in the observation of bat sign, but the species of bat roosting in the palm tree is unknown, an Anabat system shall be utilized to determine the species of bat utilizing the tree.

If western yellow bat is found to utilize on-site palm trees for roosting, and if impacts to palm trees with bats will commence during the western yellow bat breeding season (April through July), a qualified biologist shall inspect dead, hanging palm fronds on each palm tree to see whether young are present. If no young are observed, the roost is unlikely to be a maternal roost, and tree removal shall follow the methodology below. If young are observed and the tree is determined to be a maternal roost, tree removal shall be temporarily postponed until the project biologist has determined that the juvenile bat(s) have fledged, at which point tree removal shall continue, following the methodology below.

If, during construction, western yellow bat is determined to utilize on-site palm trees for roosting, and impacts to palm trees with bats will commence outside the western yellow bat breeding season, removal of palm trees shall commence after sundown, as western yellow bat is nocturnal and will be active and should be away from the palm tree at this time. Due to the availability of similar palm tree habitat in nearby locations, individuals would be likely to utilize palm trees in adjacent areas.

- 6.4-24 Prior to the approval of any tentative tract maps in Imperial County, impacts to sensitive species, including federal or state listed Endangered, Threatened or Species of Special Concern, shall be mitigated through the applicant's participation in a multiple species habitat conservation plan or similar program then in effect, through the payment of established mitigation fees for the long-term preservation of impacted species on the Imperial County portion of the project site. The presence or absence of such species shall be determined by site surveys conducted by a professional biologist approved by Imperial County, prior to any ground disturbance. If no such multi-species habitat conservation program is in effect at the time the applicant seeks a grading permit from Imperial County, then the applicant shall mitigate by option 1 or 2 below, or some combination thereof: (1) Set aside undisturbed open space areas, of equivalent quality habitat, on the Imperial County portion of the project site, at the ratios then established by the California Department of Fish and Game (CDFG) for any sensitive species impacted; and/or (2) Acquire suitable off-site habitat at the ratios then established by the CDFG for any sensitive species impacted. If the applicant cannot feasibly and fully mitigate all impacts to sensitive species as described above, through options 1 and 2, the applicant shall terminate its application for a grading permit in Imperial County, as agreed to in the conditions of approval imposed by Riverside County upon the Travertine Point Specific Plan, until such time as a multi-species habitat conservation program has been established in Imperial County, with application to the project site.

The implementation of the mitigation measures on tribal lands will require consideration and approval by the TMDCI. The project is subject to the implementation of a Memorandum of Understanding (MOU) between Riverside County, Imperial County, and TMDCI to address issues relating to tribal involvement on the properties within the boundaries of the specific plan. The MOU will, among other requirements, include that proposed mitigations that involve tribal lands will be permitted and implemented. As such, the mitigation proposed herein apply to the entire project regardless of jurisdiction and Mitigation

Measures 6.4-15 through 6.4-24 would equally apply to tribal lands within Imperial County.

- 6.4-25 Prior to building final inspection for each implementing project, a public awareness program shall be developed by the homeowners' association (HOA), or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. The public awareness program shall address the impact domestic cats have on local wildlife populations (especially birds and small mammals), to encourage pet owners to keep their cats indoors. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space [Conservation]) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands.) and prohibiting off-leash domestic animals from disturbing native wildlife species. The public awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.
- 6.4-26 Dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space-Conservation. Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall add a prohibition to the covenants, conditions, and restrictions (CCRs) for the community against unleashed dogs and cats in areas designated Open Space-Conservation.
- 6.4-27 Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall be responsible for maintaining these receptacles.

- 6.4-28 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.
- 6.4-29 Prior to grading final for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the Riverside County Environmental Programs Department. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates dark-sky requirements for the project site area.
- 6.4-30 Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7a through -f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist currently holding an MOU with Riverside County, and will be subject to review by the Riverside County Environmental Programs Department. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low-rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive *Acacia* species, fruiting *Olea europaea*, *Phoenix canariensis* and *Washingtonia robusta*. *Phoenix dactylifera* existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.
- 6.4-31 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational

materials emphasizing the importance of planting non-invasive, drought tolerant plants.

- 6.4-32 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and waterborne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.
- 6.4-33 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.
- 6.4-34 Prior to each implementing project approval, the Riverside County Environmental Programs Department shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space-Conservation areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP or SRSJM National Monument lands and proposed residential or commercial land uses.
- 6.4-35 Prior to building final inspection for each implementing project, a public awareness program shall be developed by the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space-Conservation) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands). The public

awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.

- 6.4-36 Prior to building final inspection for each implementing project, all dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space (Conservation). The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall add a prohibition to the CCRs for the community against unleashed dogs and cats in areas designated Open Space-Conservation.
- 6.4-37 Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site. The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining these receptacles.
- 6.4-38 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.
- 6.4-39 Prior to grading permit issuance for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the County of Imperial Department of Planning and Building, Planning Division. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates Dark Skies requirements for the project site area.
- 6.4-40 Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7a through -f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants

Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist, and will be subject to review by the County of Imperial Department of Planning and Building, Planning Division. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive *Acacia* species, fruiting *Olea europaea*, *Phoenix canariensis* and *Washingtonia robusta*. *Phoenix dactylifera* existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.

- 6.4-41 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational materials emphasizing the importance of planting non-invasive, drought tolerant plants.
- 6.4-42 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and water-borne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.
- 6.4-43 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.

6.4-44 Prior to each implementing project approval, the County of Imperial Department of Planning and Building, Planning Division shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space (Conservation) areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP lands and proposed residential or commercial land uses.

6.4-45 Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.

Mitigation Measures 6.16-4 to 6.16-7 and 6.5-6 are incorporated herein by reference.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning protected and special status species will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will: (1) ensure the permanent preservation of sensitive habitat that helps sustain these protected and sensitive species, through both on-site preservation and substantial off-site acquisition of mitigation lands well in excess of a 1:1 ratio; (ii) ensure that significant direct impacts to protected and sensitive species are substantially lessened or avoided through focused surveys and, where necessary, avoidance and/or relocation programs; (iii) ensure adequate funding for off-site acquisition and preservation of

sensitive habitat through payment of the existing CVMSHCP fee totaling approximately \$30 million dollars, and through payment of similar fees for habitat acquisition and preservation where the CVMSHCP fee is not applicable; and (iv) minimizing potential conflicts between Project uses and adjacent wildlife areas, including the Anza-Borrego Desert State Park, the Salton Sea State Recreation Area, and the Santa Rosa and San Jacinto Mountains Conservation Area and National Monument. The mitigation measures will be fully implemented and enforceable in all portions of the Project, including tribal land and land in Imperial County, because the Project conditions of approval prohibit any grading permit or other implementing approval until a binding and enforceable MOU has been completed between Riverside County, Imperial County, and the TMDCI, that requires implementation of all mitigation measures, thus precluding any potential development-related impacts until the MOU has been fully approved by all parties. In addition, the applicant has agreed to a Condition of Approval prohibiting any development, including grading activity, on the Imperial County portion of the Project site, until Imperial County has adopted a fee mitigation program to mitigate specific and cumulative biological impacts (*i.e.*, similar to the MSHCP fee in Riverside County) or has imposed on-site and off-site habitat preservation requirements, consistent with established mitigation ratios approved by the CDFG and USFWS. The on-site preservation of sensitive habitat is considered effective mitigation because it avoids any significant development activity in those areas. Although some very limited development activity is possible in some preserved open space areas, such development (including campgrounds, cultural centers and some public utility improvements) is considered *de minimus* relative to the amount of acreage being preserved, and thus would not cause any significant impacts to any protected or special status species. This Finding is supported by expert opinion evidence, submitted by Dr. Daryl Koutnik, dated June 13, 2011, and the 10% area limitation imposed on such development within the Open Space Conservation Area in the Specific Plan Conditions of Approval.

Furthermore, the County finds that indirect impacts on off-site biological resources, from human intrusion, are reduced to a less than significant level by mitigation measures 6.16-4 to 6.16-7 and 6.5-6, referenced above. *See also* Final EIR explanation at pp. 2.0-81 to 2.0-92, Responses 11-3 to 11-6 and Response 12-.5. Based on the mitigation measures referenced above, the County finds that the request for an additional ½ mile buffer along the Project's western perimeter is not necessary or appropriate. In addition, the County finds that the proposed ½ mile buffer would not be financially feasible, as explained in the March 23, 2011 letter submitted by Van Stephens of FORMA, and *see* Memorandum from Impact Sciences to

Matt Straite dated 11/28/11, at pp. 99-100, in Appendix B to Final EIR, and expert financial feasibility analysis summarized therein.

(2) **Remaining Impacts.** Any remaining impacts concerning protected and special status species will be less than significant.

2. **Have A Substantial Adverse Effect On Riparian Habitat and Sensitive Natural Communities.** (*RDEIR, § 6.4.7.2, pp. 6.4-134 to 6.4-142.*)

(a) **Potential Impact.** The Project could have a substantial adverse effect on riparian habitat (including jurisdictional wetlands) or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, as discussed in the Revised Draft EIR in section 6.4.7.2, pages 6.4-134 to 6.4-142.

(b) **Mitigation Measures.** 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/Reporting Program:

6.4-46 Prior to implementing project approval, impacts to 29 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Riverside County portion of the proposed project site, resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federal or state-controlled lands, or purchase of lands in a program that has already entered a conservation easement, of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.

6.4-47 Prior to implementing project approval, impacts to 67 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Imperial County portion of the proposed project site resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federally or state-controlled lands, or purchase of lands in a program that

has already entered a conservation easement) of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR. The County further finds the expert opinion of Dr. Daryl Koutnik, regarding the mitigation of impacts to riparian habitat and jurisdictional waters/wetlands, to be persuasive in establishing that impacts will be less than significant after project implementation. See Dr. Koutnik memo dated November 30, 2011

(1) **Effects of Mitigation.** The Project's potential impacts concerning riparian habitat and sensitive natural communities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure the permanent preservation of blue palo verde wash woodland of equivalent functional value to the habitat that will be impacted by the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning riparian habitat and sensitive natural communities will be less than significant.

3. **Have a Substantial Adverse Effect On Federally Protected Wetlands.** (RDEIR, § 6.4.7.3, pp. 6.4-142 to 6.4-147.)

(a) **Potential Impacts.** The Project could cause a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption, or other means, as discussed in the Revised Draft EIR in section 6.4.7.3, at pages 6.4-142 through 6.4-147.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program:

6.4-48 Prior to implementing project approval, the applicant shall retain a qualified biologist currently holding an MOU with Riverside County to

conduct a jurisdictional delineation in the Riverside County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to grading final. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-46, above.

- 6.4-49 Prior to implementing project approval, the applicant shall retain a qualified biologist, to conduct a jurisdictional delineation in the Imperial County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to issuance of a grading permit. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-47, above.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen this significant environmental effect, as identified in the Final EIR. The County further finds the expert opinion of Dr. Daryl Koutnik, regarding the mitigation of impacts to riparian habitat and

jurisdictional waters/wetlands, to be persuasive in establishing that any impacts will be less than significant after project implementation. See Dr. Koutnik memo dated November 30, 2011. Furthermore, the County finds the methodology used by the expert consulting firm in delineating wetlands/jurisdictional waters on the Project site, at this early programmatic stage of the Project's entitlements, to be reasonable and appropriate, as explained in the Final EIR at pp. 2.0-56 to 2.0-64, Responses 9-15 to 9-18.

(1) **Effects of Mitigation.** The Project's potential impacts concerning federally protected wetlands will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above because these measures ensure that wetlands of a similar value and size will be created or acquired so that the Project will not result in any net loss of federally protected wetlands. As explained in the Revised Draft EIR, these mitigation measures will be implemented through an enforceable MOU between Riverside County, Imperial County and the TMDCI, thus ensuring compliance on all portions of the Project site.

(2) **Remaining Impacts.** Any remaining impacts concerning federally protected wetlands will be less than significant.

C. Cultural Resources.

1. **Cause A Substantial Adverse Change In the Significance of Historical Resources.** (*RDEIR, § 6.5.7.1, pp. 6.5-43 to 6.5-45.*)

(a) **Potential Impact.** The Project could potentially cause an adverse change in the significance of a historical resource, as identified in Section 15064.5 of the State CEQA Guidelines, which is described in the Revised Draft EIR in section 6.5.7.1, at pages 6.5-43 through 6.5-45.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program:

6.5-1 Prior to issuance of a grading permit, as required by State CEQA Guidelines Sections 15064.5(e) and (f), a cultural resources management plan (CRMP) shall be prepared and submitted for the appropriate County Planning Department for review and approval. The CRMP shall contain detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains. The provisions of the CRMP should be consistent with state law as contained in Health and Safety Code Section 7050.5, and PRC Sections 5097.94 and 5097.98.

Such mitigation shall be addressed in a manner consistent with the following:

- a. If buried materials of potential historical or cultural significance are accidentally discovered during any earth-moving operations associated with the proposed project, all work in that area shall be halted or diverted until a qualified historian/archaeologist can evaluate the nature and significance of the finds. If the find is determined to be an historical resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures as discussed in the CRMP shall be implemented.
- b. If evidence of potentially significant prehistoric or historic resources is uncovered during project-related grading areas in which archaeological and Native American monitoring has already been required, the extent of monitoring shall be amended and the presence of a Native American monitors shall be incorporated into the monitoring program for all areas in the affected tentative tract.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above-described changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen this potentially significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts to significant historical resources will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above because it will provide for the proper treatment of unanticipated discoveries during Project construction, consistent with the established standards specified in the CEQA Guidelines section 15064.5

(2) **Remaining Impacts.** Any remaining impacts to significant historical resources will be less than significant.

2. **Cause A Substantial Adverse Change In Archaeological Resources.** (*RDEIR, § 6.5.7.2, pp. 6.5-45 to 6.5-63; and RRDEIR, pp. 6.5-54 to 6.5-55; 6.5-63 to 6.5-64; and 6.5-66 to 6.5-67.*)

(a) **Potential Impact.** The Project could cause a substantial adverse change in the significance of archeological resources as defined in Section 15064.5 of the State CEQA Guidelines, which is discussed in the Revised Draft EIR in section 6.5.7.2, at pages 6.5-45 through 6.5-63; and RRDEIR, pp. 6.5-55; 6.5-63 to 6.5-64; and 6.5-66 to 6.5-67, addressing potential direct adverse impacts

on the Project site and potential indirect impacts to cultural resources and adjacent lands, including ABDSP lands.

(b) **Mitigation Measures.** 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/Reporting Program.

6.5-2 The following standard policies and policy implementation measures shall be implemented prior to implementing project approval:

Cultural Resources Policy 1

Prior to grading final for each implementing project, a comprehensive survey program for unsurveyed areas within the project area shall be completed to identify, document, and protect, if feasible, prehistoric and historical archaeological sites, and sites containing Native American human remains.

Implementation Measure 1.1 The proposed project would be covered under the *State CEQA Guidelines* (California 2005) or Section 106 of the NHPA, and shall be surveyed by a professional who meets the Secretary of the Interior's Standards and Guidelines regarding archaeological activities and methods prior to the County's approval of proposed project plans and prior to grading final (48 CFR 44716-44742).

Implementation Measure 1.2 All archaeological site location data collected during the cultural resources surveys must be considered to be of a sensitive nature and must remain confidential. Caution must be exercised when disseminating this information; in particular, maps and site location data should be made available only to managers, County officials, and other professionals who have a legitimate need to know.

Implementation Measure 1.3 For potentially significant prehistoric archaeological resources or sites containing Native American human remains identified during the project's archaeological surveys, the project proponent, Federated Insurance Company or their designee, shall continue consultation with the NAHC in Sacramento and interested Native American individuals and organizations.

Cultural Resources Policy 2

Avoid impacts to potentially significant prehistoric and historical archaeological resources and sites containing Native American human remains, where feasible.

Implementation Measure 2.1 If cultural resources avoidance is feasible, potentially significant archaeological resources and sites containing Native American human remains shall be placed within permanent project-specific conservation easements or dedicated open space areas prior to grading final.

Implementation Measure 2.2 Where avoidance of archaeological resources and sites containing Native American human remains is not a feasible management option, capping these resources with sterile sediments and avoidance planting (e.g., planting of cactus, mesquite, or other native plants) shall be considered the next most favorable management option. In doing so, capping the resource(s) will ensure that indirect impacts from increased public availability to these sites are avoided. Plans for capping identified cultural resources shall be submitted to and approved by the County prior to map recordation.

Cultural Resources Policy 3 Reduce adverse impacts to significant archaeological resources that cannot be protected in place through data recovery excavations.

Implementation Measure 3.1 If avoidance and/or preservation in place of known prehistoric and historical archaeological resources is not a feasible management option, the project proponent shall ensure that potentially significant archaeological resource(s) and site(s) shall be investigated pursuant to the standards, guidelines, and principles of the Advisory Council's *Treatment of Archaeological Properties: A Handbook* (ACHP 1980).

Prior to grading final for each implementing project, the project applicant shall retain a qualified archaeologist who meets the *Secretary of Interior's Standards and Guidelines*, and shall use the project's Research Design detailed in the Phase I Cultural Resources Survey Report for the Travertine Point Specific Plan (Applied EarthWorks 2008) to guide the implementation of a Phase II Testing and Evaluation Program. In general terms, the Phase II Testing and Evaluation Program shall be designed to further define site boundaries and to assess the structure, content, nature, and depth of subsurface cultural deposits and features. Emphasis shall also be placed on assessing site integrity and the site's potential to address regional archaeological research questions. These data shall then be used to address the NRHP/CRHR eligibility requirements for the archaeological resource and make recommendations as to the suitability of the resource for listing on either the NRHP/CRHR.

Prior to grading final for each implementing project and after approval of the project's various cultural resources survey reports by the County, the project applicant shall retain a qualified archaeologist to complete the Phase II Testing and Evaluation Program as specified in the project's Phase II Testing and Evaluation Proposal and Research Design and prior to the issuance of a project grading permit. The results of this Phase II Testing Program shall be presented in

a technical report that follows the State of California Office of Historic Preservation *Archaeological Resource Management Report Recommended Contents and Format Guidelines* (California 1990). The Phase II Report shall be submitted to the County's Planning Department for review and comment and the Torres-Martinez Desert Cahuilla Indians prior to the issuance of a project grading permit. If the resource is determined to be ineligible for listing on the NRHP or CRHR upon completion of the Phase II Testing Program, no further cultural resources management of this resource would be required.

Implementation Measure 3.2 A participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during Phase II archaeological excavations involving all sites of Native American concern.

Implementation Measure 3.3 If the cultural resource is identified as being potentially eligible for listing on either the NRHP or CRHR, and project designs cannot be altered to avoid impacting the site, a Phase III Data Recovery Program to mitigate project effects shall be initiated. A Data Recovery Treatment Plan detailing the objectives of the Phase III Program shall be developed and shall contain specific testable hypotheses pertinent to the project's Research Design and relative to the site(s) under study. The Phase III Data Recovery Treatment Plan shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to implementation of the Data Recovery Program.

After approval of the Treatment Plan, the Phase III Data Recovery Program for affected, eligible site(s) shall be completed. Typically, a Phase III Data Recovery Program involves the excavation of a statistically representative sample of the site(s) to preserve those resource values that qualify the site(s) as being eligible for listing on the NRHP/CRHR. Again, participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during archaeological data-recovery excavations involving sites of Native American concern. At the conclusion of the Phase III Program, a Phase III Data Recovery Report shall be prepared, following the State of California Office of Historic Preservation *Archaeological Resource Management Report Recommended Contents and Format Guidelines* (California 1990). The Phase III Data Recovery Report shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to the issuance of a project grading permit.

Implementation Measure 3.4 All archaeological materials recovered during implementation of the project's Phase II Testing or Phase III Data Recovery programs shall be processed, including cleaning and cataloging, detailed description, and analysis, as appropriate. Following completion of laboratory and analytical procedures, all project-related collections shall be suitably packaged and transferred to a curation facility that meets the standards of 36 CFR 79 for

long-term storage. Materials to be curated include archaeological specimens and samples, field notes, feature and burial records, maps, plans, profile drawings, photo logs, photographic negatives, consultants' reports of special studies, and copies of the final technical reports. It should be noted that provisions of the Native American Graves Protection Repatriation Act (NAGPRA) pertaining to Native American burials, sacred objects, and objects of cultural patrimony would come into effect when archaeological materials are recovered from lands owned by the Torres-Martinez Desert Cahuilla Indians and managed by the BIA. NAGPRA would also come into effect when ownership of the collections from anywhere within the Travertine Specific Plan study area is transferred to a curation repository that receives federal funding.

Cultural Resources Policy 4

Ensure proper identification and treatment of cultural resources discovered during project development and construction.

Implementation Measure 4.1 Registered professional archaeologists and culturally affiliated Native Americans, with knowledge in cultural resources, shall monitor all project-related ground-disturbing activities that extend into natural sediments in areas determined to have high archaeological sensitivity for prehistoric resources. Prior to grading final for each implementing project, the project applicant shall include in its mitigation plan provisions for the identification and evaluation of archaeological resources inadvertently discovered during construction. If buried archaeological resources are uncovered during construction, all work shall be halted in the vicinity of the archaeological discovery until a registered professional archaeologist can visit the site of discovery and evaluate the significance of the archaeological resource.

Implementation Measure 4.2 If the archaeological resource is determined to be a potentially significant cultural resource, the project proponent's mitigation plan shall include provisions for the preparation and implementation of a Phase III Data Recovery Program, as well as disposition of recovered artifacts, in accordance with Cultural Resources Policy 3 Implementation Measure 4, above. The mitigation plan shall be reviewed and approved by the County prior to grading final.

Implementation Measure 4.3 In the event of an accidental discovery of any human remains in a location other than a dedicated cemetery on privately owned or State-owned land, the steps and procedures specified in Health and Safety Code Section 7050.5, *State CEQA Guidelines* 15064.5(d), and Public Resources Code Section 5097.98 shall be implemented. Specifically, in accordance with Public Resources Code (PRC) Section 5097.98, the Riverside County Coroner shall be notified within 24 hours of the discovery of potentially human remains. The Coroner shall then determine within two working days of being notified if the

remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC by phone within 24 hours, in accordance with PRC Section 5097.98. The NAHC shall then designate a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification.

The MLD shall then have the opportunity to recommend to the project proponent means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification. Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the MLD and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-inter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

It should be noted in the event that Native American human remains are inadvertently discovered during the County-permitted, project-related construction activities, there would be unavoidable significant adverse impacts to these resources. Implementation of the Cultural Resources Policies 1, 2, and 3 and their corresponding implementation measures would, however, reduce impacts to other types of archaeological resources to a level that is less than significant.

Implementation Measure 4.4 The treatment and management of potential TCPs identified with the Travertine Point Specific Plan study area shall be conducted through extensive consultation with concerned Native American groups and organizations. These consultation efforts shall be conducted utilizing the County of Riverside's SB 18 consultation process.

Cultural Resources Policy 5

Ensure that the project proponent shall bear all costs associated with cultural resources management within the County's jurisdiction.

Implementation Measure 5.1 The project proponent shall bear all expenses related to the identification, evaluation, and treatment of cultural resources directly or indirectly affected by project-related construction activity. Such expenses may include pre-field planning, field work, post-field analysis, research, interim and summary report preparation, and final report production (including draft and final versions), and costs associated with the curation of project documentation and the associated artifact collections.

Implementation Measure 5.2 Prior to grading final, on behalf of the County and the project applicant, the final technical reports detailing the results of the Phase II

Testing or Phase III Data Recovery programs shall be submitted to the appropriate Archaeological Information Centers of the California Historical Resources Inventory System for their information and where they would be available to other researchers. Final Phase III Data Recovery Reports shall also be submitted to local libraries, schools, and historical societies to enable the general public to learn about their local cultural heritage.

- 6.5-3 Prior to grading final, the following sites shall be tested and evaluated in consultation with the Torres-Martinez Desert Cahuilla Indians as required, and pursuant to the requirements of Phase II Archaeological standards and practices, as approved by Riverside County, for the sites to determine integrity, data potential and significance: CA-RIV-8891 (33-17082), CA-RIV-8894 (33-17085), CA-RIV-8895 (33-17086), CA-RIV-8896 (33-17087), CA-IMP-8784 (13-009821), CA-IMP-8785 (13-009822), CA-IMP-8786 (13-009823), CA-IMP-92, CA-IMP-100, and CA-IMP-2626.
- 6.5-4 Consultation and in conjunction with the Torres-Martinez Desert Cahuilla Indians is recommended to ascertain if Phase II Testing and Evaluation is warranted for CA-IMP-33 to assess the site's content, depth, and integrity for cultural deposits, as well as data removal. It is also recommended that the modern graffiti be carefully removed from Travertine Rock in its entirety, with special care not to damage the prehistoric rock art. It is also recommended that aesthetically pleasing and protective fencing be placed around Travertine Rock. And finally, Travertine Rock should be formally nominated as a Traditional Cultural Property (TCP).
- 6.5-5 If avoidance and/or preservation in place of cultural resources is not possible, the following mitigation measures shall be initiated for each impacted site:
- (1) A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.
 - (2) Prior to grading final, the project applicant shall develop a test level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for

listing on either register. The research design shall be submitted to the County of Riverside Regional Park and Open-Space District or the County or Imperial Planning Department, as appropriate, for review and comment. For sites determined through the testing program to be ineligible for listing on either the California or National Register, execution of the testing program will suffice as mitigation of project impacts to this resource.

- (3) Prior to the issuance of a grading permit issuance for each implementing project, and after approval of the research design, the project applicant shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the County of Riverside outline for Archaeological Testing. The Test Level Report shall be submitted to the County of Riverside Regional Park and Open-Space District or the County of Imperial Planning Department, for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test level investigations will have depleted the scientific value of the sites and the project can proceed.
- (4) If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the County of Riverside Regional Park and Open-Space District or Imperial Planning Department, as appropriate, for review and comment.

6.5-6 In order to ensure that residents of the project to 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 conservation/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.

- (2) Provide authorization for the TMDCI patrols to access the applicant's property and patrol the edge of the project.
 - (3) Create a volunteer Citizen Patrol, similar to the successful volunteer patrols in other Coachella Valley cities and communities, to supplement the TMDCI patrols along the boundary of the project with adjacent park lands. A local Community Policing office would be located on the Travertine Point Specific Plan site to support this program.
 - (4) Create a volunteer docent program, similar to the successful volunteer programs in other Coachella Valley cities and communities, to assist in educating residents on the importance and sensitivity of nearby cultural resources and park lands.
- 6.16-4 The specific plan shall be modified such that development of the trail system within the proposed project shall not allow for the use of motorized vehicles on existing or planned trails/trailheads within or that connect to the Anza-Borrego Desert State Park or the Santa Rosa and San Jacinto Mountains National Monument. (See Mitigation Measure 6.16-6 below, deleting references to connections to off-site trails).
- 6.16-5 The specific plan shall be modified to restrict trails that are developed adjacent to the Anza-Borrego Desert State Park and the Santa Rosa and San Jacinto Mountains National Monument and shall terminate no closer than 500 feet from the project boundary and include signage discouraging off-trail access.
- 6.16-6 The proposed specific plan shall be modified to remove references to connections of on-site trails to off-site trails and add language stating that access to off-site trails from the project site shall be prohibited.
- 6.16-7 Prior to approval of any subsequent actions to implement the project in planning areas as defined in the specific plan located adjacent to the western boundary of the site, a landscaping plan shall be developed and submitted for drainage channels along the western perimeter of the project site. The landscaping plan shall require the planting of native plant species with thorns, such as cat-claw acacia and mesquite shrubs, adjacent to walls and trails on the western boundary of the site. This plan must be reviewed and approved by the Riverside or Imperial County Planning Director for the portions of the project located in each county.
- 6.4-45 Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and

the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's "direct" impacts concerning archeological resources will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that known archaeological sites that may contain significant resources will be avoided or subject to Phase II testing and evaluation, and that sites eligible for listing on the National or California Register of Historic Places will be avoided or subject to an approved Phase III data recovery program. In addition, these measures require the presence of a registered professional archaeologist and qualified tribal monitor for all grading activities in high sensitivity areas to avoid significant impacts to previously undiscovered resources.

The County finds that Indirect impacts to off-site cultural resources are mitigated to a less than significant level by imposition of new mitigation measures and conditions of approval in the RRDEIR, that create effective physical barriers to human and pet intrusion on lands adjacent to the Project site, including Mitigation Measures 6.16-4 to 6.16-7, and 6.4-45, and the revised Project features, including 6' minimum border fencing and 10'-20' deep drainage channels along the Project's western boundary with the ABDSP, as evidenced by the applicant's rebuttal slide presentation at the December 13, 2011 Board of Supervisors' hearing. The County further finds that the Project's payment of approximately \$30 million in MSHCP fees will also help protect off-site cultural resources, as stated in the CVAG document entitled: Coachella Valley MSHCP Frequently Asked Questions, Question/Answer No. 6. The County further finds certain aspects of the Project may actually improve current conditions that have allowed vandalism and artifact pilfering to occur over the past several decades, as reflected in the Torres Martinez Tribe's letter dated July 29, 2011, and photographic evidence submitted by the applicant at the December 13, 2011

Board of Supervisors' hearing. Such measures include new barriers to access, such as a steep embankment in the Project's drainage channel, fencing expanded patrols, new signage, and landscape plans that require native vegetation with thorns, thus deterring intrusion into off-site areas. Consequently, the County finds that the ½ mile buffer proposed by some commenters, for the western project boundary, is not necessary to mitigate impacts on adjacent lands, including the ABDSP, to a less than significant level. In addition, the proposed ½ mile buffer would not be financially feasible, as explained in the March 23, 2011 letter submitted by Van Stephens of FORMA.

(2) **Remaining Impacts.** Any remaining impacts concerning archeological resources will be less than significant.

3. **Disturb Unique Paleontological Resources.** (*RDEIR, § 6.5.7.3, pp. 6.5-64 to 6.5-65.*)

(a) **Potential Impact.** The Project could potentially disturb or indirectly destroy unique paleontological resources on site or unique geologic features, as discussed in the Revised Draft EIR in section 6.5.7.3, at pages 6.5-63 to 6.5-65.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.5-7 Prior to grading final for each implementing project, the areas under consideration shall be monitored by a County-approved and qualified paleontologist, who shall develop a formal agreement with a recognized museum repository, such as the Natural History Museum of Los Angeles County Vertebrate Paleontology Department (LACM). Prior to earth moving activities, the paleontologist shall coordinate with appropriate construction contractor personnel.

Should paleontological resources be discovered during earthmoving activities, work shall cease and no further disturbance shall occur in the immediate vicinity of the uncovered resource and an area 50 feet in diameter of the find. A paleontologist shall be contacted to investigate the find and, if deemed necessary, collect uncovered paleontological resources, curate any resources collected with an appropriate reposition, and file a report with the appropriate Planning Department documenting any paleontological resources that are found. Upon completion of the field investigation, collection of the resources, if necessary, and

clearance of the find by the paleontologist, earthmoving activities may resume.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning unique paleontological resources will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that any unique paleontological resources encountered during Project grading activities be properly collected, curated and documented by an approved paleontologist.

(2) **Remaining Impacts.** Any remaining impacts concerning unique paleontological resources will be less than significant.

4. **Disturb Native American Human Remains.** (*RDEIR*, § 6.5.7.4, pp. 6.5-66 to 6.5-67.)

(a) **Potential Impact.** The Project may disturb previously undetected human remains, including those interred outside of formal cemeteries, as discussed in the Revised Draft EIR in section 6.5.7.4, pages 6.5-66 to 6.5-67.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.5-8 If human remains are encountered during a public or private construction (earthmoving) activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Riverside or Imperial County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Riverside County Coroner must be notified within 24 hours.

If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendent (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.

Upon clearance by the coroner and the NAHC for Native American remains, construction (earthmoving) activities may resume.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning Native American human remains will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that if any Native American human remains are encountered during grading activities, the disposition of the burial will be properly handled through the Native American Heritage Commission and the most likely descendent for the area.

(2) **Remaining Impacts.** Any remaining impacts concerning Native American human remains will be less than significant.

D. Geology and Soils.

1. **Expose People or Structures to Seismic Ground Shaking.** (*RDEIR*, § 6.6.7.2, pp. 6.6-36 to 6.6-37.)

(a) **Potential Impact.** the Project could potentially expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, as discussed in the Revised Draft EIR in section 6.6.7.2, pages 6.6-36 to 6.6-37.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-1 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or

Imperial County Department of Public Works (or equivalent) for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning seismic ground shaking will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because the measure will ensure that all structures will comply with the established design criteria and construction/engineering techniques, based upon the results of site-specific investigations, which reduce risks from seismic ground shaking to a level of less than significant.

(2) **Remaining Impacts.** Any remaining impacts concerning seismic ground shaking will be less than significant.

2. **Expose People or Structures to Liquefaction/Ground Failure.**
(RDEIR, § 6.6.7.3, pp. 6.6-38 to 6.6-40.)

(a) **Potential Impact.** The Project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction, as discussed in the Revised Draft EIR in section 6.6.7.3, at pages 6.6-38 to 6.6-40.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-2 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

6.6-3 Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning liquefaction and other seismic-related ground failure will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure compliance with the established standards for remedial grading, which reduces liquefaction and other seismic-related ground failure impacts to a less than significant level.

(2) **Remaining Impacts.** Any remaining impacts concerning liquefaction and other seismic-related ground failure will be less than significant.

3. **Expose People or Structures to Landslides.** (*RDEIR, § 6.6.7.4, pp. 6.6-41 to 6.6-42.*)

(a) **Potential Impact.** The Project could expose people or structures to potential harm, including the risk of loss, injury or death involving landslides, as discussed in the Revised Draft EIR in section 6.6.7.4, at pages 6.6-41 to 6.6-42.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure,

which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-4 Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall analyze site-specific soils for erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department – Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning landslides will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because the measure will ensure compliance with geotechnical engineering and construction standards to reduce risks from landslides to a less than significant level.

(2) **Remaining Impacts.** Any remaining impacts concerning landslides will be less than significant.

4. **Result In Substantial Soil Erosion.** (*RDEIR, § 6.6.7.5, pp. 6.6-43 to 6.6-47.*)

(a) **Potential Impact.** The Project could result in substantial soil erosion or the loss of topsoil, as discussed in the Revised Draft EIR in section 6.6.7.5, at pages 6.6-43 to 6.6-47.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-5 Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National

Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:

- Pre-Grading: The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations.
- Pre-Grading: Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings, parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized.
- During Grading: Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing.
- Post-Grading: All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped.
- Landscape and irrigation shall be installed per future plan submittals.

6.6-6 Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and

Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning soil erosion will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures ensure compliance with all applicable requirements of the CRRWQCB to avoid soil erosion, including preparing and complying with the terms of a Storm Water Pollution Prevention Plan and a Storm Water Quality Management Plan for all implementing projects within the Specific Plan, thus reducing potential soils erosion impacts to less than significant.

(2) **Remaining Impacts.** Any remaining impacts concerning soil erosion will be less than significant.

5. **Cause Construction on Unstable Soils.** (*RDEIR, § 6.6.7.6, pp. 6.6-46 to 6.6-50.*)

(a) **Potential Impact.** The Project, or portion thereof, may be located on a geologic unit or soil that is unstable, or that would become unstable, as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse as discussed in the Revised Draft EIR in section 6.6.7.6, at pages 6.6-46 to 6.6-50.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.6-7 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department-Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.
- 6.6-8 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County Planning Department—Geology or the Imperial County Department of Public Works, as appropriate, to identify potential impacts related to subsidence. The geotechnical studies shall identify appropriate construction techniques to be used during grading and building design such as the compaction of soils, modified grading techniques, use of spread footings, the use of post-tensioned slabs, and other methods.
- 6.6-9 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific soil conditions, including the potential for collapsible soils, shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works (or equivalent) for review and approval. Recommended mitigations may include over excavation of the subject soils and recompaction on new engineered fill material, possibly pre-saturating the subject soils, and provision of proper surface drainage away from structures and building foundations.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning construction on unstable soils will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures require site-specific geotechnical investigations, and will ensure compliance with established construction techniques and grading standards to minimize any risk from unstable soils, based upon the results of those site specific geotechnical investigations.

(2) **Remaining Impacts.** Any remaining impacts concerning construction on unstable soils will be less than significant.

6. **Cause Construction On Expansive Soils.** (*RDEIR, § 6.6.7.7, pp. 6.6-50 to 6.6-52.*)

(a) **Potential Impact.** The Project, or portions thereof, may be located on expansive soils, which could create substantial risks to life or property, as discussed in the Revised Draft EIR in section 6.6.7.7, at pages 6.6-50 to 6.6-52.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-10 Prior to implementing project approval, site-specific geotechnical studies, including soil expansion tests, shall be prepared and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works, as appropriate, and shall include appropriate construction methods to reduce impacts from expansive soils.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning expansive soils will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it requires site specific geotechnical studies, and will ensure compliance with established standards for construction remedial grading techniques for expansive soils, based upon the results of the site-specific geotechnical studies.

(2) **Remaining Impacts.** Any remaining impacts concerning expansive soils will be less than significant.

7. **Expose People or Structures to Major Hazards.** (*RDEIR, §§ 6.6.7.9 and 6.6.7.10, pp. 6.6-54.*)

(a) **Potential Impact.** The Project could potentially expose people or structures to major hazards beyond an acceptable level, as discussed in the Revised Draft EIR in sections 6.6.7.9 and 6.6.7.10, at page 6.6-54.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.6-1 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-2 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-3 Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.
- 6.6-4 Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall

analyze site-specific soils erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

6.6-5 Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:

- Pre-Grading: The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations.
- Pre-Grading: Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings, parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized.
- During Grading: Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing.
- Post-Grading: All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped.
- Landscape and irrigation shall be installed per future plan submittals.

- 6.6-6 Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.
- 6.6-7 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department—Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning geotechnical hazards to people and structures will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures require site-specific geotechnical investigations, and will ensure compliance with established standards for geotechnical engineering techniques, construction techniques, and remedial grading based upon the

results of the site-specific investigations, which will reduce such impacts to a level of less than significant.

(2) **Remaining Impacts.** Any remaining impacts concerning geological hazards to people and structures will be less than significant.

8. **Cause Impacts to Soil As A Natural Resource.** (*RDEIR*, § 6.6.7.11, p. 6.6-56.)

(a) **Potential Impact.** The Project could potentially create substantial erosion or otherwise diminish soil as a natural resource as discussed in the Revised Draft EIR in section 6.6.7.11, at page 6.6-56.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

- 6.6-1 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-2 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-3 Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map

application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.

6.6-4 Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall analyze site-specific soils erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

6.6-5 Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:

- Pre-Grading: The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations.
- Pre-Grading: Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings,

parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized.

- **During Grading:** Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing.
- **Post-Grading:** All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped.
- **Landscape and irrigation** shall be installed per future plan submittals.

6.6-6 Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.

6.6-7 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department—Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning soil as a natural resource will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure adequate protection from erosion and other impacts to on-site soils, consistent with the established standards and requirements imposed and monitored by the CRRWQCB and Riverside and Imperial Counties.

(2) **Remaining Impacts.** Any remaining impacts concerning soil as a natural resource will be less than significant.

E. Hazards and Hazardous Materials.

1. **Create A Significant Hazard By Routine Transport, Use and Disposal of Hazardous Materials.** (*RDEIR, § 6.7.7.1, pp. 6.7-26 to 6.7-33.*)

(a) **Potential Impact.** The Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, including the use of pesticides on adjacent agricultural lands, as discussed in the Revised Draft EIR in section 6.7.7.1, at pages 6.7-26 to 6.7-33.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.2-1 The specific plan shall include development of a vegetative screen within the 150-foot-wide transitional agricultural buffer. The minimum standards for the vegetative screen shall include the following:

- Two staggered rows of trees and shrubs characterized by evergreen foliage that extends from the base of the plant to the crown.
- Trees and shrubs should be vigorous, drought tolerant and at least 6-feet in height at the time of installation.
- Plants should have 50 percent to 75 percent porosity (i.e., approximately 50 percent to 75 percent of the plant is air space).

- Plant height should vary in order to capture drift within 4 feet of ground applications.
- A mature height of 15 feet or more is required for trees.
- To ensure adequate coverage, 2 staggered rows should be located 5 feet apart and consist of minimum 5 gallon plants at least 6 feet tall planted 10 feet on center.
- Recommended plants include: Toyon (*Heteromeles arbutifolia*), Sugarbush (*Rhus ovata*) Laurel Sumac (*Malosma laurina*) and Italian cypress (*Cupressus sempervirens*).
- A long-term plan shall be in place for maintaining the vegetative shelter belt.

If the development of a 500-foot-wide transitional agricultural buffer is used between intensive agricultural land uses and sensitive residential and commercial land uses, the transitional agricultural buffer shall include the development of an 8-foot-tall chain link fence, placed nearest the agricultural side to deter pilferage and vandalism of crops and agricultural uses.

6.2-2 Prior to building final inspection, applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to active agricultural land (either active agricultural land within the project site or adjacent to the project site's boundaries) to be notified pursuant to either the Right-To-Farm notice for Riverside County (Ordinance No. 460) and/or Imperial County (Right-to-Farm Ordinance) as appropriate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the routine transport, use and disposal of hazardous materials, including pesticides, will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that pesticides and other hazardous materials used on nearby agricultural properties do not drift into developed areas of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning routine transport, use and disposal of hazardous materials will be less than significant.

2. **Create A Significant Hazard of Accidental Release of Hazardous Materials.** (RDEIR, § 6.7.7.2, pp. 6.7-34 to 6.7-35.)

(a) **Potential Impact.** The Project operations could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazard materials into the environment, including as a result of locating development in the vicinity of the Oasis Landfill, as discussed in the Revised Draft EIR in section 6.7.7.2, at pages 6.7-34 to 6.7-40.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.22-8 Prior to implementing project approval for Planning Areas 2-17, 2-21, 2-19, and 2-20, the applicant(s) shall provide for a buffer and restrict development adjacent to the active or closed landfill from the Oasis Landfill property line for a distance of a minimum of 1,000 feet and a maximum of 1,320 feet originating at the Oasis Landfill disposal footprint, until the landfill is closed to provide adequate spacing for monitoring probes, as recommended by the RCWMD and in accordance with the Southern California Air Quality Management District's Rule 1150.1.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the accidental release of hazardous materials will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure an adequate buffer between future residents and operations at the Oasis Landfill.

(2) **Remaining Impacts.** Any remaining impacts concerning the accidental release of hazardous materials will be less than significant.

3. **Emit Hazardous Emissions In Proximity to Schools.** (*RDEIR, § 6.7.7.3, pp. 6.7-40 to 6.7-43.*)

(a) **Potential Impact.** The Project could potentially emit hazardous emissions or allow the handling of hazardous or cutely hazardous materials, substances, or wastes within 0.25 miles of an existing or proposed school as discussed in the Revised Draft EIR in section 6.7.7.3, at pages 6.7-40 to 6.7-43.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.7-1 Proposed school sites shall undergo subsequent environmental review prior to construction as required by the Coachella Valley Unified School District (CVUSD). Final locations shall be subject to the review and approval of the CVUSD subject to the requirements of the California Department of Education (CDE) and the Department of Toxic Substances Control (DTSC).

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the proximity of schools to hazardous materials and emissions will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that no schools will be located in areas that could potentially be exposed to unsafe levels of hazardous materials or emissions.

(2) **Remaining Impacts.** Any remaining impacts concerning the proximity of schools to hazardous materials and emissions will be less than significant.

4. **Cause Exposure to Excess Levels of Hazardous Materials.** (*RDEIR, § 6.7.7.9, pp. 6.7-48 to 6.7-54.*)

(a) **Potential Impact.** The Project could expose people or the environment to hazardous materials in excess of federal, state, or local regulatory standards, as discussed in the Revised Draft EIR in section 6.7.7.9, at pages 6.7-48 to 6.7-54.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.7-2 Prior to implementing project approval and grading final, future applicants for implementing projects and grading permits on the project site shall conduct a site survey by a County-approved licensed professional to identify and remediate all contaminated soils on the project site. All pesticide residue measured in on-site soils shall not exceed the applicable Preliminary Remediation Goals and the survey report shall be approved and documented by the Riverside County Department of Environmental Health or the Imperial County Public Health Department.
- 6.7-3 Prior to implementing project approval, the applicant shall submit plans to the CVMVCD which identify potential breeding sources for mosquitoes (such as standing water in street catch basins, subdivision drains, roadside ditches, flood channels, ravines, and 6.7 Hazards and Hazardous Materials Impact Sciences, Inc. 6.7-54 Travertine Point Revised Draft EIR 0881.001 November 2010 similar places on public right-of-way and parks) that demonstrate designs that would minimize such breeding sources.
- 6.7-4 Prior to building final inspection for each development phase, the homeowner's associations (HOAs) shall coordinate with the CVMVCD to provide public pamphlets that provide information to minimize mosquito breeding grounds and the HOAs shall work with the CVMVCD to control the mosquito population.
- 6.7-5 Work crews shall use respirators during project clearing, grading, and excavation operations, in accordance with California Division of Occupational Safety and Health regulations. The cabs of grading and construction equipment shall be air conditioned.
- 6.7-6 Construction roads shall be paved, when possible, to reduce fugitive dust and potential exposure to the fungus; or the access road into the project site shall be paved or treated with environmentally safe dust control agents, and where unpaved shall be wetted two times per day to minimize dust.
- 6.7-7 Prior to building final inspection for each planning area, the HOA, in coordination with government authorities (i.e., California Fish and Game), shall prepare public outreach programs and information

pamphlets regarding the potential danger of digesting fish and waterfowl tissue which would be contaminated with selenium.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning exposure to excess levels of hazardous materials will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will limit the release of hazardous materials during grading activities, and will limit the exposure of workers and future residents to unsafe levels of hazardous materials and emissions.

(2) **Remaining Impacts.** Any remaining impacts concerning exposure to excess levels of hazardous materials will be less than significant.

F. Hydrology and Water Quality.

1. **Violate Any Water Quality and Waste Discharge Requirements.**
(RDEIR, § 6.8-51 to 6.8-59.)

(a) **Potential Impact.** The Project could potentially violate applicable water quality standards or waste discharge requirements, as discussed in the Revised Draft EIR, section 6.8.7.1, at pages 6.8-51 to 6.8-59.

(b) **Mitigation Measures.** 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/Reporting Program.

6.8-1 Prior to grading final for each implementing project, a project-specific water quality management plan (WQMP) shall be submitted to Riverside County and/or Imperial County Public Works department for review and approval.

6.8-2 Prior to grading final for each implementing project, a detailed operation and maintenance plan shall be submitted to the Riverside County or Imperial County Public Works Department, and Coachella Valley Water District, for review and approval for the as-built project conditions.

- 6.8-3 Prior to grading final for each implementing project, a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and submitted to the Regional Water Quality Control Board for review approval. The SWPPP shall identify potential sources of pollution and specify runoff controls or BMPs during construction for the purpose of minimizing the discharge of pollutants in stormwater from the construction area. In addition, the SWPPP must identify post-construction control measures and a monitoring plan.
- 6.8-4 Periodic inspection of the conditions of the channels will need to be performed year round and after significant precipitation events will be required to be performed by each homeowner-owner association (HOA). Annual inspection reports shall be prepared by each HOA, and submitted to and filed with the Coachella Valley Water District by June 30th of each calendar year.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning compliance with water quality and waste discharge standards will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that construction activities and project operations comply with all applicable requirements of the Colorado River Basin RWQCB, and will reduce any discharge of pollutants of concern to the maximum extent feasible.

(2) **Remaining Impacts.** Any remaining impacts concerning compliance with water quality and waste discharge standards will be less than significant.

2. **Substantially Alter Drainage Patterns.** (*RDEIR*, § 6.8.7.3, pp. 6.8-62 to 6.8-72.)

(a) **Potential Impact.** The Project could substantially alter the existing drainage pattern of the site or area, including alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off-site as discussed in the Revised Draft EIR in section 6.8.7.3, at pages 6.8-62 to 6.8-72.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.8-5 Prior to grading final for each implementing project, the applicant shall provide a plan for re-routing or connecting to existing irrigation and drainage facilities. This may include use of or alternation to facilities operated by or within the rights-of-way of other entities. The plan shall be submitted to the appropriate agency (US Bureau of Reclamation, Caltrans or Coachella Valley Water District) for review and approval.
- 6.8-6 During grading, the existing under-drainage system (tile drains), shall be preserved, where possible, to reduce potential adverse effects due to groundwater. Light weight excavation equipment shall be used where excavations come near the existing tile drains to prevent damage to the underdrainage system. Where the tile drains are to be disrupted or exposed during grading, a replacement set of drains will be needed. The grading and construction aspects of the underdrainage system shall be performed under the guidance, observation/documentation, and recommendations of the Project Geologist. A formal evaluation of the installed subdrainage system, including the remaining tile drains, shall be evaluated for operation and flow once grading activities are completed. This report shall be prepared by the Project Geologist, the Project Civil Engineer, or the Project Agricultural/Civil Engineer and submitted to Riverside County for review.
- 6.8-7 The location, nature, and importance of the subdrainage system shall be disclosed to the ultimate owners of the property, so that the property owners can avoid damage to the drains' or negatively affect the drains' performance. In addition to disclosure to potential homeowners, tile drains that cross onto private lots shall be protected by one or more of the following mechanisms: the creation of easements, CC&R protocols, identification through flagging or risers, or other suitable mechanisms.
- 6.8-8 Prior to implementing project approval, the applicant shall submit to CVWD for review and approval and hydrologic study that evaluates the potential flows from Un-Named Canyon-Fan 6 and Barton Canyon-Fan 5. This study will identify facilities to be constructed to collect, route and discharge flows in a manner compatible with pre-project/existing conditions across the project site.
- 6.8-9 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to further define flow conditions related to Channel 4 at

SR-86S and for all channels east of SR 86S, and provide for the design of such facilities such that discharge is released in a manner consistent with pre-project/existing conditions, or alternatively, provide for storage or discharge flows within the boundaries of the northern portion of the proposed project or off-site with approval and easements from adjacent property owners.

- 6.8-10 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential erosion issues within the proposed channels to demonstrate that the channels remain stable, maintain their flood conveyance capacity, and do not alter properties upstream of the proposed project.
- 6.8-11 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential sediment depositions in the Salton Sea and downstream properties. The report shall provide for design considerations to be implemented in proposed Channels 1, 2 and 3, as appropriate.
- 6.8-12 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a plan for the management, operation and maintenance of the flood control system.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning drainage patterns will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will protect the existing under-drainage system, will avoid potentially significant erosion or sedimentation impacts, and will ensure that storm flows are collected, routed, and discharged in a manner compatible with existing conditions.

(2) **Remaining Impacts.** Any remaining impacts concerning drainage patterns will be less than significant.

G. Noise.

1. **Cause Exposure to Excess Noise Levels.** (*RDEIR, § 6.11.7.1, pp. 6.11-29 to 6.11-40.*)

(a) **Potential Impact.** The Project could expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies as discussed in the Revised Draft EIR, section 6.11.7.1, at pages 6.11-29 to 6.11-40.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.11-1 Where feasible and consistent with the Riverside County or Imperial County standards, any paving or repaving of off-site roadways that must be conducted in conjunction with implementation of the specific plan should utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by as much as 3 to 5 dB(A).
- 6.11-2 With permission from the Riverside County and/or Imperial County Transportation Departments, speed limits on arterials experiencing significant noise impacts off-site should be reduced from existing speed limits. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).
- 6.11-3 Prior to implementing project approval for each implementing project, for residential lots located within the 60 dB(A) CNEL or greater noise contour in Imperial County; or 65 dB(A) CNEL or greater noise contour or adjacent to a road that is classified as a secondary or larger in Riverside County, an acoustic analysis shall be required to address requirements for determining and mitigating traffic noise impacts to residential structures. The acoustical analysis must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department). Methods that may be implemented to meet the standards include, but are not limited to, providing noise walls of sufficient size to break the line of sight between roadways and residential areas, providing open-space buffers, providing natural barriers such as hills, berms, boulders, and dense vegetation, or a combination of these methods.

- 6.11-4 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to parking lot noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene). Methods that may be employed to reduce parking lot noise may include a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within residential uses where these uses interface.
- 6.11-5 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to loading dock noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce parking lot noise may include designing loading docks to have either a depressed (i.e., below grade) loading dock area, an internal bay, or a wall to break the line of sight between residential land uses and loading operations.
- 6.11-6 Prior to implementing project approval, a future noise study is required to address the stationary commercial noise standard as it relates to mechanical, electrical, or other related commercial type noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the

Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce mechanical, electrical, or other commercial type noise may include locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into building design.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning exposure to excess noise levels will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that on-site noise levels will not exceed the established maximum thresholds, including those set forth in Riverside County's Noise Element of the General Plan.

(2) **Remaining Impacts.** Any remaining impacts concerning exposure to excess noise levels will be less than significant.

2. **Expose People to Excessive Groundborne Vibration and Noise.**
(RDEIR, § 6.11.7.2, pp. 6.11-40 to 6.11-42.)

(a) **Potential Impact.** The Project's construction activities could produce ground vibrations sufficient to be audible, or even felt, near the Project site, as discussed in the Revised Draft EIR, section 6.11.7.2, at pages 6.11-40 to 6.11-42.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.11-7 Prior to grading final for each implementing project, the construction contractors shall use best management practices (BMPs) to reduce vibration due to specific plan construction activities by implementing the following:

- identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment;

- installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment;
- adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would affect structures, the sensitivity of vibration sensitive equipment, and/or human tolerance;
- utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving;
- providing notification to the residential land uses directly adjacent to the project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds;
- conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the project site at the same time;
- selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or
- operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites, using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible.

The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor the conditions to determine that these BMPs are being utilized correctly and efficiently in order to reduce vibration impacts throughout the proposed project.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above-described changes or alterations have been required in, or incorporated into, the Project, which would avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning excessive groundborne vibration and noise will be substantially lessened to a level of less than significant through

implementation of the mitigation measure described above, because it will ensure that groundborne vibration will be reduced to the maximum extent feasible, and will be monitored to avoid impacts to nearby homes and residents.

(2) **Remaining Impacts.** Any remaining impacts concerning groundborne vibration and noise will be less than significant.

3. **Cause A Permanent Increase In Ambient Noise Levels.** (*RDEIR*, § 6.11.7.3, p. 6.11-43.)

(a) **Potential Impact.** The Project could potentially cause a permanent increase in ambient noise levels in the project vicinity above levels existing without the Project, as discussed in the Revised Draft EIR in section 6.11.7.3, at page 6.11-43.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

- 6.11-1 Where feasible and consistent with the Riverside County or Imperial County standards, any paving or repaving of off-site roadways that must be conducted in conjunction with implementation of the specific plan should utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by as much as 3 to 5 dB(A).
- 6.11-2 With permission from the Riverside County and/or Imperial County Transportation Departments, speed limits on arterials experiencing significant noise impacts off-site should be reduced from existing speed limits. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).
- 6.11-3 Prior to implementing project approval for each implementing project, for residential lots located within the 60 dB(A) CNEL or greater noise contour in Imperial County; or 65 dB(A) CNEL or greater noise contour or adjacent to a road that is classified as a secondary or larger in Riverside County, an acoustic analysis shall be required to address requirements for determining and mitigating traffic noise impacts to residential structures. The acoustical analysis must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department). Methods that may be implemented to meet the standards

include, but are not limited to, providing noise walls of sufficient size to break the line of sight between roadways and residential areas, providing open-space buffers, providing natural barriers such as hills, berms, boulders, and dense vegetation, or a combination of these methods.

- 6.11-4 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to parking lot noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene). Methods that may be employed to reduce parking lot noise may include a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within residential uses where these uses interface.
- 6.11-5 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to loading dock noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce parking lot noise may include designing loading docks to have either a depressed (i.e., below grade) loading dock area, an internal bay, or a wall to break the line of sight between residential land uses and loading operations.
- 6.11-6 Prior to implementing project approval, a future noise study is required to address the stationary commercial noise standard as it relates to mechanical, electrical, or other related commercial type noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45

dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce mechanical, electrical, or other commercial type noise may include locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into building design.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning ambient noise levels will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that on-site and off-site ambient noise levels do not exceed the established threshold of significance, and will not increase substantially as a result of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning ambient noise levels will be less than significant.

H. Population and Housing.

1. **Induce Substantial Population Growth.** (*RDEIR, § 6.12.7.1, pp. 6.12-30 to 6.12-48.*)

(a) **Potential Impact.** The Project will induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), as discussed in the Revised Draft EIR in section 6.12.7.1, at pages 6.12-30 to 6.12-48.

(b) **Mitigation Measures.** 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/Reporting Program.

6.12-1 The specific plan's implementation measures shall be modified as follows:

- Prior to the issuance of building permit for the 3,133th residential unit, 117 affordable housing units or credits shall be available.
- Prior to issuance of building permit for the 6,658th residential unit, 200 (317 cumulative) affordable housing units or credits shall be available.
- Prior to the issuance of building permit for the 9,628th residential unit, 516 (833 cumulative) affordable housing units or credits shall be available.
- Prior to the issuance of building permit for the 15,160th residential unit, 583 (1,416 cumulative) affordable housing units or credits shall be available.
- Prior to the issuance of building permit for the 16,405th residential unit, 250 (1,666 cumulative) affordable housing units or credits shall be available.

6.12-2 The specific plan's implementation measures shall be modified as follows:

- Prior to the issuance of building permit for the 3,250th residential unit, 89,000 square feet of nonresidential development is required to be built and occupied.
- Prior to issuance of building permit for the 6,500th residential unit, 440,500 square feet (529,500 square feet cumulative) of non-residential development is required to be built and occupied.
- Prior to issuance of building permit for the 9,500th residential unit 1,100,000 square feet (1,629,500 square feet cumulative) of non-residential development is required to be built and occupied.
- Prior to issuance of building permit for the 13,500th residential unit, 2,400,000 square feet (4,029,500 square feet cumulative) of non-residential development to be built and occupied.
- Prior to the build out of 15,000th residential unit, 1,000,000 square feet (5,029,500 square feet cumulative) of non-residential development is required to be built and occupied.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. The County also finds that the Project's reservation of 10% of its total units for affordable housing, approximately 1,665 units, is consistent with the affordable housing policies stated in the County's current General Plan Housing Element and updated draft Housing Element, currently available for public review. See County Counsel testimony at December 13, 2011 Board of Supervisors hearing. Finally, the County finds that it would be financially infeasible to increase the percentage of affordable units from 10% to 40% based on the financial feasibility reports submitted to County Staff, including but not limited to the December 30, 2011 letter from DPF to Matt Straite.

(1) **Effects of Mitigation.** The Project's potential impacts concerning population growth will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that the Project adds both jobs and affordable housing units to the area, commensurate with the population growth caused by the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning population growth will be less than significant.

I. Public Services – Fire Protection.

1. **Cause Adverse Impacts by Development of New Fire Facilities.**
(RDEIR, § 6.13.7.1, pp. 6.13-20 to 6.13-26.)

(a) **Potential Impact.** The Project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services, as discussed in the Revised Draft EIR in section 6.13.7.1, at pages 6.13-20 to 6.13-26.

(b) **Mitigation Measures.** 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/Reporting Program.

6.13-1 Prior to final building inspection for the 2,000th residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.

- 6.13-2 Prior to final building inspection for the 4,000th residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.
- 6.13-3 Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide fire protection services to the portion of the project site within the Salton City Community Service District service area. This agreement shall address the timing of the construction of the fire station to be provided to the Salton City Community Services District.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning fire facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate additional fire facilities will be constructed as the Project is built out, thus providing for sufficient fire protection, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biological, noise and air quality mitigation.

(2) **Remaining Impacts.** Any remaining impacts concerning fire facilities will be less than significant.

2. **Cause Inadequate Fire Protection Services.** (*RDEIR, § 6.13.7.3, pp. 6.13-28 to 6.13-33.*)

(a) **Potential Impact.** The Project could potentially place residents or the general public in situations of endangerment as a result of inadequate services, resources, and/or safety measures, as discussed in the Revised Draft EIR in section 6.13.7.3, at pages 6.13-28 to 6.13-33.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.13-4 Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire-flow plans to the RCFD and SCSD, as appropriate, which include fire-flow requirements within commercial projects to be based on square footage and type of construction associated with development of the structures.
- 6.13-5 Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire flow plans to the RCFD ensuring that all water mains and fire hydrants providing required fire flows would be constructed in accordance with the appropriate development schedule sections of Riverside County Ordinance No. 460 and/or Ordinance No. 787. Each fire flow plan that is submitted would be reviewed and approved by the RCFD prior to final building inspection.
- 6.13-6 Prior to final building inspection for each implementing project within the Imperial County portion of the specific plan, applicants for implementing projects shall submit plans for review for the installation of fire hydrants in residential, commercial, and industrial areas and for the installation of fire protection systems in residential, commercial, and industrial buildings to plan and specifications. These plans shall be submitted to and reviewed by the appropriate water utility agency serving the Imperial County portion of the specific plan, the Imperial County Public Works Department, the Imperial County Fire Department, and the Uniform Fire Code and the SCSD.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning fire protection services will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate fire flows are available to serve the Project development, consistent with the applicable requirements for each type of development within the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning fire protection services will be less than significant.

3. **Cause Development In A High Fire Hazard Area.** (*RDEIR, § 6.13.7.4, pp. 6.13-33 to 6.13-37.*)

(a) **Potential Impact.** The Project could locate development in a High Fire Hazard Area without a Community Water System, as discussed in the Revised Draft EIR in section 6.13.7.4, at pages 6.13-33 to 6.13-37.

(b) **Mitigation Measures.** 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/Reporting Program.

6.13-7 Prior to grading final, the construction contractor shall provide a plan for review and approval by RCFD and/SCSD to demonstrate that during all grading and site clearance activities, all earth-moving equipment shall be equipped with spark arrestors and at least two portable fire extinguishers per vehicle. All equipment used in the vegetation-clearance phase shall be equipped with spark arrestors and best available fire safety technology. The vegetation-clearance activities shall be coordinated with and approved by the RCFD or SCSD in advance.

6.13-8 Prior to building final permit, the applicant shall submit proof that all structures adjacent to open space shall be designed to satisfy at least a 1-hour fire-resistant rating. Such structures shall incorporate fire retardant features such as boxed-in eaves, reduced overhangs, double-paned windows, convection resistant roof design, non-combustible roofing material, and related design features, as determined necessary by the RCFD and/or SCSD. Building permits shall not be issued until review of fire-retarding architectural features has been completed by the RCFD and/or SCSD. Design standards meeting RCFD and/or SCSD shall be included in the Fire Hazard Reduction Program and incorporated into the Fire Hazard Reduction Design Guidelines for the residential units.

6.13-9 The specific plan shall incorporate provisions for fuel-modification zones to minimize the potential exposure of the developed areas to wildfire hazards consistent with the requirements of RCFD and SCSD. A landscaped/fuel-modification buffer shall be required surrounding each home site and structure in planning adjacent to open space areas. The following fuel-modification design guidelines shall be incorporated:

- The fuel-modification zone shall incorporate a program of brush clearance and thinning of combustible plant materials.
- The fuel-modification zone shall be designated around all structures as measured from face of building.

- Thinned native plants of high habitat value may be located throughout this zone as a transition between open space and developed areas fuel-modification zones shall be maintained by the homeowner's association (HOA) in accordance with the RCFD and SCSD guidelines (except estate lots).

The exact location, dimension, and requirements for the fuel-modification zones would be determined and refined in agreements established between RCFD, SCSD and County staff, and ultimately during the processing of tentative tract maps. The following descriptions provide a conceptual fuel-modification plan with the minimum treatment for the zones:

Zone A – Setback zone from the structure to the property line

Most vegetation in this zone is limited to ground covers, green lawns, and a limited number of selected ornamental plants. This zone provides defensible space for fire suppression that will be maintained by homeowners.

Zone B – Irrigated zone includes manufactured slopes

This 20-foot-wide zone would augment irrigation and planting required, relating to manufactured slopes and landscape requirements. The 20-foot band of irrigation outside the fence line provides defensible space for fire suppression and will be HOA-maintained. This space would adjoin manufactured slope along the property line to provide a band of irrigation prior to Zone A. Special consideration would be given for Rare and Endangered plant species, geologic hazards, tree ordinances, or other conflicting restrictions.

Zone C – Thinning zone

This 80-foot-wide zone would be the beginning of the thinning zone and would be designed to eliminate the spread of fire from one plant to another via ladder fuels and eliminate horizontal continuity by properly spacing remaining vegetation and limiting large masses of unbroken vegetation. Thinning would reduce existing vegetation with removal of the majority of undesirable tall flammable plants species, including trees and tree form shrubs, and would be HOA maintained. Reduction of fuel loading is accomplished by reducing shrubs or trees without substantial decrease in the canopy cover or removal of soil-holding root systems. Natural vegetation is thinned in reduced amounts as the zone moves away from development.

Zone D – Interface Thinning zone

This 100-foot-wide area would be the initial interface between wildland areas and fuel-modification zones. It would consist of native vegetation individually thinned to reduce foliage or fuel loading. This zone does not necessarily require the removal of plants but thinning those that exist. Proper thinning and spacing of remaining tree and tree form native shrubs will reduce fuel load without overly exposing the soil to threat of erosion. Native vegetation is thinned by reduced amounts as the zone moves away from development, depending on fuel type in this area. Typical tree and shrub maintenance is required every 3 to 5 years depending on growth and native grasses; this zone would be maintained as needed annually by the HOA.

- 6.13-10 Prior to building final inspection, the applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to Open Space-Conservation and other off-site undeveloped or natural areas to be notified as to the requirements and maintenance of a brush-clearance radius of 100 feet around all buildings pursuant to Riverside County Ordinance No. 787 and the Imperial County Prevention and Explosives Ordinance as appropriate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning high fire hazard areas will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure implementation of adequate brush clearance and other protective measures in areas of development located adjacent to high fire hazard areas, consistent with the established standards imposed by Riverside and Imperial Counties.

(2) **Remaining Impacts.** Any remaining impacts concerning high fire hazard areas will be less than significant.

J. Public Services – Law Enforcement.

1. Cause Adverse Impacts By Construction of New Police Facilities and Services. (RDEIR, § 6.14.7.1, pp. 6.14-11 to 6.14-15.)

(a) **Potential Impact.** the Project will result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for law enforcement services as discussed in the Revised Draft EIR in section 6.14.7.1, at pages 6.14-11 to 6.14-15.

(b) **Mitigation Measures.** 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/Reporting Program.

6.14-1 Prior to grading final for each implementing project, a designated parking area with a security officer shall be provided for the construction workers during grading and construction operations. A site security plan shall be prepared and submitted to the Riverside County Sheriff's Department by the contractor indicating security features that shall be incorporated on the construction site(s), such as fencing and locked entrances, and construction equipment, tools, and material shall be secured by locking or placing them within sheds and/or other inaccessible areas while not in use.

The following mitigation measures shall be implemented during operation:

6.14-2 Prior to building final inspection for each tract within Imperial County, the applicant(s) to the tentative tract map shall pay the current Imperial County Sheriff Development Impact Fee.

6.14-3 The specific plan shall be modified to include implementation measures that require the construction and operation of at least two sheriff's substations in Riverside County and one in Imperial County, or to the satisfaction of Riverside County Sheriff Department or Imperial County Sheriff's Department as applicable, as follows:

- Prior to the issuance of building final permits for the 3,249th residential unit in Riverside County, a sheriff's substation shall be constructed and be operational;

- Prior to the issuance of building final permits for the 6,857th residential unit in Riverside County, a sheriff's substation shall be constructed and be operational;
- Prior to the issuance of building final permits for the 750th residential unit in Imperial County, a sheriff's substation, or expansion of the Salton City Substation, to service the project site shall be constructed and be operational.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning police facilities and services will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure the provision of adequate police facilities and additional personnel to serve the Project, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning police facilities and services will be less than significant.

K. Public Services – Education.

1. Cause Adverse Impacts by Construction of New School Facilities.
(RDEIR, §§ 6.15.7.1 and 6.15.7.2.)

(a) **Potential Impact.** The Project could result in substantial adverse impacts to schools and school facilities, as discussed in the Revised Draft EIR in sections 16.15.7.1 and 16.15.7.2, at pages 6.15-12 to 6.15-19.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.15-1 Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square footage of development per single-family residential unit, multi-family residential unit, commercial unit and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning school facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because payment of school fees, along with the Specific Plan requirements for the dedication of school sites, will ensure that adequate school facilities will be constructed to serve the Project, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning school facilities will be less than significant.

L. Public Services – Parks and Recreation.

1. Cause Adverse Impacts By Construction of New Park Facilities.
(RDEIR, § 6.16.7.1, pp. 6.16-21 to 6.16-27.)

(a) **Potential Impact.** The Project will result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for parks and recreational services.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.12-1 Prior to the implementing project approval, a final bidding Memorandum of Understanding (MOU) shall be executed between the applicant and Desert Recreation District (DRD) for the maintenance and operation of parks, including regional parks, within Riverside County. For the open space areas and other public parks areas within Riverside County not included as part of the final binding MOU between the applicant and DRD, the applicant shall annex into Community Service Area (CSA) 125, or other appropriate CSA, to provide for the maintenance and operation of such areas.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the provisions of park facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it provides for the operation and maintenance of adequate park facilities to serve future Project residents, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning the provision of park facilities will be less than significant.

2. **Cause An Increase Use of Park Lands and Facilities.** (*RDEIR, § 6.16.7.2, pp. 6.16-27 to 6.16-33; and RRDEIR, pp. 6.16-33 to 6.16-36 and 6.16-45 to 6.16-46.*)

(a) **Potential Impact.** The Project could result in temporarily inadequate parkland and sports fields during some build out phases of the Project, until all park facilities are built as required by the Specific Plan. In addition, the Project site's increased population could result in more use of the ABDSP facilities (parking lots, roads, bathrooms, campgrounds, visitor center, etc.) and

nearby habitat conservation areas and nearby mountains, which is deemed a potentially significant adverse impact. These impacts are further discussed in the Revised Draft EIR, section 6.16.7.2, at pages 6.16-27 to 6.16-33.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.16-2 The specific plan's implementation measures shall be modified as follows:

- A minimum of 6.6 acres of neighborhood parks shall be developed in conjunction for every 500 residential dwelling units.
- Prior to the issuance of building permit for the 3,250th residential unit, 43 acres of park or credits shall be available;
- Prior to the issuance of building permit for the 6,500th residential unit, 48 acres (91 cumulative) of park or credits shall be available;
- Prior to the issuance of building permit for the 10,000th residential unit, 47 acres (138 cumulative) of park or credits shall be available;
- Prior to the issuance of building permit for the 13,500th residential unit, 68 acres (206 cumulative) of park or credits shall be available;

6.16-3 The specific plans park development standards shall be modified to provide that one out of every four public parks be a sports field and that sports fields be at least 5 acres in size.

6.16-4 The specific plan shall be modified such that development of the trail system within the proposed project shall not allow for the use of motorized vehicles on existing or planned trails/trailheads within or that connect to the Anza-Borrego Desert State Park or the Santa Rosa and San Jacinto Mountains National Monument. (See Mitigation Measure 6.16-6 below, deleting Specific Plan references to connections to off-site trails).

6.16-5 The specific plan shall be modified to restrict trails that are developed adjacent to the Anza-Borrego Desert State Park and the Santa Rosa and San Jacinto Mountains National Monument and shall terminate no closer than 500 feet from the project boundary and include signage discouraging off-trail access.

- 6.16-6 The proposed specific plan shall be modified to remove references to connections of on-site trails to off-site trails and add language stating that access to off-site trails from the project site shall be prohibited.
- 6.16-7 Prior to approval of any subsequent actions to implement the project in planning areas as defined in the specific plan located adjacent to the western boundary of the site, a landscaping plan shall be developed and submitted for drainage channels along the western perimeter of the project site. The landscaping plan shall require the planting of native plant species with thorns, such as cat-claw acacia and mesquite shrubs, adjacent to walls and trails on the western boundary of the site. This plan must be reviewed and approved by the Riverside or Imperial County Planning Director for the portions of the project located in each county.
- 6.5-6 In order to ensure that residents of the project to 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 conservation/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.
 - (2) Provide authorization for the TMDCI patrols to access the applicant's property and patrol the edge of the project.
 - (3) Create a volunteer Citizen Patrol, similar to the successful volunteer patrols in other Coachella Valley cities and communities, to supplement the TMDCI patrols along the boundary of the project with adjacent park lands. A local Community Policing office would be located on the Travertine Point Specific Plan site to support this program.
 - (4) Create a volunteer docent program, similar to the successful volunteer programs in other Coachella Valley cities and communities, to assist in educating residents on the importance and sensitivity of nearby cultural resources and park lands.
- 6.4-45 Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include

information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to parks and recreational facilities in the Project vicinity will be substantially lessened to a level of less than significant through the implementation of the mitigation measures described above, because new park facilities will be developed in a timely manner to meet the needs of the Project's residents. To the extent that some Project residents use the nearby ABDSP, they will pay user fees and pay state income taxes that offset the expenses associated with operating and maintaining that state park.

The County finds that the ABDSP can and should modify its existing user fees, as and when necessary in the future, to address any impacts from visits to the park by existing and future residents in the region, which is within the jurisdiction of the ABDSP/Cal. Department of Parks. The County finds this to be the most efficient and precise way of addressing an unknown number of potential visits by future Project residents to the ABDSP. Furthermore, the County finds that the evidence showing the existing range of annual visits to ABDSP, *i.e.*, 500,000 to 800,000, renders the potential visit of some unknown portion of the approximately 45,000 Project residents, a less than significant impact upon the Park's facilities, *i.e.*, roads, parking, campgrounds, bathrooms, visitor center, etc., because it is likely to fall within the existing range of annual visitors, *i.e.*, between 500,000 and 800,000. The County further finds that visitors from the Project may or may not be existing annual visitors, making it impossible to determine – based on substantial evidence – that there will be a significant net increase in annual visitation from Project residents. Based on these uncertainties, the County further finds this potential indirect impact to be speculative.

In addition, mitigation measures 6.16-4 to 6.16-7, 6.5-6 and 6.4-45, create multiple layers of effective obstacles to intrusion into adjacent sensitive parkland areas by future residents and their pets. The County finds that expanded Tribal patrols on the perimeter of the Project site, along with the other mitigation measures listed above, will deter attempts by residents to intrude upon adjacent ABDSP lands, and other adjacent lands. The County finds the Final EIR Responses to Comments at pp. 2.0-18 to 2.0-25 to be persuasive, and based on substantial evidence, in establishing that the Project will not cause any direct or indirect significant adverse

impacts upon adjacent lands, including ABDSP lands, with respect to habitat, sensitive species and cultural resources, that may be present. Consequently, the County finds the request in the Friends of the Desert Mountains letter dated 10/25/11, for expanded mitigation measures, to address indirect impacts to off-site cultural and biological resources to be unnecessary, including the request for a ½ mile buffer along the Project's western perimeter. In addition, the proposed ½ mile buffer would not be financially feasible, as explained in the March 23, 2011 letter submitted by Van Stephens of FORMA, and *see* Memorandum from Impact Sciences to Matt Straite dated 11/28/11, at pp. 99-100, in Appendix B to Final EIR, and expert financial feasibility analysis summarized therein.

(2) **Remaining Impacts.** Any remaining impacts to parks and recreational facilities in the Project vicinity will be less than significant.

M. Public Services – Libraries.

1. **Cause Substantial Adverse Impacts By Construction of New Library Facilities.** (*RDEIR, § 6.17.7.1, pp. 6.17-8 to 6.17-13.*)

(a) **Potential Impact.** The Project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for library services, as discussed in the Revised Draft EIR in section 6.17.7.1, at pages 6.17-8 to 6.17-13.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.17-1 The specific plan shall be modified to adjust the implementation measures to assure that libraries are developed in the following manner:

- Phase I – Prior to issuance of a building permit for the 3,500th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System;
- Phase II – Prior to issuance of a building permit for the 7,000th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System.

- Phase III – Prior to issuance of a building permit for the 10,500th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System.
- Phase V – Prior to issuance of a building permit for the 14,000th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System and/or the Imperial County Free Library System. The applicant shall execute a joint Memorandum of Understanding with both the Riverside County Library System and Imperial County Free Library System that provides for the location of this library site in either Riverside or Imperial county and that this library will provide services to both systems. Regardless of the location of this library, the applicant shall participate in development fees for library services as required by each county.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning library facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that adequate new library facilities will be constructed in a timely manner to serve the Project residents, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning library facilities will be less than significant.

N. **Public Services – Medical.**

1. **Cause Substantial Adverse Impacts By Construction of New Medical Facilities.** (*RDEIR, § 6.18.7.1, pp. 6.18-9 to 6.18-15.*)

(a) **Potential Impact.** The Project could result in substantial adverse physical impacts associated with the provision of new or physically altered medical facilities, or a need for new or physically altered medical facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for medical services, as discussed in the Revised Draft EIR in section 6.18.7.1, at pages 6.18-9 to 6.18-15).

(b) **Mitigation Measures.** 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/Reporting Program.

6.18-1 Prior to grading final for each implementing project, the contractors for construction activities for the applicants of implementing projects shall prepare a construction safety plan and submit it to the appropriate County Planning Department and Fire Department for review and approval. The plan shall include provisions for safety activities, including prevention, work-related injuries, on-site safety equipment, notification procedures, and other activities to prevent, reduce, and respond to injuries during construction.

6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.

6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning medical facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because once the hospital and other required medical

facilities are completed and operational, these facilities will be adequate to serve the Project and its residents, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning medical facilities will be less than significant once the required hospital and other medical facilities are completed and operational.

2. **Exceed Existing Medical Services.** (*RDEIR, § 6.18.7.2, pp. 6.18-15 to 6.18-17.*)

(a) **Potential Impact.** The Project could exceed the existing or planned future ability to provide services and supplies to the current and future residents of Riverside and/or Imperial Counties, as discussed in the Revised Draft EIR in section 6.18.7.2, at pages 6.18-15 to 6.18-17.

(b) **Mitigation Measures.** 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/Reporting Program.

6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.

6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the ability to provide adequate medical services will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate medical facilities will be constructed in a

timely manner, which will be sufficient to serve the Project and its residents.

(2) **Remaining Impacts.** Any remaining impacts concerning the ability to provide adequate medical services will be less than significant.

O. Transportation and Traffic.

1. **Exceed Levels of Service Standards.** (*RDEIR, § 6.19.7.4, pp. 6.19-105 to 6.19-133.*)

(a) **Potential Impact.** The Project could potentially exceed either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads, intersections or highways, as discussed in the Revised Draft EIR in section 6.19.7.4, at pages 6.19-105 to 6.9-133.

(b) **Mitigation Measures.** 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/Reporting Program.

6.19-42 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall prepare a financial plan to make mainline improvements to add one lane in each direction on SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County and to construct interchanges at SR-86S/62nd Avenue, SR-86S/66th Avenue, SR-86S/70th Avenue, SR-86S/74th Avenue, SR-86S/81st Avenue, SR-86/Town Center Way North, SR-86/Desert Shores Drive, SR-86/Brawley Avenue, SR-86/Sea Oasis Boulevard, and SR-86/Marina Drive. The financial plan shall identify the cost of the improvements based on a Preliminary Engineering study. In addition to fair share developer contributions, the financial plan shall consider funding that may be available through CVAG, RCTC, or other agencies. The County will assist in obtaining available funding that is, or may become available, through CVAG, RCTC, and other agencies, as appropriate.

6.19-43 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall conduct a Nexus Study, based on the financial plan, and establish an RBBB or other funding mechanism in accordance with the Nexus Study recommendations.

If the County has not formed an RBBB or other area-wide funding mechanism for SR-86/SR-86S improvements at the time the proponent

of SP00375 or any subsequent implementing agencies are ready to request building permits, the project proponent shall establish a Community Facilities District (CFD) or other funding mechanism, prior to the issuance of any building permit within SP00375, to help fund its share of the cost of SR-86S/SR-86 mainline improvements (SP00375's fair share is estimated preliminarily as 37 percent of the total cost of the SR-86 additional lane improvements) and its share of interchange construction at SR-86S/81st Avenue and at SR-86/Town Center Way North (SP00375's share is estimated preliminarily as 95 to 100 percent of the total cost).

- 6.19-44 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall deposit with Riverside County the funds necessary for the County to prepare the Preliminary Engineering Study, the Financial Plan, and the Nexus Study ("the Studies"). The project proponent shall be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBD or other corridor-wide funding mechanism.
- 6.19-45 After building permits for 1,608 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the project proponent, or implementing projects within SP00375, have deposited funds for Riverside County to prepare an environmental document for adding one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. The project proponent, or the implementing projects, will be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBD or other area-wide funding mechanism. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.
- 6.19-46 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until Riverside County obtains environmental clearance to add one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted. TUMF credit, where eligible, shall be provided in accordance with CVAG's policies and approvals.

- 6.19-47 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86 has been improved to add one lane in each direction between the northern boundary of SP00375 and Town Center Way North. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.
- 6.19-48 After building permits for 11,864 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until a construction contract, or contracts shall have been let to improve SR-86S/SR-86 to add one lane in each direction between 62nd Avenue and Marina Drive in Imperial County.
- 6.19-49 After building permits for 12,788 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86S/SR-86 shall have been constructed to provide three lanes in each direction between 62nd Avenue and Marina Drive in Imperial County. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential long-term impacts concerning traffic levels of service will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures, along with mitigation measures 6.19-1 through 6.19-40, will ensure that the necessary improvements to roadways, intersections, and SR-86 are completed to maintain acceptable levels of service, as these improvements are completed. The Project may, however, have significant and unavoidable short-term impacts, which are discussed in Section III of these Findings.

(2) **Remaining Impacts.** Any remaining impacts concerning traffic levels of service will be less than significant.

2. **Conflict with Adopted Alternative Transportation Policies.** (RDEIR, § 6.19.7.9, pp. 6.19-135 to 6.19-137.)

(a) **Potential Impact.** The Project could conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks), as discussed in the Revised Draft EIR in section 6.19.7.9, at pages 6.19-135 to 6.19-137.

(b) **Mitigation Measures.** 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/Reporting Program.

Pedestrian Paths

6.19-50 The project proponent and individual implementing projects within SP00375 shall implement the system of Travertine Point Walkways/Pedestrian Paths as illustrated in Exhibits 3.1-A and 3.1-B of the TSS.

Bikeways

6.19-51 The project proponent and individual implementing projects within SP00375 shall implement the system of Travertine Point Bikeways Plan as illustrated in Exhibits 3.2-A and 3.2-B of the TSS.

Transit Features

6.19-52 The project proponent and individual implementing projects within SP00375 shall implement the Travertine Point Transit Features as illustrated in Exhibits 4.1-A and 4.1-B of the TSS.

NEV Accommodations

6.19-53 The project proponent and individual implementing projects within SP00375 shall implement the Travertine Point Neighborhood Electrical Vehicle Accommodations as illustrated in Exhibit 6.1-I of the TIA. State legislation will be required to allow NEVs to use roadways that have a speed limit higher than 35 mph. The applicant shall assist the County in obtaining legislative approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning compliance with alternative transportation policies will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure implementation of alternative transportation plans (*i.e.*, pedestrian paths, bikeways, etc.), which comply with and support existing plans and policies.

(2) **Remaining Impacts.** Any remaining impacts concerning compliance with alternative transportation policies will be less than significant.

3. **Cumulative Traffic Impacts.** (*RDEIR, § 6.19.9.1, pp. 6.19-137.*)

(a) **Potential Impact.** The Project could result in cumulative transportation and traffic impacts, as discussed in the Revised Draft EIR in section 6.19.9.1, at pages 6.19-137. In assessing the scope of potential cumulative impacts to regional freeways, the County finds the methodology of the expert studies prepared by Urban Crossroads to be appropriate and persuasive, including the expert's definition of an appropriate geographic scope for analyzing regional freeway impacts, *i.e.*, the study's conservative doubling of the County's existing 5 mile standard for measuring impacts. The Urban Crossroads' study uses a 10-mile scope north and south of the Project site. *See* Urban Crossroads' response to comment dated August 23, 2011, re traffic study's geographic scope, and Final EIR, at pp. 2.0-70 to 2.0-71, Response 10-3. County Transportation Department Staff reviewed and approved the 10-mile geographic scope for the Urban Crossroads study. The County further finds that a larger geographic scope, in excess of 10 miles from the Project site in either direction on SR-86S, would inappropriately dilute the Project's fair share contribution towards regional highway improvements, *i.e.*, reduce the Project's current fair share contribution of 37% of estimated costs (approximately \$46.6 million) towards such highway improvements, by significantly expanding the land area covered by the fair share calculation. With respect to general comments on the EIR's methodology in assessing cumulative development, *see* § VIII(C) below.

(b) **Mitigation Measures.** 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/Reporting Program.

General:

6.19-1 All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of

Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.

- 6.19-2 The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.
- 6.19-3 During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The District-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project.

Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project.

Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.

- 6.19-4 All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards.

All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.

- 6.19-5 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81st Avenue.

- 6.19-6 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.
- 6.19-7 Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81st Avenue, and shall construct eastbound and westbound left turn lanes.
- 6.19-8 Prior to the issuance of the 659th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.
- 6.19-9 After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).
- 6.19-10 Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86S/SR-86 (between 62nd Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.

Regional Highways:

Mitigation Measures 6.19-42 through 6.19-49 are incorporated by reference, regarding mitigation impacts to regional highways.

Traffic Signals:

- 6.19-11 The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.
- 6.19-12 Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.
- 6.19-13 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational:
- SR-86S (NS) at:
81st Avenue (EW)
 - SR-86 (NS) at:
Lincoln Street (EW)
- with no credit given for Traffic Signal Mitigation Fees.
- 6.19-14 Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational:
- 81st Avenue (EW) at:
Paseo Street (NS)
- 6.19-15 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation:

- Harrison Street (NS) at:
62nd Avenue (EW)
- Harrison Street (NS) at:
66th Avenue (EW)
- Harrison Street (NS) at:
70th Avenue (EW)
- Harrison Street (NS) at:
74th Avenue (EW)
- Harrison Street (NS) at:
Pierce Street (EW)

Unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-16 Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Harrison Street/SR-86 (NS)

with no credit given for Traffic Signal Mitigation Fees.

6.19-17 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- SR-86 (NS) at:
Town Center Way (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-18 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation.

- Harrison Street (NS) at:
72nd Avenue (EW)
- Harrison Street (NS) at:
78th Avenue (EW)
- SR-86S (NS) at:
70th Avenue (EW)
- SR-86S (NS) at:
74th Avenue (EW)
- SR-86 (NS) at:
Desert Shores Drive (EW)
- SR-86 (NS) at:
Brawley Avenue (EW)
- SR-86 (NS) at:
Sea Oasis Boulevard (EW)
- SR-86 (NS) at:
Marina Drive (EW)

unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-19 Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010, with no credit given for Traffic Signal Mitigation Fees.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential long-term cumulative traffic impacts will be substantially lessened to a level of less

than significant through implementation of the mitigation measures described above, because once the improvements specified in these measures are constructed, the potentially affected roadways and intersections will have sufficient capacity for the cumulative increases in traffic. The Project mitigation measures and conditions of approval require payment of the Project's fair share of regional highway improvements within the expanded geographic scope of the traffic study. To the extent that the Project contributes vehicle trips beyond the expanded 10 mile study scope, any cumulative contribution to the future need for additional improvements at more distant locations, would be addressed through payment of regional traffic fees, and resident tax payments, in addition to other state and federal funding over the 40-year buildout of the Project. Nevertheless, the Project may have short-term cumulative traffic impacts that are significant and unavoidable, until the improvements are completed, as discussed in Section III of these Findings.

(2) **Remaining Impacts.** Any remaining impacts concerning long-term cumulative traffic impacts will be less than significant.

P. Utilities – Water.

1. **Cause Substantial Adverse Impacts By Construction of New Water Treatment Facilities.** (*RDEIR, § 6.20.7.1, pp. 6.20-63 to 6.20-65.*)

(a) **Potential Impact.** The Project could require or result in the construction of new water treatment facilities or expansion of existing facilities, construction of which could cause significant environmental impacts, as discussed in the Revised Draft EIR in Section 6.20.7.1, at pages 6.20-63 to 6.20-65.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.20-1 Prior to implementing project approvals, future applicants for development permits must submit plans for water delivery systems to CVWD for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the construction of water treatment facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that any water treatment facilities necessary to serve the Project will be subject to review and approval by CVWD, including appropriate CEQA review of any potentially significant environmental effects that have not been fully disclosed, analyzed or mitigated in connection with the EIR prepared and certified for this Project. In addition, the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, to the extent feasible, given what is currently known and unknown concerning the design and location of these facilities, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning the construction of water treatment facilities will be less than significant.

Q. Utilities – Wastewater Services.

1. **Exceed Wastewater Treatment Requirements.** (*RDEIR, § 6.21.7.1, pp. 6.21-15 to 6.21-17.*)

(a) **Potential Impact.** The Project could exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, as discussed in the Revised Draft EIR in section 6.21.7.1, at pages 6.21-15 to 6.21-17.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.21-1 The applicant shall prepare and submit to CVWD, SCSD, the County of Riverside and/or the Imperial County Public Works Department, as appropriate, a Wastewater Management Plan (WMP) that provides for the final location, development, and funding mechanisms of the wastewater conveyance infrastructure system and wastewater treatment system associated with development of the entire project. This WMP shall describe and finalize the design parameters and locations of piping necessary to convey wastewater originating within the project site for the specified tract. Each WMP shall also be submitted to the Regional Water Quality Control Board for approval and to ensure that the wastewater

infrastructure conveyance system meets their requirements for collection and treatment of wastewater. The Wastewater Management Plan shall be reviewed and approved by the CVWD and Riverside County for the portion of the project in Riverside County prior to the recordation of any final subdivision map in Riverside County and by the SCSD and Imperial County prior to the recordation of any final subdivision map in Imperial County.

- 6.21-2 Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide wastewater collection and treatment services for the portion of the project site within the Salton Community Service District service area, consistent with the approved Wastewater Management Plan.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning wastewater treatment requirements will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because it will ensure that the wastewater treatment and conveyance system for the Project meets all applicable requirements of the Colorado River Basin RWQCB.

(2) **Remaining Impacts.** Any remaining impacts concerning wastewater treatment requirements will be less than significant.

2. **Cause Substantial Adverse Impacts By Construction of New Wastewater Treatment Facilities.** (*RDEIR, § 6.21.7.2, pp. 6.21-17 to 6.21-23.*)

(a) **Potential Impact.** The Project will require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects as discussed in the Revised Draft EIR in section 6.21.7.2, at pages 6.21-17 to 6.21-23.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.21-3 Prior to building final inspection for the first residential unit and/or commercial unit within the Riverside County portion of the proposed project, the applicant shall execute a Special Agreement, with CVWD to design, permit, construct, operate, and maintain an expandable wastewater treatment plant and nonpotable water storage and distribution system. The agreement shall provide for the initial size of the treatment plant to meet the initial development requirements of the project. The agreement shall provide for the plant to be expanded as the project proceeds to meet the project's full wastewater flow requirements within Riverside County and CVWD jurisdiction (estimated to be 3.0 mgd). Wastewater treatment and reuse facilities are provided for in Planning Area 4-3 or alternately an off-site location as provided for in the Wastewater Master Plan (see Figure 3.0-21). The project applicant shall provide necessary funding for the construction of this facility.
- 6.21-4 The proposed specific plan shall be modified so that a land use overlay designation for a wastewater treatment plant can be located in a planning area within the Imperial County portion of the proposed project. If it is found that an appropriate location cannot be determined for the development of an expandable wastewater treatment plant on the project site, the applicant through a Special Agreement with SCSD shall establish an area off site where a modular wastewater treatment plant could be located and be within the service boundaries of the SCSD. This may require additional CEQA review in the future.
- 6.21-5 The proposed specific plan shall be modified so that prior to building final inspection for the first residential unit and/or commercial unit within the Imperial County portion of the proposed project, the applicant shall execute a Special Agreement providing for SCSD to design, permit, construct, operate, and maintain a modular wastewater treatment plant and nonpotable water storage and distribution system. Such system shall be sized according to the Wastewater Management Master Plan for the portion of the proposed project within Imperial County. The project applicant shall provide necessary funding for the construction of this plant. All wastewater treatment facilities will be creditable toward the facilities component of SCSD's Sanitation Capacity charge for all residential, commercial and industrial structures within the SCSD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project's and its associated effluent.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described

changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning wastewater treatment facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that the wastewater treatment facilities needed to serve the Project will be funded and constructed, and will be subject to review and approval by CVWD and SCSD, including appropriate CEQA review of all potentially significant environmental effects, if any, that were not disclosed, analyzed and mitigated in connection with the EIR that was prepared and certified for this Project. In addition, the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, to the extent feasible, given what is currently known and unknown concerning the design and location of these facilities, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning wastewater treatment facilities will be less than significant.

3. **Cause Inadequate Wastewater Treatment Capacity.** (*RDEIR, § 6.21.7.4, pp. 6.21-24.*)

(a) **Potential Impact.** The Project could result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments, as discussed in the Revised Draft EIR in section 6.21.7.4, at page 6.21-24.

(b) **Mitigation Measures.** 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/Reporting Program.

6.21-2 Prior to building final inspection for the first residential unit and/or commercial unit within the Riverside County portion of the proposed project, the applicant shall execute a Special Agreement, providing for CVWD to design, permit, construct, operate, and maintain an expandable wastewater treatment plant and nonpotable water storage and distribution system that shall be sized to initially accommodate approximately 3.0

mgd. These wastewater treatment and reuse facilities are provided for in Planning Area 4-3 or alternately an off-site location as provided for in the Wastewater Master Plan (see Figure 3.0-21). The project applicant shall provide necessary funding for the construction of this facility. All wastewater treatment facilities will be creditable toward the facilities component of CVWD's Sanitation Capacity charge for all residential, commercial and industrial structures within CVWD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project and its associated effluent.

6.21-3 The proposed specific plan shall be modified so that a land use overlay designation for a wastewater treatment plant can be located in a planning area within the Imperial County portion of the proposed project. If it is found that an appropriate location cannot be determined for the development of an expandable wastewater treatment plant on the project site, the applicant through a Special Agreement with SCSD shall establish an area off site where a modular wastewater treatment plant could be located and be within the service boundaries of the SCSD. This may require additional CEQA review in the future.

6.21-4 The proposed specific plan shall be modified so that prior to building final inspection for the first residential unit and/or commercial unit within the Imperial County portion of the proposed project, the applicant shall execute a Special Agreement providing for SCSD to design, permit, construct, operate, and maintain a modular wastewater treatment plant and nonpotable water storage and distribution system. Such system shall be sized according to the Wastewater Management Master Plan for the portion of the proposed project within Imperial County. The project applicant shall provide necessary funding for the construction of this plant. All wastewater treatment facilities will be creditable toward the facilities component of SCSD's Sanitation Capacity charge for all residential, commercial and industrial structures within the SCSD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project's and its associated effluent.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the adequacy of treatment capacity will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate wastewater facilities to serve the Project will be funded and constructed, and will be subject to appropriate review and approval by CVWD and SCSD.

(2) **Remaining Impacts.** Any remaining impacts concerning the adequacy of treatment capacity will be less than significant.

R. Utilities – Solid Waste.

1. **Exceed Existing Landfill Capacity.** (*RDEIR, § 6.22.7.1, pp. 6.22-18 to 6.22-29.*)

(a) **Potential Impact.** The Project could be served by a landfill with insufficient permitted capacity to accommodate the project's waste disposal needs, as discussed in the Revised Draft EIR in section 6.22.7.1, at pages 6.22-18 to 6.22-29.

(b) **Mitigation Measures.** 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/Reporting Program.

6.22-1 Prior to implementing project approval, a Waste Recycling Plan (WRP) shall be submitted to the appropriate County Waste Management Department or Planning Department for approval. At a minimum the WRP shall identify the materials (e.g., concrete, asphalt, wood, etc.) that would be generated by construction and development, the project amounts, measures/methods that would be implemented to recycle, reuse, and/or reduce the amount of materials, the facilities and haulers that would be utilized, and the targeted recycling or reduction rates to be achieved.

6.22-2 The project proponent shall make every effort feasible to recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete the Riverside County Waste Management Department Construction and Demolition Waste Diversion Program Form B or and Form C process as evidence to ensure compliance. Form B (Recycling Plan) must be submitted and approved by the Riverside County Waste Management

Department and provided to the Department of Building and Safety prior to the issuance of building permits. Form C (Reporting Form) must be approved by the Riverside County Waste Management Department and submitted to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection.

- 6.22-3 Applicant(s) shall dispose of any hazardous wastes, including paint, used during construction and grading at a licensed facility in accordance with local, state, and federal guidelines.

The following mitigation measures shall be implemented during operation:

- 6.22-4 All commercial and residential refuse generated from the proposed project within Riverside County portion of the proposed project shall be delivered to the Coachella Valley Transfer Station or the Edom Hill Transfer Station; any residual waste that these transfer stations could not accept shall be disposed of at the Lamb Canyon Landfill or Badlands Landfill or other locations as determined by the Riverside County Waste Management Department. All commercial and residential refuse generated from the proposed project within the Imperial County portion of the proposed project shall be delivered to Salton City Landfill or other locations as determined by the Imperial County Waste Management Department.
- 6.22-5 The Homeowners Association established for the proposed development shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the HOA shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CC&Rs.
- 6.22-6 Prior to issuance of Building Permits for any multi-unit residential, commercial or industrial facilities, clearance from the Riverside County Waste management Department is needed to verify compliance with California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials.
- 6.22-7 Prior to implementing project approval, applicant(s) shall submit for review and approval landscape plans that provide for the use of xeriscape

landscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning landfill capacity will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that the Project reduces its contribution of refuse to landfills, to the maximum extent feasible, through recycling and reuse programs and requirements, and will ensure that all refuse generated by the Project is delivered to the appropriate transfer station or landfill, as determined by the Riverside County Waste Management Department.

(2) **Remaining Impacts.** Any remaining impacts concerning landfill capacity will be less than significant.

2. **Limit Oasis Landfill Expansion.** (*RDEIR, § 6.22.7.3, pp. 6.22-30 to 6.22-37.*)

(a) **Potential Impact.** The Project could potentially influence solid waste disposal so that there is no expansion capability, or expansion project, or new waste facility that can be approved due to environmental constraints, land use conflicts, or political factors, and thus not able to support the influx of solid waste from the proposed project, as discussed in the Revised Draft EIR in section 6.22.7.3, at pages 6.22-30 to 6.22-37.

(b) **Mitigation Measures.** 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/Reporting Program.

6.22-8 Prior to implementing project approval for Planning Areas 2-17, 2-21, 2-19, and 2-20, the applicant(s) shall provide for a buffer and restrict development adjacent to the active or closed landfill from the Oasis Landfill property line for a distance of a minimum of 1,000 feet and a maximum of 1,320 feet originating at the Oasis Landfill disposal footprint, until the landfill is closed, to provide adequate spacing for monitoring probes, as recommended by the RCWMD and in accordance

with the Southern California Air Quality Management District's Rule 1150.1.

- 6.22-9 Prior to implementing project approval for Planning Areas 2-18 and 2-19, the Oasis landfill shall be closed by the RCWMD in accordance with CalRecycle guidelines for closure with waste in place.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the Oasis Landfill will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adjacent development does not interfere with the continued operation of the Oasis Landfill, until it reaches its permitted capacity or is otherwise closed by RCWMD, and will ensure that any closure is completed consistent with all applicable requirements of SCAQMD and CalRecycle. Furthermore, these measures will ensure that the Project does not interfere with RCWMD's ability to seek to expand operations at the Oasis Landfill in the future, although RCWMD has expressed no present plans to do so.

(2) **Remaining Impacts.** Any remaining impacts concerning the Oasis Landfill will be less than significant.

3. **Disrupt Solid Waste Services.** (*RDEIR*, § 6.22.7.4, pp. 6.22-37 to 6.22-39.)

(a) **Potential Impact.** The Project could cause the existing solid waste services to be significantly disrupted (e.g., natural disasters, land use constraints, political factions), as discussed in the Revised Draft EIR in section 6.22.7.4, at pages 6.22-37 to 6.22-39.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

- 6.22-10 Prior to implementing project approval in Planning Area 2-18, the applicant shall consult with officials from RCWMD and agree on a circulation plan for roads that would be developed around and adjacent to the Oasis Landfill site. Best Management Practices (BMPs) shall be

developed and implemented within the circulation plan for Planning Areas 2-18 and 2-19 to avoid the restricting of roadways around and adjacent to the Oasis Landfill.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning solid waste services will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that the circulation plan for the areas surrounding the Oasis Landfill will not unduly disrupt its operations.

(2) **Remaining Impacts.** Any remaining impacts concerning solid waste services will be less than significant.

S. Utilities – Energy.

1. **Cause Increased Use of Energy.** (*RDEIR, § 6.23.8.1, pp. 6.23-21 to 6.23-25.*)

(a) **Potential Impact.** The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle, including construction, operations, maintenance and/or removal, is discussed in the Revised Draft EIR in section 6.23.8.1, at pages 6.23-21 to 6.23-25.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23-1 Prior to building final, residential and commercial buildings shall be conditioned to participate in any future programs, such as green pricing programs which allow customers to support the development of renewable energy sources by paying a small premium on their electric bills, established by the Imperial Irrigation District. If the district establishes a green pricing program whereby energy generated from renewable resources either exclusively or at a higher proportion may be purchased, the proposed project shall participate in the program. Proof of participation (enrollment) shall be submitted to the Planning Department within 30 days of occupancy

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning energy use efficiencies will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that Project residents and businesses can participate in any green pricing programs that may be developed.

(2) **Remaining Impacts.** Any remaining impacts concerning energy use efficiencies will be less than significant.

2. **Cause Increased Use/Need For Energy Supplies and Transmission Capacity.** (*RDEIR, § 6.23.8.2, pp. 6.23-25 to 6.23-28.*)

(a) **Potential Impact.** The effects of the project on local and regional energy supplies and on requirements for additional capacity are discussed in the Revised Draft EIR in section 6.23.8.2, at pages 6.23-25 to 6.23-28.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23-2 Prior to implementing project approval, the applicant shall submit plans showing the proposed locations of electricity transmission and distribution infrastructure to the Imperial Irrigation District for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning energy supplies and transmission capacity will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that adequate

additional transmission capacity will be constructed, subject to appropriate review and approval by the Imperial Irrigation District.

(2) **Remaining Impacts.** Any remaining impacts concerning energy supplies and transmission capacity will be less than significant.

3. **Cause Increased Electricity Demands.** (*RDEIR, § 6.23.8.3, pp. 6.23-28 to 6.23-30.*)

(a) **Potential Impact.** The effects of the project on peak and base period demands for electricity and other forms of energy are discussed in the Revised Draft EIR in section 6.23.8.3, at pages 6.23-28 to 6.23-30.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23-3 The Travertine Point Specific Plan shall be modified to require the installation, prior to initial building construction, of rooftop solar power generation equipment on all new development when economically feasible and cost competitive. Should more efficient technology become available and economically feasible, that technology may be used in place of rooftop solar power generation equipment. The installation of solar equipment shall be considered feasible and cost competitive when the addition of rooftop solar increases the cost of construction by no more than 5 percent.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning electricity demands will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that additional electricity is generated through rooftop solar panels or other technologies, to partially offset the electricity demands of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning electricity demands will be less than significant.

4. **Transportation Energy Use.** (*RDEIR, § 6.23.8.6, pp. 6.23-32 to 6.23-34.*)

(a) **Potential Impact.** The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives is discussed in the Revised Draft EIR in section 6.23.8.6, at pages 6.23-32 to 6.23-34.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23 Prior to the first implementing project approval for each development phase, the project applicant shall submit a plan for providing local transit services within the project site to the Riverside County Planning Department for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning transportation energy use will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure the provision of transit services to all phases of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning transportation energy use will be less than significant.

V. **Findings Regarding Impacts and Potential Impacts Determined To Be Less Than Significant.**

A. **Aesthetics.**

(1) **Potential Conflict With Riverside County and Imperial County Policies Regarding Community Design.** (*RDEIR, § 6.1.7.7, pp. 6.1-68 to 6.1-75.*)

(a) **Potential Impact.** The Project will establish design guidelines and community standards, as discussed in the Revised Draft EIR, section 6.1.7.7, at pages 6.1-69 to 6.1-75. All of the Specific Plan standards and policies are consistent with Riverside County and Imperial County standards and policies, including in those Counties' General Plans, as explained in the Revised Draft EIR,

at pages 6.1-68 to 6.1-75. Consequently, the potential for any conflict with County policies regarding community design is less than significant.

(b) **Mitigation Measures.** No mitigation is required, because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Specific Plan development standards and required implementation measures would assist in creating a community within the proposed Project that would be consistent with Riverside County and Imperial County policies regarding community design.

(2) Potential conflicts with Riverside and Imperial County General Plans.

(a) **Potential Impact.** The Project Specific Plan establishes community design policies and standards as discussed in the Revised Draft EIR, section 6.1.9, at pages 6.1.-79 to 6.1-96. All of the Specific Plan standards and policies are consistent with the policies, goals and standards in both Counties General Plans. Consequently, the potential for any conflict with either County's General Plans is determined to be less than a significant impact.

(b) **Mitigation.** No mitigation is required, because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the relevant County General Plan policies, goals and standards have been compared to the Specific Plan policies, goals and standards, and have been determined to be consistent. See discussion in Revised Draft EIR, section 6.1.9, at pages 6.1-78 to 6.1-94.

B. Agricultural Resources.

(1) Conflict with existing zoning or Williamson Act contract on and adjacent to the Project site. (*RDEIR*, § 6.2.7.2, pp. 6.2-56 to 6.2-60.)

(a) **Potential Impact.** Part of the Project site, in Riverside County, is currently zoned A-1-10, A-1-20 Light Agricultural Zone (649 acres) and A-2-20 Heavy Agricultural Zone (37 acres). Upon approval of the proposed Specific Plan, the existing zoning designations would be changed to non-agricultural zoning designations. In addition, the northern boundary of the proposed project site is adjacent to zoning designated as A-2-10, A-2-20 Heavy Agricultural Zone, which could result in conflicts with zoning designated under the proposed project.

The proposed Specific Plan contains provisions allowing legal, non-conforming land uses, including farming operations, to continue within and

adjacent to the Project site, as discussed at pages 6.2-56 to 6.2-60. Consequently, there are no conflicts with existing agricultural operations on or adjacent to the Project site.

With respect to Williamson Act contracts, approximately 632.85 acres of the Project site are subject to Williamson Act contracts. The proposed Specific Plan has provisions to allow lands under Williamson Act contracts to continue as such until the Williamson Act contract has been removed by a filing of notice of non-renewal or cancellation.

In addition, there are lands on the Project site designated as agricultural preserves, pursuant to Riverside County Ordinance 509. The Specific Plan would remove the agricultural preserve designation, and the land would no longer be subject to the requirements of Riverside County Ordinance 509.

(b) **Mitigation.** No mitigation is required, because the Project Specific Plan allows for the continuation of existing agricultural operations on and adjacent to the Project site and allows for the continuation of the Williamson Act contracts.

(c) **Findings.** This potential impact is determined to be less than significant because the Specific Plan allows for the continuation of existing Williamson Act contracts, and for other agricultural operations both on the Project site and adjacent to it.

(2) Result in conversion of off-site farmland to non- agricultural uses.

(a) **Potential Impact.** The proposed project site consists of approximately 3,129 acres under agricultural production, much of which would be converted to urban development and non-agricultural uses. The Project site also abuts land to the northwest with active agricultural operations, which will be adjacent to urban uses upon Specific Plan implementation. However, provisions have been established in the proposed Specific Plan which will reduce impacts on adjacent agricultural lands, thus reducing the potential that adjacent lands will be converted to urbanized uses. See discussion in Revised Draft EIR, section 6.2.7.2, at pages 6.2-56 to 6.2-60.

The proposed Project does not involve any other changes, such as the extension of infrastructure into adjacent agricultural lands, which would directly or indirectly cause the conversion of agriculturally active lands – outside the Project site – to urbanized uses. See discussion in Revised Draft EIR, section, at page 6.2-61.

Given the Specific Plan provisions to reduce conflicts with agricultural operations adjacent to the Project site, and the absence of actions to indirectly

place pressure on such agricultural operations, such as the extension of infrastructure into adjacent farmland, the Project's impacts related to the conversion of farmland to non-agricultural uses are deemed less than significant.

- (3) Consistency with Riverside County and Imperial County General Plans regarding agricultural operations. (*RDEIR*, § 6.2.9.1, pp. 6.2-76 to 6.2-92.)

- (a) **Potential Impact.** The proposed Project site consists of approximately 3, 219 acres under agricultural production, much of which would be converted to urban development and non-agricultural uses. The Project site also abuts land to the northwest with active agricultural operations, which would be adjacent to urban uses upon Specific Plan implementation.

The Riverside County General Plan, Eastern Coachella Valley Area Plan and the Imperial County General Plan, contain policies designed to preserve productive agricultural lands, whether due to direct conversion and/or indirect impacts as a result of the encroachment of land uses that are potentially inconsistent with agricultural operations. See Revised Draft EIR, sections 6.2.9.1 to 6.2.9.2, at pages 6.2-76 to 6.2-92. The proposed Project is consistent with the goals and policies stated in Riverside County General Plan, Eastern Coachella Valley Area Plan and Imperial County General Plan, as discussed in the Memorandum from Matt Straite to Carolyn Luna, dated August 25, 2011. Under the goal and policies statements in those documents, conversion of any specific parcel would not necessarily conflict with the overall intent of the Riverside County General Plan and Eastern Coachella Valley Area Plan to preserve productive agricultural operations, while allowing controlled conversion of less productive agricultural lands to other uses. Conversion of the Project site to more urbanized uses would not necessarily cause an overall reduction of agricultural uses in Riverside County, given (1) the amount of non-designated land in the County that is actually in agricultural production and produces higher crop values than those on the Project site; and (2) the extensive areas of designated agricultural land that are currently fallow but are available for active agriculture.

As discussed in the Revised Draft EIR, at pages 6.2-76 to 6.2-77, the agricultural production on the Project site is limited to certain types of crops (approximately 1,272 acres of citrus crops and 665 acres of row crops) because of the poor soil conditions and water supply. These crops have limited economic viability and generally use more water than urban uses. Replacement crops and more efficient irrigation technologies would not be effective because of these limitations. Consequently, the proposed Project would be broadly consistent with the Riverside County General Plan and Eastern Coachella Valley Area Plan in that the current agricultural uses on the Project site are not viable in the long run, and thus would not be able to fulfill the long term objectives of conserving productive agricultural land in Riverside County.

With respect to the Imperial County portion of the Project site, analysis using the Department of Conservation LESA Model, determined that development of the Imperial County portion of the proposed Project site scored a 39.1, which is considered not significant. There is no Prime Farmland on the Imperial County portion of the Project site, and only 266 acres of Unique Farmland.

With respect to active agricultural land on adjacent property to the northwest of the Project site, the Specific Plan would implement measures to provide adequate transitional buffers, to separate residential and commercial uses on the Project site from adjacent ongoing agricultural land uses. See discussion in Revised Draft EIR at page 6.2-79 to 6.2-80.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact, *i.e.*, inconsistency with General Plan policies to preserve productive agricultural land uses, is determined to be less than significant, because the Project is generally consistent with the goals and policies set forth in the Riverside County General Plan, Eastern Coachella Valley Area Plan, and Imperial County General Plan, for the reasons set forth above under Section V.B.3(a)(1). Furthermore, the County specifically finds that the proposed Project, including its General Plan amendment, is consistent with the County General Plan Agricultural Foundation Element's 7% conversion limitation within any 2.5 year cycle, as explained in the Final EIR, at pp. 2.0-54 to 2.0-55, Responses 9-8 to 9-12, and in the Matt Straite Memorandum to Carolyn Luna, dated August 25, 2011.

C. Air Quality.

(1) Consistency with Imperial and Riverside County General Plans. (*RDEIR*, § 6.3.9.1, pp. 6.3-131 to 6.3-143.)

(a) **Potential Impact.** The Riverside County General Plan Air Quality element contains a host of policies that are designed to protect and improve the region's air quality. Development policies are set forth in the Revised Draft EIR, section 6.3.9.1, at pages 6.3-131 to 6.3-143. Similarly, the County of Imperial addresses air quality in the County's West Shores/Salton Sea Urban Area Plan, which also sets forth goals and objectives for the maintenance of air quality in the region. The Riverside County and Imperial County policies are set forth on pages 6.3-131 through 6.3-143 of the Revised Draft EIR, and the project is analyzed with respect to those policies to address its consistency. In each case, the Project is deemed consistent with the relevant policies of the Riverside County General Plan and the Imperial County General Plan, including Imperial County's West

Shores/Salton Sea Urban Area Plan. Generally, the Project would adhere to all applicable rules, regulations and plans for the region, including but not limited to those prepared by: ICAPCD, SCAQMD, Riverside County, Imperial County and SCAG.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the Riverside County and Imperial County General Plans.

(c) **Findings.** This potential impact, potential inconsistency with the Riverside County and/or Imperial County General Plan, is determined to be less than significant because the Project will comply with all applicable policies, rules and regulations with respect to air quality, including but not limited to those established by ICAPCD, SCAQMD, Riverside County, Imperial County and SCAG. In fact, the Project will go beyond the minimum applicable requirements by establishing an integrated community system of trails, bike ways, and pathways, that provide pedestrian and bicycle connections from essential areas, parks, schools and nearby commercial areas. Additionally, the Travertine Point Specific Plan provides a mobility plan that links roadways, trails, and future mass transit stops in an effort to reduce vehicle miles traveled within the valley and to effectively create a live/work environment where residents may use alternative travel modes that are environmentally superior to heavy reliance on traditional automobiles. In doing so, the proposed Specific Plan encourages alternatives modes of travel and thereby improves air quality. The proposed Specific Plan will also facilitate and incentivize the use of NEVs, which is analyzed in the Revised Draft EIR, which will materially reduce vehicle miles traveled by future residence of this Specific Plan area.

With respect to stationary emission sources, the Project will exceed Title XXIV (2008) building standards by 30% for residential uses, and 15% for commercial uses. In addition, the Project's Climate Action Plan embodies a combination of systems, objectives, and ways of implementation for developers and builders to substantially reduce greenhouse gas emissions that would be expected to occur from a development of this magnitude. All of these provisions in the Specific Plan support the County's determination that any potential impact with respect to consistency with the Counties' General Plans, regarding air quality, is less than significant.

With respect to locating Project residents adjacent to the Salton Sea, and its exposed sea playa that generates dust impacts and occasional odor events, the County finds that the impacts upon Project residents are not materially different than those for residents in the region due to prevailing wind patterns and the nature of the playa, *i.e.* the formation of hard crusts. (See discussion in RDEIR, at § 6.3, pp. 6.3-37 to 6.3-73; and 6.3-106 to 6.3-117), and consequently finds the Project consistent with all applicable Riverside and Imperial County policies, including Riverside County policy LU.2.1.

D. Biology.

- (1) Interference with wildlife corridors, or nursery sites. (*RDEIR*, § 6.4.7.4, pp. 6.4-150 to 6.4-159.)

(a) **Potential Impact.** Although the Project contains vegetation communities that provide movement opportunities and nursery sites for native resident wildlife species, which would be destroyed by development of the Project, nevertheless, through the availability of open space areas to the west and south of the Project site and the general availability of open space in the Project vicinity, impacts to wildlife movement and nursery sites across those Project sites, would be considered less than significant.

With respect to operational impacts, the implementation of the Specific Plan could result in indirect impacts to wildlife movement corridors and potential nursery areas adjacent to the Project site. However, due the availability of natural open space lands to the west and south, indirect impacts to wildlife movement/migration areas resulting from operation of the proposed Project site after implementation, would not be considered significant. Similarly, due to the availability of open space in the Project vicinity, operational impacts to wildlife usage of the proposed Project site for nursery sites would be considered less than significant. See Final EIR, pp. 2.0-86 to 2.0-87, Response 11-6. In addition, the Project Specific Plan has been modified to discourage human access to nearby sensitive areas, for example, terminating on-site trails at least 500 feet from Anza-Borrego Desert State Park. See Section III(J) above re Parks and Recreation Findings, and Revised Draft EIR Mitigation Measures 6.16-5 and 6.16-6.

Finally, the entire Project site will be required to pay the applicable MSHCP fees for mitigation of disturbed habitat on the Project site, including on Tribal land and Imperial County lands through the required MOU's between Riverside County, and Imperial County and the Tribe.

(b) **Mitigation.** No further mitigation is required because impacts to wildlife corridors and native wildlife nursery sites resulting from construction and operation of the proposed Project is considered less than significant. But see Section III(I) above, re Parks and Recreation Findings, regarding capacity impacts on park trails and facilities from new residents.

(c) **Findings.** Any potential impact to wildlife movement corridors and nursery sites is determined to be less than significant due to the availability of natural open space lands to the west and south of the Project site and the amount of open space lands in the Project vicinity. Furthermore, mitigation measures imposed for Parks and Recreation impacts, specifically mitigation measures 6.16-5 and 6.16-6, are designed to discourage human/pet intrusion into immediately

adjacent sensitive areas. *See* discussion in Section III(I) above. Section III(I) (Park and Recreation) determines – conservatively – that even with the imposition of feasible mitigation, residual impacts to immediately adjacent park lands, trails and facilities could potentially be significant and unavoidable due to increased population at the Project site. This Biological Finding, however, focuses on the broader open space areas in the general area around the Project site rather than the immediately adjacent border, and determines that there is sufficient open space to allow wildlife movement corridors and nursery areas to shift, without any significant adverse impact. Furthermore, mitigation measures 6.4-1 through 6.4-49 also provide mitigation, including approximately \$30 million in MSHCP fees for off-site acquisition of habitat, that would further mitigate any impacts.

(2) Conflict with local policies or ordinances protecting biological resources. (*RDEIR*, § 6.4.7.5, pp. 6.4-159 to 6.4-164.)

(a) **Potential Impact.** No local policies or ordinances, other than the Coachella Valley MSHCP, discussed in V.D.3 below, with respect to protection of biological resources, apply to the proposed Project site area. *See* discussion in Revised Draft EIR, section 6.4.7.5, at pages 6.4-159 through 6.4-164.

(b) **Mitigation.** No mitigation is required because no local policies or ordinances designed to protect biological resources, other than the Coachella Valley MSHCP discussed below, apply to the proposed Project site area.

(c) **Findings.** This potential impact is determined to be less than significant, with respect to any potential conflict with local policies or ordinances protecting biological resources, because no such local policies or ordinances apply to the proposed Project site area, other than the Coachella Valley MSHCP discussed below, in section V.D.3.

(3) Conflict with the provisions of an adopted Habitat Conservation Plan. (*RDEIR*, § 6.4.7.6, pp. 6.4-164 to 6.4-171.)

(a) **Potential Impact.** The Riverside County portion of the proposed Project site is governed by the Coachella Valley Multi-Species Habitat Conservation Plan ("CVMSHCP"). The Imperial County portion of the Project site is not located within an adopted habitat conservation plan. Although the implementation of the Project will impact lands governed by the CVMSHCP, the Project's mitigation measures are in accordance with the provisions of the CVMSHCP, and consequently, there will be no conflict between implementation of the Project and the adopted CVMSHCP.

With respect to operational impacts from implementation of the proposed Project, the Project's Specific Plan contains requirements that comply with the CVMSHCP's guidelines for minimizing "edge effects" that may include noise,

lighting, drainage, intrusion of people and the introduction of non-native plants and non-native predators, just dogs and cats. *See* discussion in Revised Draft EIR, section 6.4.7.6, at pages 6.4-160 through 6.4-170.

(b) **Mitigation.** No mitigation is required because the impacts are deemed less than significant as the result of the Project's consistency with the requirements of the adopted CVMSHCP, both with respect to construction impacts and operational impacts after Specific Plan implementation.

(c) **Findings.** This potential impact is determined to be less than significant, because the Project and its mitigation measures for "edge effects" on nearby sensitive habitat are in compliance with the adopted CVMSHCP.

(4) **Cumulative Biological Impacts.** (*RDEIR*, § 6.4.8.1, pp. 6.4-171 to 6.4-175.)

(a) **Potential Impact.** Cumulative impacts to biological resources over the life of the Specific Plan build out are likely to be adverse on a project specific basis, but with the implementation of long range planning efforts, such as the adopted CVMSCHP and the Salton Sea Restoration Plan, these impacts are not likely to be cumulatively considerable, and therefore would not be significant. *See* discussion in Revised Draft EIR, section 6.4.8.1, at pages 6.4-171 to 6.4-175. Furthermore, Riverside County, and the Tribe must enter into an MOU applying all mitigation to the entire Project site before any development occurs. (*See* Specific Plan § 3.5.).

For those species not covered by the adopted CVMSCHP, they will receive protection within the conservation areas identified in the Specific Plan in the same manner as the species targeted within the CVMSCHP, since many of these species have similar habitat requirements or preferences. In addition, those species not specifically covered under CVMSCHP, will have their impacts analyzed on a project by project basis, and the individual projects will be required to provide appropriate mitigation.

With respect to cumulative biological impacts associated with the restoration of the Salton Sea, construction activity associated with the cumulative projects is either already completed or would not occur within the footprint of the Salton Sea, where the combined effects of the projects could be magnified. However, construction activities that increase the overall activity in the areas surrounding the Salton Sea could increase the magnitude of impact on biological resources. However, impacts of these cumulative projects on biological resources are generally expected to be minor or mitigated to less than significant level, as related projects in the region comply with Riverside and Imperial County's existing requirements for CEQA compliance and mitigation.

(b) **Mitigation.** The Project will comply with the adopted CVMSCHP designed to address cumulative impacts, and will abide by the guidelines established to reduce "edge effects" with respect to nearby habitat, including restrictions on noise, lighting, drainage, intrusion of people, and the introduction of non-native plants and non-native predators, such as dogs and cats.

In addition, with respect to tribal land, the Riverside County portion of the Project may not be implemented until the tribe has adopted the Specific Plan and the mitigation measures associated with the Revised Draft EIR, as part of a Memorandum of Understanding with the County, thereby ensuring that cumulative mitigation measures, such as payment of the CVMSCHP fee, will apply to tribal land. See § IV(B)(1) herein.

With respect to that part of the Project in Imperial County, cumulative biological impacts are determined to be less than significant because large areas of the Project site within Imperial County will remain undeveloped natural open space after project implementation. Other areas that will be disturbed, have already been repeatedly disturbed by existing agricultural operations and/or are of marginal habitat value. It is also anticipated that Imperial County will impose project specific mitigation measures if and when tract maps are ultimately submitted for approval in the latter phases of Specific Plan build out, *i.e.*, between 2030 and 2040, as part of project specific CEQA compliance. Furthermore, the Project has been conditioned to prohibit any grading on the Imperial County portion of the Project site until Imperial County has adopted a MSHCP fee to address cumulative impacts or its equivalent in terms of on-site and off-site habitat preservation. See § IV(B)(1) herein, and Mitigation Measure 6.4-24. With respect to challenges to the County's methodology in assessing cumulative impacts, see § VIII(C) below.

(c) **Findings.** This potential impact is determined to be less than significant because of the reasons stated above, including but not limited to the required payment of CVMSHCP fees on the entire Project site in Riverside County, the current disturbed condition of the Imperial County portion of the Project site, and the requirement of future CEQA compliance on the Imperial County portion when it is scheduled to be developed in Phase V, between 2030 and 2040.

(5) Consistency with Riverside and Imperial County General Plans. (*RDEIR*, § 6.4.9.1, pp. 6.4-175 to 6.4-183.)

(a) **Potential Impact.** The Riverside County General Plan Multipurpose Open Space Element contains a number of goals, objectives, and policies that are intended to provide for the conservation, preservation, and reservation of natural resources, including for biological resources. See discussion in Revised Draft EIR, section 6.4.9.1, at pages 6.4-175 to 6.4-183. The

proposed Project is consistent with each of the Riverside County Open Space Policies set forth at page. 6.4.175 to 6.4-177, because the Project and the mitigation measures imposed upon the Project are consistent with the County of Riverside's goals to preserve natural resources, including biological resources.

With respect to Imperial County's General Plan, its Open Space Element also identifies goals and policies to encourage the managed use of environmental resources, while encouraging economic development and growth. Large portions of the natural habitats located in the southern portion of the proposed project site, within Imperial County, will remain undeveloped natural open space. The proposed project addresses the need to properly manage scarce resources by providing mitigation for impacts to such sensitive resources, and thus is consistent with the goals provided in the Imperial County General Plan.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the goals and policies stated in the Riverside County and Imperial County General Plans with respect to impacts upon biological resources.

(c) **Findings.** This potential impact, *i.e.*, potential inconsistency with policies in the Riverside County and Imperial County General Plans, is determined to be less than significant, because the Project's restrictions on development in the Specific Plan and compliance with mitigation measures imposed, is consistent with the biological resources protection measures in the Riverside County and Imperial County General Plans.

E. Cultural Resources.

(1) **Cumulative Impacts Upon Cultural Resources and Paleontological Resources.** (*RDEIR, § 6.5.8.1, pp. 6.5-67 to 6.5-68.*)

(a) **Potential Impact.** Cumulative impacts upon cultural resources tend to be site specific and are assessed on a site-by-site basis as future projects are proposed. Where such resources exist, build out of the Project site, together with other development in Riverside and Imperial Counties and the region, would result in an incremental adverse impact to cultural resources. In this case, the cumulative impact would be to unknown historic resources. However, provided that proper mitigation, as defined by State CEQA Guidelines Section 15126.4(b) is implemented in conjunction with cumulative development in the area, no significant cumulative impacts are anticipated with future projects. *See* discussion in Revised Draft EIR, section 6.5.8.1, at pages 6.5-67 to 6.5-68.

(b) **Mitigation.** No additional mitigation is required because cumulative impacts to cultural resources and paleontological resources are deemed to be less than significant.

(c) **Findings.** This potential impact, *i.e.*, cumulative impacts to cultural and paleontological resources, is deemed to be less than significant because impacts to such resources tend to be site specific rather than cumulative, and it is anticipated that future projects in the region will comply with the same mitigation measures imposed upon this Project, including those defined by State CEQA Guideline Section 15126.4(b).

(2) Consistency with the Riverside County and Imperial County General Plans. (*RDEIR*, § 6.5.9.1, pp. 6.5-68 to 6.5-73.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans contain policies designed to protect cultural resources, which could be potentially impacted by the implementation of the proposed Project. *See* discussion in Revised Draft EIR, sections 6.5.9.1 and 6.5.9.2, at pages 6.5-68 to 6.5-73. The proposed Project is consistent with policies set forth in both Counties' General Plans in that the proposed Project includes a 152-acre area in the northern portion of the TMDCI Reservation land planned to be maintained as a cultural preserve and living desert, which is designed to protect significant archeological artifacts known to be present. The Specific Plan also includes Open Space-Conservation land use designations, which generally prohibit structures in such areas, with limited exceptions for example, facilities related to health and safety.

With respect to historic structures, there are no historic buildings located on the Project site.

Furthermore, the proposed Project has undertaken intensive surveys of representative portions of the Project site, approximately 1,836 acres of the total project acreage, to assess potential cultural resources impacts. Various protective features of the Project's Specific Plan with respect to cultural resources ensure that the Project is consistent with both Counties' General Plans.

(b) **Mitigation.** No further mitigation is required, for the reasons explained above.

(c) **Findings.** This potential impact, *i.e.*, consistency with General Plan policies with respect to cultural resources, is determined to be less than significant, because provisions in the Project Specific Plan protect cultural resources in a manner consistent with the Counties' General Plan policies, and the Project does not contain any known historical buildings.

F. **Geology and Soils.**

- (1) Expose people/structures to known earthquake fault. (*RDEIR*, § 6.6.7.1, pp. 6.6-35 to 6.6-36.)

(a) **Potential Impact.** Surface rupture on the Project site can result in the loss, injury or death of construction personnel during construction and residents, visitors and employees after implementation of the Project. However, the Project is not located within an earthquake fault zone, and therefore the risk of surface rupture on the Project site is deemed to be less than significant. See discussion in Revised Draft EIR, section 6.6.7.1, at pages 6.6-35 to 6.6-36.

(b) **Mitigation.** No mitigation measures are required because the Project is not located within an earthquake fault zone.

(c) **Findings.** This potential impact, *i.e.*, exposure to an earthquake fault zone is determined to be less than significant because the Project site is not located within an earthquake fault zone.

- (2) Improper soils for septic tanks or alternative wastewater systems. (*RDEIR*, § 6.6.7.8, p. 6.6-53.)

(a) **Potential Impact.** The Project does not use septic tanks and will include construction of a sanitary sewer system. Therefore, impacts would be less than significant. See discussion in Revised Draft EIR, section 6.6.7.8, at page 6.6-53.

(b) **Mitigation.** No mitigation measures are required because the Project does not use septic tanks.

(c) **Findings.** This potential impact is determined to be less than significant because the Project does not use septic tanks and because the Project is going to install a sewer system.

- (3) Cumulative Geology and Soils Impacts. (*RDEIR*, § 6.6.8.1, pp. 6.6-56 to 6.6-57.)

(a) **Potential Impact.** General impacts related to geotechnical conditions are site specific, and in this case would be limited to areas near the development boundaries of the Project site. Buildings and facilities proposed under the Project Specific Plan are required to be sited, designed, and constructed in accordance with geotechnical, geologic, and seismic building codes. Future related projects would also be expected to mitigate their respective impacts to a less than significant level with the implementation of site-specific/project-specific mitigation as set forth in their respective soils and geotechnical reports.

Therefore, the contribution to cumulative geological and soils impacts are less than significant. See discussion in Revised Draft EIR, section 6.6.8, at pages, 6.6-56 and 6.6-57.

(b) **Mitigation.** No further mitigation is required to mitigate cumulative impacts to geology and soils.

(c) **Findings.** This potential impact, *i.e.*, cumulative impacts with respect to geology and soils impacts, is determined to be less than significant for the reasons set forth on pages 6.6-56 to 6.6-57 of the Revised Draft EIR, including but not limited to the fact that impacts related to geotechnical conditions are generally site specific.

(4) Consistency with Riverside and Imperial County General Plans. (*RDEIR*, § 6.6.9.1, pp. 6.6-57 to 6.6-63.)

(a) **Potential Impact.** The safety element in the Riverside County General Plan and the Seismic and Public Safety element in the Imperial County General Plan contain policies, goals and objectives designed to minimize potential impacts from earthquakes and other soils related issues. See discussion in Revised Draft EIR, sections 6.6.9.1 and 6.6.9.2, at pages 6.6-57 to 6.6-63. The analysis set forth in the Revised Draft EIR demonstrate that the Project is consistent with the General Plan policies set forth on those pages for several reasons, including but not limited to, the fact that geotechnical investigations have been conducted through a representative portion of the Project site to address various issues, including potential liquefaction. Thus, Specific Plan requirements and applicable mitigation measures ensure that the Project will be developed in a manner that is consistent with the goals, objectives and policies set forth in the Riverside County and Imperial County General Plans. Consequently, any potential impacts from inconsistency is less than significant.

(b) **Mitigation.** No further mitigation is required, for the reasons explained above.

(c) **Findings.** This potential impact, *i.e.*, potential inconsistency with the Counties' General Plans, is determined to be less than significant because the proposed Specific Plan, and the mitigation measures imposed upon implementation of the Project, are consistent with the goals, policies and objectives set forth in the Counties' respective General Plans.

G. Hazards and Hazardous Materials.

- (1) Potential release of hazardous substances during construction. (*RDEIR*, § 6.7.7.2, pp. 6.7-34 to 6.7-35.)

(a) **Potential Impact.** During construction, hazardous building materials, such as asbestos, lead, PCBs, and other substances, would be removed from the Project site. The release of any of these substances into the environment during demolition could constitute a significant hazard to construction personnel and occupants of previously built out portions of the Project site. However, with compliance with state and federal regulations, these hazardous materials can be handled in a safe manner and would not be released into the environment during demolition. Therefore, any potential impact is deemed to be less than significant. With respect to Imperial County, no known structures are located on the Imperial County portion of the Project site, and therefore there is no potential impact. See discussion in Revised Draft EIR, section 6.7.7.2, at pages 6.7-34 to 6.7-35.

(b) **Mitigation.** No mitigation is required because compliance with applicable state and federal regulations would ensure that there would be no hazardous release during the demolition and removal process from the Project site.

(c) **Findings.** This potential impact, *i.e.*, the release of hazardous building materials during the construction process, is determined to be less than significant, because compliance with applicable state and federal regulations would ensure that no such release would occur.

- (2) Emit hazardous substances near a school site during construction. (*RDEIR*, § 6.7.7.3, pp. 6.7-40 to 6.7-43.)

(a) **Potential Impact.** There are no existing school sites located on or within 0.25 miles of the Project site. Therefore construction activities, including demolition of structures containing hazardous substances, would not result in the release of hazardous emissions within 0.25 miles of an existing school. The Project does involve the construction of new school sites, however, which could be within 0.25 miles of demolition activities. However, compliance with state and federation regulations with respect to demolition of existing structures would ensure that these substances will be removed by licensed professionals in accordance with applicable regulations. Therefore, any potential impact would be less than significant.

With respect to Imperial County, no existing school sites are located on or within 0.25 miles of the Imperial County portion of the site, nor are any new schools proposed within the Specific Plan area within Imperial County. Consequently, impacts within Imperial County would be less than significant.

See discussion in Revised Draft EIR, section 6.7.7.3, at pages 6.7-40 to 6.7-41. Note that operational impacts, after Specific Plan implementation, are deemed to be potentially significant until mitigated, and therefore are discussed in Section IV(E) of these Findings.

(b) **Mitigation.** No mitigation is required with respect to construction-related emissions for the reasons described above.

(c) **Findings.** This potential impact is determined to be less than significant because compliance with state and federal regulations will ensure that no hazardous substances are released during the demolition process.

(3) Location of project on a hazardous materials site. (*RDEIR*, § 6.7.7.4, pp. 6.7-43 to 6.7-44.)

(a) **Potential Impact.** There are several sites in the project area, including one on the Project site, that are listed on a hazardous materials site list. These sites include a World War II era bomb target site, identified within the Salton Sea approximately two miles east of the Project site. However, it is determined that no listed sites, identified pursuant to Government Code Section 65962.6, would create a hazard to occupants on the Project site. Consequently, impacts are deemed less than significant. See discussion in Revised Draft EIR, section 6.7.7.4, at pages 6.7-42 to 6.7-44.

(b) **Mitigation.** No mitigation is required because none of the sites identified has a potential to cause a significant impact upon future project residents.

(c) **Findings.** This potential impact is determined to be a less than significant impact because the proposed Project includes a buffer zone between the on-site landfill and any project residences. In addition, off-site hazardous materials sites are of a sufficient distance, at least one mile from the Project boundary, so as not to pose a significant risk to project residents and employees.

(4) Location within an airport land use plan. (*RDEIR*, § 6.7.7.5, pp. 6.7-44 to 6.7-45.)

(a) **Potential Impact.** The Project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Consequently, there is no significant impact with respect to this issue. See discussion in Revised Draft EIR, section 6.7.7.5, at page 6.7-44.

(b) **Mitigation.** No mitigation is required because the Project is not located within an airport land use planning area.

(c) **Findings.** This potential impact is, *i.e.*, location within an airport land use plan area, is determined to be a less than significant because the Project is not located in such an area.

(5) Located within close proximity to a private airstrip. (*RDEIR*, § 6.7.7.6, pp. 6.7-45.)

(a) **Potential Impact.** The Project site is not located within the vicinity of a private airstrip, and consequently, hazards associated with aircraft are not anticipated to occur during construction or operation of the proposed Project. *See* discussion in Revised Draft EIR, section 6.7.7.6, page 6.7-45.

(b) **Mitigation.** No further mitigation is required for the reasons explained above.

(c) **Findings.** This potential impact is determined to be a less than significant because the Project is not located within the vicinity of a private airstrip.

(6) Impair implementation of an emergency response plan. (*RDEIR*, § 6.7.7.7, pp. 6.7-46 to 6.7-47.)

(a) **Potential Impact.** The existing emergency response plans that apply to the Project site are the Riverside County Multi-Hazard Functional Plan and the Imperial County OAEOP. Implementation of the proposed Project would not involve interference with any roadways or highways that would be required for an emergency response plan. Therefore, construction of the proposed Project would not impair implementation of, or physically interfere with, the adopted emergency response plans identified above. Consequently, impacts would be less than significant. Furthermore, with respect to operational impacts, after the Project is implemented, compliance with applicable Riverside County and Imperial County requirements would ensure that any potential impact is reduced to less a less than significant level.

(b) **Mitigation.** No mitigation is required because the Project does not interfere with or hinder implementation of any emergency response plans.

(c) **Findings.** This potential impact is determined to be a less than significant because the Project does not interfere with or hinder either the Riverside County or Imperial County emergency response plans.

(7) Expose people or structures to wildland fire risk. (RDEIR, § 6.7.7.8, pp. 6.7-47 to 6.7-48.)

(a) **Potential Impact.** Given the fact that the proposed project site is located within a low wild fire susceptibility zone, and given the fact that the Project includes various measures to address the potential for wild fires, including various brush clearance requirements, impacts related to wild fires are deemed to be less than significant. See discussion in Revised Draft EIR, section 6.7.7.8., at pages 6.7-47 to 6.7-48.

(b) **Mitigation.** No additional mitigation is required because potential wildland fire impacts are less than significant as described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is located in a low wildfire susceptibility zone, and compliance with applicable Riverside and Imperial County requirements will ensure that various wildfire management practices, including brush clearance, would reduce any potential risk to a less than significant level.

(8) Cumulative Hazard Impacts. (RDEIR, § 6.7.8.1, pp. 6.7-55 to 6.7-56.)

(a) **Potential Impact.** Hazard impacts usually occur on a project specific level, rather than a cumulative basis. The proposed Project itself would not create a significant hazard to the public or environment and would comply with regulatory controls to abate any on-site hazards. All related projects would be required to abate on-site hazards prior to construction that comply with adopted emergency response and evacuation plans. Consequently, cumulative hazard impacts are deemed to be less than significant. See discussion in Revised Draft EIR, section 6.7.8.1, at pages 6.7-55 to 6.7-56.

(b) **Mitigation.** No additional mitigation is required for the reasons set forth above.

(c) **Findings.** This potential impact, relating to cumulative hazards impact, is determined to be a less than significant because hazards impacts typically occur on a project-by-project basis, rather than a cumulative basis, and the proposed Project and nearby related projects, will be required to comply with Riverside County and Imperial County standards for the abatement of hazards prior to construction and with respect to emergency response and evacuation plans.

- (9) Consistency with Imperial and Riverside County General Plans. (*RDEIR*, § 6.7.9.1, pp. 6.7-56 to 6.7-59.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans contain policies, goals and objectives to address the potential release of hazardous substances and the risk of wild fire hazards. See discussion in Revised Draft EIR, section 6.7.9.1 to 6.7.9.2, at pages 6.7-56 to 6.7-59. The Project is consistent with the policies, goals and objectives set forth in the Revised Draft EIR, and consequently, any potential impact is determined to be less than significant.

(b) **Mitigation.** No additional mitigation is required because any potential impact with respect to consistency with both Counties' General Plans is determined to be less than significant for the reasons set forth above.

(c) **Findings.** This potential impact, *i.e.*, potential inconsistency with either Counties' General Plans, is determined to be less than significant because the Project would be constructed consistent with applicable building and fire codes of Riverside and Imperial Counties, and buffers will surround the Oasis Sanitary Landfill to the extent that it continues in operation during Project implementation.

H. Hydrology and Water Quality.

- (1) Substantially interfere with groundwater recharge. (*RDEIR*, § 6.8.7.2, pp. 6.8-59 to 6.8-62.)

(a) **Potential Impact.** The Coachella Valley Water Management Plan ("CVWMP"), shows the total water demand from all uses in the Coachella Valley, including agricultural, was 668,900 acre-feet per year in 1999, is projected to increase 723,00 acre-feet by 2015, and may reach 890,000 acre-feet by 2035. The proposed Project has been designed to maximize the infiltration of on-site generated runoff by incorporating design concepts that promote infiltration of stormwater runoff facilitating recharge of the aquifer. The Project would have design features, such as vegetated open channels or grass swales, that further promote infiltration of generated runoff. In addition, the proposed Project provides over 1,486 acres of open space in undeveloped land. These areas represent approximately 30% of the Project site, and will provide for groundwater recharge. Based upon the foregoing, and the discussion set forth in the Revised Draft EIR, section 6.8.7.2, at pages 6.8-59 to 6.8-62, the Project's impacts with respect to groundwater recharge are determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the Project does not have a significant impact, with respect to interfering with groundwater recharge.

(c) **Findings.** The potential impact with respect to groundwater recharge is determined to be less than significant for the reasons set forth above, including but not limited to project design features that will facilitate recharge of the aquifer.

(2) Substantially alter an existing drainage pattern. (*RDEIR*, § 6.8.7.3, pp. 6.8-73 to 6.8-77.)

(a) **Potential Impact.** The Project site was historically used for various agricultural uses. Implementation of the proposed Project will result in the alteration of the site's use and will introduce additional asphalt, concrete, and other impervious surfaces that do not currently exist on site. The drainage plan for the proposed Project provides for four major channel systems, that will convey stormwater flows from west to east across the project site for discharge into the Salton Sea. The proposed drainage systems would not alter upstream flood patterns within watersheds that contribute flows to the Project site and off-site drainage characteristics would remain unchanged after project build out. The proposed Project would construct flood control facilities in locations that would incorporate the existing drainage characteristics, rather than modifying off-site drainage patterns. Consequently, the Project is not anticipated to have an adverse effect on off-site drainage conditions, and the on-site drainage system is expected to be an adequate method of stormwater conveyance through the life of the Project. Therefore, both on-site and off-site flooding impacts are determined to be less than significant, as discussed in the Revised Draft EIR, section 6.8.7.4, at pages 6.8-73 to 6.8-77.

(b) **Mitigation.** No mitigation is required with respect to this potential impact for the reasons set forth above.

(c) **Findings.** This potential impact, *i.e.*, alteration of an existing drainage pattern resulting in flooding on or off-site, is determined to be less than significant, as explained above. The Project's drainage plan ensures that the proposed drainage system would not alter upstream flood patterns within watersheds that contribute flows to the Project site, and off-site drainage characteristics would remain unchanged. Expert analysis indicates that the proposed on-site stormwater conveyance system would not result in on-site flooding because the system incorporates existing drainage characteristics and would comply with CVWD and Riverside and Imperial County requirements for management of 100-year storm flows.

(3) Exceed existing or planned stormwater drainage capacity. (*RDEIR*, § 6.8.7.5, p. 6.8-77.)

(a) **Potential Impact.** Expert analysis indicates that the proposed on-site stormwater conveyance system would not result in on-site flooding because

the system incorporates existing drainage characteristics and would comply with CVWD and Riverside and Imperial County requirements for management of 100-year storm flows. Additional expert analysis will be required as the proposed Project is built out, to ensure that the system would effectively convey stormwater flows. However, based upon the preliminary expert analysis, the impacts are determined to be less than significant. Moreover, the proposed Project would not provide substantial sources of polluted runoff, and impacts related to water quality are determined to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.5, at page p. 6.8-77.

(b) **Mitigation.** No further mitigation is required because the impact has been determined to be less than significant, as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed on-site stormwater conveyance system would not result in on-site flooding, for the reasons explained above, and because the proposed project does not provide substantial sources of polluted runoff after implementation of the requirements set forth in the Specific Plan and in County Conditions of Approval.

(4) Otherwise substantially degrade water quality. *RDEIR, § 6.8.7.6, pp. 6.8-77 to 6.8-78.*)

(a) **Potential Impact.** Impacts to water quality are discussed in Revised Draft EIR section 6.8.7.1. The reduction in agricultural operations on the Project site will benefit water quality by reducing nitrate, total dissolved solids and nutrient loads, thus improving the long-term quality of the underlying groundwater basin and surrounding surface waters, including the Salton Sea.

During construction of the proposed Project, the project proponent would be required to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board (SWRCB) General Permit for construction activities requirements. After construction is completed, the project site will be required to comply with the County's requirements for new development. As a result, impacts to water quality are determined to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.6, at pages 6.8-77 to 6.8-78).

(b) **Mitigation.** No further mitigation is required to mitigate this impact to a less than significant level, for the reasons set forth above.

(c) **Findings.** This potential impact, degradation of water quality, is determined to be less than significant, in part because the reduction in agricultural operations on the Project site will, in fact, improve water quality. Furthermore,

the Project will comply with all state and federal water pollution prevention control requirements thereby ensuring that any impact is less than significant.

(5) Place housing within a 100-year flood hazard area. (*RDEIR*, § 6.8.7.7, pp. 6.8-78 to 6.8-79.)

(a) **Potential Impact.** The Project will place housing within a 100-year flood hazard area, as determined by FEMA, effective August 28, 2008. However, the proposed drainage system is designed to adequately detain and convey 100-year storm flows in accordance with CVWD and the Riverside and Imperial County requirements. Consequently, impacts are deemed to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.7, at pages 6.8-78 to 6.8-79.

(b) **Mitigation.** No mitigation measures are required because the proposed drainage system, set forth in the Specific Plan, is designed to adequately detain and convey 100-year storm flows in accordance with CVWD, Riverside County and Imperial County requirements, and expert analysis confirms that the proposed drainage system will do so.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed drainage system is designed to adequately convey 100-year storm flows in accordance with CVWD, Riverside County and Imperial County requirements.

(6) Impede or redirect flood flows. (*RDEIR*, § 6.8.7.8, pp.6.8-79 to 6.8-80.)

(a) **Potential Impact.** The proposed Project would place structures within a 100-year flood hazard areas mapped on a FEMA map, however, the Project includes a drainage master plan designed to convey flows without substantial modification to existing off and on-site drainage conditions. The proposed drainage systems are also designed to adequately detain and convey 100-year storm flows in accordance with CVWD, Riverside and Imperial County requirements. Since stormwater would be conveyed within the proposed drainage system to the Salton Sea, the proposed structures would not impede or redirect flood flows. Consequently, impacts are deemed less than significant. See discussion in Revised Draft EIR, section 6.8.7.8, at pages 6.8-79 to 6.8-80.

(b) **Mitigation.** No mitigation is required because the Project's proposed drainage system is designed to avoid any substantial impedance or redirection of flood flows on or off the Project site.

(c) **Findings.** This potential impact is determined to be less than significant because the Project includes a master drainage plan designed by

experts to convey flows, without substantial modification to existing off and on-site drainage conditions.

(7) Potential failure of a levee or dam. (*RDEIR, § 6.8.7.9, p. 6.8-80.*)

(a) **Potential Impact.** The Project is not located within a levee or dam inundation zone in either Riverside or Imperial County. Consequently, the proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding as the result of a failure of a levee or dam. *See discussion in Revised Draft EIR, section 6.8.7.9, page 6.8-80.*

(b) **Mitigation.** No mitigation is required because the Project is not located in the vicinity of a dam or levee, which might expose people or structures to a significant risk of loss or injury, as a result of a failure of a levee or dam.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located within a dam or levee inundation zone that might expose residents or structures of a risk of loss, injury or death.

(8) Experience inundation by seiche, tsunami or mudflow. (*RDEIR, § 6.8.7.10, pp. 6.8-80 to 6.8-81.*)

(a) **Potential Impact.** While it is possible that a large earthquake could result in a seiche at the Salton Sea, the likelihood of such an event is very low. First, the magnitude of an earthquake producing a seiche would have to be extremely high. The risk of such high magnitude earthquake is considered very low. Second, the Salton Sea is not of a depth or size that is typically associated with a seiche or tsunami. *See discussion in Revised Draft EIR, section 6.8.7.10, at pages 6.8-80 to 6.8-81.*

Finally, with respect to mudflows, the adjacent mountain slopes are composed of rock, rather than dirt or sand. Consequently, the risk of a mudflow impacting the Project site is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is not located in a location that is likely to experience a seiche, tsunami or mudflow impacts.

(c) **Findings.** This potential impact is determined to be less than significant because the likelihood of a seiche or tsunami event is very low, and the topography in and around the Project site is not conducive to mudflows.

(9) Create runoff exceeding the capacity of the stormwater drainage system. (RDEIR, § 6.8.7.11, p. 6.8-81.)

(a) **Potential Impact.** Preliminary expert analysis indicates that the stormwater drainage plan would effectively convey stormwater flows to the Project site to the Salton Sea, and would not exceed the system's planned capacity. Consequently, the impact is deemed less than significant. See discussion in Revised Draft EIR, section 6.8.7.11, at page 6.8-81.

(b) **Mitigation.** No mitigation is required because the Project's drainage system has been designed to avoid any exceedance in its capacity.

(c) **Findings.** This potential impact is determined to be less than significant because the Project's stormwater drainage system has been designed to avoid any exceedance in the necessary capacity, as explained in the Revised Draft EIR, at page 6.8-81.

(10) Damage unique hydrologic characteristics. (RDEIR, § 6.8.7.12, pp. 6.8-82 to 6.8.84.)

(a) **Potential Impact.** The Project's proposed drainage system would not alter upstream flood patterns within watersheds that contribute flows to the Project site and off-site drainage characteristics would remain unchanged after Project build out. Furthermore, the proposed Project would construct flood control facilities in locations that would incorporate the existing drainage characteristics rather than modifying off-site drainage patterns. Additionally, the proposed drainage plan would convey flows across the Project site through engineered channels located in areas consistent with current drainage patterns. Consequently, the impact is determined to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.12, at pages, 6.8-82 to 6.8-84.

(b) **Mitigation.** No mitigation measures are required because the Project's design features, as described above, and as more fully set forth at pages 6.8-82 through 6.8-84 of the Revised Draft EIR, demonstrate that any potential impact would be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because various design features in the Project Specific Plan ensure that unique hydrologic characteristics will not be damaged, and further ensure that there will not be changes to unique hydrologic baseline conditions over an extensive area.

(11) **Cumulative Hydrology and Water Quality Impacts.** (*RDEIR, § 6.8.8.1, pp. 6.8-84 to 6.8-86.*)

(a) **Potential Impact.** The proposed Project, along with other past, present and reasonably foreseeable future projects in both Riverside and Imperial Counties could potentially have cumulative impacts on flood flows and water quality. However, development within both Counties must obtain coverage under the National Pollutant Discharge Elimination System permit for stormwater discharges, issued by the Regional Water Quality Control Board. The County currently reviews all plans and developments to ensure compliance with the permit's requirements. With respect to water quality, the Project and each related Project are required to comply with the NPDES permit requirements and local regulations designed to prevent polluted runoff from entering local storm drain systems and receiving water bodies during construction and after build out. Consequently, the cumulative impact to water quality would be less than significant. *See discussion in Revised Draft EIR, section 6.8.8.1, at pages 6.8-84 to 6.8-86.* The various other potential cumulative impacts, with respect to hydrology and water quality, are discussed in the Revised Draft EIR, at the pages indicated above.

(b) **Mitigation.** No mitigation measures are required because the Project's cumulative impacts, with respect to hydrology and water quality, are determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project and related Projects would be required to comply with the existing NPDES permit, the County currently reviews all plans and developments for compliance with that existing permit, and the Project is designed to convey flood flows through the Project site without materially altering either on-site or off-site flows.

(12) **Consistency with Revised Draft EIR and Imperial County General Plans.** (*RDEIR, § 6.8.9.1, pp. 6.8-86 to 6.8-96.*)

(a) **Potential Impact.** The Riverside County General Plan contains several policies relative to water supply, water quality, groundwater resources and floodplain management. The Imperial County General Plan also includes goals and policies designed to address water supply and water quality. *See discussion in Revised Draft EIR, sections 6.8.9.1 and 6.8.9.2, at pages 6.8-86 to 6.8-96.* The Project has been designed to be consistent with the policies set forth by Riverside County and Imperial County on the above-referenced pages, and therefore any potential inconsistency impact is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals, and objectives set forth in the Riverside

County and Imperial County General Plans with respect to hydrology and water quality.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the goals, policies and objectives of the Riverside County and Imperial County General Plans.

I. Land Use and Planning.

(1) **Physically Divide an Established Community.** (*RDEIR, § 6.9.7.1, p. 6.9-35.*)

(a) **Potential Impact.** The proposed Project does not contain any features that would physically divide an established community. To the contrary, the Project contains an underpass connecting the Project site that is currently bisected by SR 86S, thus enhancing connectivity over the existing condition. Consequently, any potential impact is deemed less than significant, and actually net beneficial. *See* discussion in Revised Draft EIR, section 6.9.7.1, page 6.9-35.

(b) **Mitigation.** No mitigation is required because the Project does not contain any features that would physically divide an established community.

(c) **Findings.** This potential impact is determined to be less than significant because the Project does not contain any features that would physically divide an existing community. To the contrary, the Project better connects the existing Project site, which is currently bisected by SR 86S.

(2) **Conflict with any applicable land use plan, which mitigates an environmental effect.** (*RDEIR, § 6.9.7.2, pp. 6.9-35 to 6.9-40.*)

(a) **Potential Impact.** The Project will require changes to the various land use plans of Riverside County, Imperial County and the TMDCI, and would be zoned Specific Plan by both Riverside and Imperial County General Plans. The TMDCI would include the proposed Project land use designations as part of their General Plan update. To accomplish this, the Project applicant requests approval of a General Plan amendment, including amendment of the East Coachella Valley Area Plan, in Riverside County, a General Plan Amendment, including amendment of the West Shores/Salton City Urban Area Plan, for Imperial County, and incorporation of the Specific Plan into the Tribal General Plan for those portions of the Specific Plan Area under the jurisdiction of the TMDCI. *See* discussion in Revised Draft EIR, section 6.9.7.2, at pages 6.9-35 to 6.9-40. With approval of the requested discretionary actions, the Project would be consistent with the Riverside County and Imperial County General Plans. Specifically, the Project's consistency with the Land Use element of the Riverside County General Plan is discussed in subsection 6.9.9.1 of the Revised Draft EIR.

Although the Project would result in changes in the land use designations and zoning, the Project is considered to be consistent with the goals and policies of the Riverside County General Plan.

With respect to the Eastern Coachella Valley Area Plan, the proposed Project would develop 1,350 residential units by 2020, based on current absorption projections and current market conditions, which is less than what could be developed within the Project site under existing land uses. Consequently, the Project is consistent with the Eastern Coachella Valley Area Plan.

With respect to agricultural land conversion, the Project is consistent with County policies regulating such conversions, as discussed in the agricultural section of the Revised Draft EIR and in section V(B)(3) of these Findings. *See also* Memorandum of Matt Straite to Carolyn Luna, further explaining the Project's consistency with General Plan policies, dated August 25, 2011.

With respect to the Imperial County General Plan, with approval of the requested discretionary actions, the Project would be consistent with the Imperial County General Plan, as discussed in subsection 6.9.9.2 of the Revised Draft EIR. Although the Project's approval would change existing land use designations on the Project site, approval of the Project would not conflict with the general goals and policies of the Imperial County General Plan.

With respect to the TMDCI, approval of the requested discretionary actions would be consistent with the TMDCI land use designations and zoning for the Project site.

With respect to the Coachella Valley Multi-Species Habitat Conservation Plan, the Project would comply with the land adjacency guidelines, and consequently, impacts would be less than significant. *See* discussion in Revised Draft EIR at page 6.9-43.

(b) **Mitigation.** No mitigation is required because the impact of the Project is less than significant with respect to potential conflicts with existing land use plans applicable to the Project site, after the discretionary actions requested are approved.

(c) **Findings.** This potential impact is determined to be less than significant because the Project as proposed is not in conflict with any applicable land use plan, assuming that the discretionary actions requested from Imperial County, Riverside County and the TMDCI are granted through project approval.

- (3) Conflict with any applicable habitat conservation plan. (*RDEIR*, § 6.9.7.3, pp. 6.9-40 to 6.9-41.)

(a) **Potential Impact.** Part of the proposed Project in Riverside County is located within the CVMSHCP area, and is adjacent to land designated as conservation areas. Through compliance with the CVMSHCP adjacency guidelines, the Project would avoid or minimize indirect effects from development, such as lighting, drainage, intrusion of people, and the introduction of non-native plants and non-native predators, such as dogs and cats on areas adjacent to conservation areas. The Project would also make required payments into the CVMSHCP, which are deemed to be mitigation for accidental take during construction activities. Consequently, the Project would not conflict with the CVMSHCP, and impacts are deemed less than significant. See *RDEIR*, pp. 6.9-40 to 6.9-41.

(b) **Mitigation.** No additional mitigation is required because impacts are deemed less than significant as the result of the Project's compliance with CVMSHCP requirements.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is required to comply with CVMSHCP adjacency guidelines and the fee payment requirements of the CVMSCHP.

- (4) Create adverse changes in the functional role and/or predominant pattern of land uses. (*RDEIR*, § 6.9.7.4, pp. 6.9-41 to 6.9-44.)

(a) **Potential Impact.** The proposed Project would result in the development of the Project site with residential, commercial and open space uses. This would require the conversion of agricultural land and open space to urban uses. While the Project would preserve 1,634 acres of open space within the Project site, nevertheless, the Project would convert 3,129 acres of agricultural land to residential housing, commercial use, mixed use, open space and public facilities.

The proposed Project provides for centralized development in a designated growth area, rather than scattered rural development as would likely occur under existing land use designations. Consequently, while the project would result in a substantial amount of urban development in a concentrated area currently characterized by agriculture and open space, it would, nevertheless, reduce development pressure on surrounding agricultural areas and open space areas by providing for residential and commercial development in a concentrated area, having the critical mass necessary to constitute a more sustainable development plan.

The proposed Project would also support regional efforts toward restoration of the Salton Sea and would be consistent with adjacent open space uses in surrounding land use plans, including the Santa Rosa-San Jacinto Mountains National Monument, Anza-Borrego Desert State Park, and lands within the CVMSHCP. *See* discussion in Revised Draft EIR, section 6.9.7.4, at pages 6.9-41 to 6.9-44.

In summary, the proposed Project would change the predominant pattern of development within the Project site, however, the changes would not be considered adverse and impacts would be less than significant.

(b) **Mitigation.** No mitigation measures are required because the changes in land use patterns on the Project site are not deemed adverse, and thus any impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because although the Project substantially changes the Project site, from agricultural and open space uses to urban uses, those changes are not deemed adverse as explained above, in that the Project should reduce development pressure outside the Project site and the Project will support Salton Sea restoration efforts.

(5) Result in a negative change in the area's character. (*RDEIR*, § 6.9.7.5, pp. 6.9-44 to 6.9-46.)

(a) **Potential Impact.** The Project would result in an intensification of development density. However, this is not deemed a negative change in the area's character. The Project is consistent with the Eastern Coachella Valley Area Plan's development goals and policies, in that they envision the development of seaside villages and other land uses incorporating sustainable development within an overall cap of 250,000 housing units over a 75-year development period. Similarly, the Riverside County General Plan recognizes that new towns and planned communities will be developed in the eastern portion of Riverside County, including areas of the Eastern Coachella Valley Area Plan that are not adjacent to existing cities or developed areas.

By concentrating development in a smaller area, at relatively high density, the Specific Plan would provide a more sustainable community and relieve development pressure on other agricultural land in the eastern Coachella Valley.

Given the beneficial impacts of the proposed Project on the Oasis Community, in terms of new housing, jobs and additional public facilities and services, any potential impact with respect to change in the area's character is deemed less than significant. *See* discussion in Revised Draft EIR, section 6.9.7.5, at pages 6.9-45 to 6.9-46.

(b) **Mitigation.** No mitigation is required because the Project does not result in a negative change to the area's character for the reasons described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the Riverside County and Imperial County General Plans with respect to potential impacts on the area's character and because of the beneficial impacts of the Project with respect to the areas surrounding the Project site, including reducing agricultural and open space conversion pressures in the broader region, assisting in the restoration of the Salton Sea, and improving the economic circumstances of one of the poorer communities in California.

(6) Consistency with the Riverside and Imperial County General Plans.
(*RDEIR, §6.9.9.1, pp. 6.9-49 to 6.9-84.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans are set forth in Revised Draft EIR, sections 6.9.9.1 and 6.9.9.2, at pages 6.9-49 to 6.9-84. The Project's compliance with the policies, goals and objectives of the Riverside and Imperial County General Plans are set forth at pages 6.9-49 through 6.9-84. The Project as designed, and mitigated, is generally consistent with the General Plans of both Riverside County and Imperial County, and consequently, any impacts are deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the applicable provisions of the Riverside County and Imperial County General Plans.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is generally consistent with the goals, policies and objectives of the Riverside County and Imperial County General Plans.

J. Mineral Resources.

(1) Loss of known mineral resource. (*RDEIR, § 6.10.7.1, pp. 6.10-8 to 6.10-10.*)

(a) **Potential Impact.** The Project site is not currently used for the extraction of any mineral or geothermal resources. Additionally, no portion of the site is designated for the protection or planned extraction of mineral or geothermal resources. Therefore, construction activities and development of the proposed Project would not result in the loss of a known mineral or geothermal resource that would be of value to the region. Consequently, this impact is deemed less

than significant. See discussion in Revised Draft EIR, section 6.10.7.1, at pages 6.10-8 to 6.10-10.

(b) **Mitigation.** No mitigation is required because the Project would not result in the loss of a known mineral resource that would be of value to the region.

(c) **Findings.** This potential impact is determined to be less than significant because there are no known mineral resources of value to the region that will be lost as a result of Project implementation.

(2) Loss of a locally important mineral resource recovery site. (*RDEIR*, § 6.10.7.2, p. 6.10-10.)

(a) **Potential Impact.** No land use plans designate the project site as a locally important mineral resource recovery site. Therefore, any impact is deemed less than significant. See discussion in Revised Draft EIR, section at 6.10.7.2, at page 6.10-10.

(b) **Mitigation.** No mitigation measures are required as the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project site is not designated as a local important mineral recovery resource site by either Riverside County or Imperial County.

(3) Establish uses that are not compatible with mineral resource extraction in a MRZ. (*RDEIR*, § 6.10.7.3, p. 6.10-11.)

(a) **Potential Impact.** The Project site is currently unstudied for potential mineral resources, however, the state has not classified any portion of the Project site as a Mineral Resource Zone ("MRZ"), nor are any adjacent areas designated as MRZ. Therefore, the Project would not alter adjacent land uses that result in conflicts with mineral resource extraction, and any impact is deemed less than significant. See discussion in Revised Draft EIR, section 6.10.7.3, at page 6.10-11.

(b) **Mitigation.** No mitigation is required because the Project is not classified as a MRZ. Consequently, the Project's impacts are less than significant as described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located in a MRZ, nor are any adjacent areas located in a MRZ.

- (4) Result in a decrease in revenue to the regional economy. (*RDEIR*, § 6.10.7.4, pp. 6.10-12 to 6.10-13.)

(a) **Potential Impact.** No portion of the Project site is designated as a MRZ or known geothermal resource area, indicating that significant mineral and geothermal resources are not known to occur on the Project site, and the Project site is not currently used for the extraction of any minerals or geothermal resources. Therefore, development of the Project site would not result in the depletion of a regional resource that would decrease revenue to the regional economy. Consequently, the impact is deemed less than significant. See discussion in Revised Draft EIR, section 6.10.7.4, at pages 6.10-12 to 6.10-13.

(b) **Mitigation.** No mitigation is required because the impact is deemed less than significant as described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located in a MRZ or known geothermal resource area, nor is the Project site currently used for the extraction of any mineral or geothermal resources.

- (5) Cumulative Mineral Resource Impacts. (*RDEIR*, § 6.10.8.1, p. 6.10-13 to 6.10-14.)

(a) **Potential Impact.** Impacts to mineral resources generally occur on a project level rather than cumulative basis. Related projects within Riverside and Imperial counties may be located within Mineral Resource Zones or known geothermal resource areas. However, the Project site is not, and is not currently used for mineral resource extraction or geothermal extraction. Consequently, the Project's contribution to cumulative impacts to mineral or geothermal resources would be less than significant. See discussion in Revised Draft EIR, section 6.10.8.1, at pages 6.10-13 to 6.10-14.

(b) **Mitigation.** No mitigation is required because the Project does not make a significant contribution to cumulative impacts.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not a MRZ, does not have current extraction activities, and thus does not make a significant contribution to cumulative impacts, as explained above.

- (6) Consistency with the Imperial and Riverside County General Plans. (*RDEIR*, § 6.10.9.1, p. 6.10-14 to 6.10-15.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans contain policies, goals and objectives regarding mineral resources

as set forth in the Revised Draft EIR, sections 6.10.9.1 and 6.10.9.2, at pages 6.10-14 to 6.10-15. As explained on those pages, the Project is consistent with the General Plans for both Riverside County and Imperial County, and consequently, any potential impact and inconsistency is deemed less than significant.

(b) **Mitigation.** No mitigation is required because any potential impact is deemed less than significant.

(c) **Findings.** This potential impact is deemed less than significant for the reasons explained on pages 6.10-14 through 6.10-15 of the Revised Draft EIR, including but not limited to the fact that no regionally significant mineral resources suitable for extracted uses have been identified on or adjacent to the Project site, nor is the Project site used for extraction of mineral resources or geothermal resources.

K. Noise.

(1) Generate noise levels in excess of applicable standards. (*RDEIR, § 6.11.7.1, p. 6.11-29 to 6.11-40.*)

(a) **Potential Impact.** Development of the proposed Project is expected to occur over a period of 35 years, under five development phases. During the initial stages of development, existing residential units and other sensitive receptors located within the Project boundaries, and outside and adjacent to the Project boundaries, could experience temporary increases in the ambient noise levels due to grading and construction activities. Short-term impacts during construction would therefore be significant, and those impacts are discussed in section III(F) of these Findings.

With respect to operational impacts, future residents of the proposed Project would generate and be exposed to various sources of noise, including people talking, door slamming, parking lot cleaning, air conditioning units, lawn care equipment and domestic animals. The Project also provides land uses that can generate noise, such as schools, parks, reservoirs, commercial and public facilities and police and fire services.

With respect to these noise sources, it is not anticipated that the noise levels established by Riverside and Imperial County would be exceeded, except for occasional situations, such as an emergency vehicle, and consequently, impacts are determined to be less than significant. See discussion in Revised Draft EIR, section 6.11.7.1, at pages 6.11-29 to 6.11-40. Given the Specific Plan's architectural design standards, as described on page 6.11-31, it is not anticipated that non-residential land uses would have a significant impact upon residential land uses within the Project site.

Various potential noise sources, described on pages 6.11-32 through 6.11-35 of the Revised Draft EIR, are considered to be potentially significant and are addressed in sections III(F) and IV(G) of these Findings.

(b) **Mitigation.** With respect to on-site only, noise resulting from roadways, parking lots, loading docks and electrical and mechanical equipment, impacts to nearby residential uses are deemed less than significant.

(c) **Findings.** With respect to on-site noise impacts only, resulting from roadways, parking lots, loading docks, and electrical and mechanical equipment, impacts to nearby residential uses are deemed less than significant because the Specific Plan contains design guidelines to minimize any impact to a less than significant level with respect to both Riverside County and Imperial County noise standards.

(2) Expose people to excessive noise levels from aircraft. (*RDEIR, § 6.11.7.5, p. 6.11-49.*)

(a) **Potential Impact.** The nearest airport is Jacqueline Cochran Regional Airport, located approximately 10 miles north of the Project site in Riverside County. The Project site is not located within the boundaries of any airport land use compatibility plans or within two miles of an airport or airstrip. Consequently, the noise impacts resulting from aircraft in Riverside County and Imperial County are considered to be less than significant. See discussion in Revised Draft EIR, section 6.11.7.5, at page 6.11-49.

(b) **Mitigation.** No mitigation is required because the potential impact is less than significant.

(c) **Findings.** This potential impact is deemed to be less than significant because the Project is not located within two miles of a public airport or airstrip.

(3) Be located within the vicinity of a private airstrip. (*RDEIR, § 6.11.7.6, p. 6.11-49.*)

(a) **Potential Impact.** The Project is not located within two miles of a private airstrip, and consequently, people working or residing on the Project site will not be exposed to excessive noise levels from aircraft. See discussion in Revised Draft EIR, section 6.11.7.6, at pages 6.11-48 to 6.11-49.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not within the vicinity of a private airstrip that would expose people residing or working in the Project area to excessive noise levels.

(4) Cumulative Noise impacts. (RDEIR, § 6.11.8.1, p. 6.11-53.)

(a) **Potential Impact.** With regard to stationary noise sources on the Project site, there could be a cumulative and significant impact resulting from cumulative development. Such sources would include related projects that introduce rooftop equipment, loading docks and parking structures, for example. Since these projects must comply with County noise standards, it is not anticipated that these projects would cause a substantial increase in ambient noise levels. Moreover, given likely distances between these noise point sources, it is unlikely that noise from multiple related projects would interact to create a significant combined noise impact.

(b) **Mitigation.** No mitigation is required with respect to on-site point sources of noise. Off-site noise impacts, in particular with respect to roadways, are discussed in section III(F) of these Findings, and are deemed to be significant and unavoidable.

(c) **Findings.** This potential impact, with respect to on-site noise only, is determined to be less than significant because related projects would be required to comply with Riverside County and Imperial noise standards, and the distances between point sources of noise are such as to make any combined impact less than significant. Other cumulative noise impacts, such as roadway noise, are deemed to be significant and unavoidable, and are discussed in these Findings in Section III(F).

(5) Consistency with Riverside County and Imperial County General Plans. (RDEIR, § 6.11.9.1, pp. 6.11-54 to 6.11-66.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans has set forth policies, goals and objectives with respect to noise mitigation and compatibility. See discussion in Revised Draft EIR, sections 6.11.9.1 and 6.11.9.2, at pages 6.11-54 to 6.11-66. The Revised Draft EIR analyzes the Project's consistency with those Riverside County and Imperial County General Plan policies, goals and objectives, and has determined that the Project is consistent with them. Consequently, any potential impact from inconsistency with these General Plans is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the Imperial County and Riverside County General Plans with respect to noise, and thus any impacts are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the Riverside County and Imperial County General Plans concerning noise impacts.

L. Population and Housing.

(1) Displace existing housing requiring replacement housing elsewhere. (RDEIR, § 6.12.7.2, pp. 6.12-48 to 6.12-49.)

(a) **Potential Impact.** The proposed Project site does not contain any existing residential development, and therefore does not have an existing residential population that might be displaced by the proposed Project. While the Project site does currently provide an estimated 55 jobs, the persons working in those jobs reside outside the Project site. Even if those current workers are displaced, the proposed Project has triggers for job development that will ensure sufficient commercial and industrial space for employment opportunities exists on the Project site. Since the Project would not displace substantial numbers of people currently residing on the Project site, or working on the Project site, impacts would be less than significant. See discussion in Revised Draft EIR, section 6.12.7.2, at pages 6.12-48 to 6.12-49.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because there is no substantial number of people currently residing on the Project site that would be displaced by implementation of the proposed Project.

(2) Displace substantial numbers of people requiring replacement housing elsewhere. (RDEIR, § 6.12.7.3, pp. 6.12-49 to 6.12-50.)

(a) **Potential Impact.** The proposed Project site does not contain any existing residential development, so no such displacement would occur. See discussion in Revised Draft EIR, section 6.12.7.3, pages 6.12-40 to 6.12-50.

(b) **Mitigation.** No mitigation is required because the impact is deemed less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project will not displace a substantial number of people necessitating the construction of replacement housing elsewhere.

- (3) Exceed existing population and housing projections. (RDEIR, § 6.12.7.4, pp. 6.12-50 to 6.12-51.)

(a) **Potential Impact.** The Project would result in the development of up to 16,655 dwelling units, and approximately 45,513 new residents. Added to existing housing, this would result in a total of 22,653 residential units within the Riverside County portion of the Project area, which would not exceed the Eastern Coachella Valley Area Plan build out potential of 63,813 residential units or projected 2035 residential development totaling 84,221 units. Consequently, impacts related to the existing population and housing projections in Riverside County would be less than significant.

With respect to Imperial County, the Project as designed is not projected to begin until 2036, with the first residential development occurring in 2046 and the first residential occupancy in 2047. Development of the Imperial County portion of the project would result in an estimated 33,738 residents. Added to the existing population in the Imperial County portion of the Project site, this would result in a total population of 42,920 residents, which would not exceed the 2035 population forecast of 90,527 residents. Consequently, the impact is less than significant. See discussion in Revised Draft EIR, section 6.12.7.4, pages 6.12-50 to 6.12-51.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project at build out does not exceed the existing population and housing projections for Riverside and/or Imperial Counties, as described in more detail in the Memorandum from Matt Straite to Carolyn Luna, dated August 25, 2011.

- (4) Exacerbate the jobs/housing balance. (RDEIR, § 6.12.7.5, pp. 6.12-51 to 6.12-52.)

(a) **Potential Impact.** The Project would provide 12,856 jobs and 16,655 dwelling units at build out. The on-site jobs-to-housing ratio would be 0.77, *i.e.*, 0.77 jobs for every dwelling unit developed. That jobs-to-housing ratio would be substantially higher than the forecast ratio in the Eastern Coachella Valley Area Plan, which is 0.37 jobs per housing unit in 2020, and 0.24 jobs per housing unit 2035.

There are other aspects of the Project, however, that would likely increase the jobs-to-housing ratio. For example, the proposed Project includes residential development types, such as active adult and secondary/seasonal housing, that would not generate residents seeking employment opportunities. Active adult

units are estimated to be occupied 70% of the time, and seasonal/secondary units are estimated to be occupied only 50% of the time. Nevertheless, taking an even more conservative assumption, *i.e.*, that half of the active adult units and one-third of the secondary/seasonal units would be occupied by a job seeker, the jobs-to-housing ratio for the Project site would be approximately 1.06 jobs per housing unit. This would be consistent with the current ratio of 1.05 jobs per housing unit, and would represent a substantial increase over projected future jobs-to-housing ratios in the Eastern Coachella Valley Area Plan.

With respect to Imperial County, the proposed Project would reduce the jobs-to-housing ratio by 0.14, from 2.13 to 1.99. Even though this is a reduction, the ratio is considered acceptable and would be consistent with the projected jobs-to-housing balance in Imperial County. Therefore, this impact is deemed less than significant in Imperial County. *See* discussion in Revised Draft EIR in 6.12.7.5, at pages 6.12-51 to 6.12-52.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the jobs/housing ratios in Riverside and Imperial Counties.

(c) **Findings.** This potential impact is deemed less than significant because the Project is consistent with the jobs-to-housing ratios in Riverside and Imperial Counties. The Project actually improves the jobs-to-housing ratio existing in Riverside County. In Imperial County the change is only a slight reduction from 2.13 to 1.99, which is deemed acceptable and consistent with Imperial County's projected jobs-to-housing balance.

(5) **Cumulative Population and Housing Impacts.** (*RDEIR, § 6.12.8.1, pp. 6.12-53 to 6.12-55.*)

(a) **Potential Impact.** When the estimated population increase of 119,916 residents in Riverside County is added to the current 2009 population estimate for the eastern Coachella Valley Area Plan of 31,955, the resulting total population is 151,871 residents. This is within the Riverside County General Plan 2035 population estimate of 281,116 residents. Consequently, cumulative population and housing impacts would be less than significant.

With respect to Imperial County, when the estimated population increase of 8,812 residents is added to the current population estimate for the subregion, 194,112, the resulting total population is 202,924. This is within SCAG's 2035 population estimate of 320,448 residents. Consequently, the impact is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the population increase is consistent with both Riverside County and Imperial County's projections for population increase.

(d) **Findings.** This potential impact is determined to be less than significant because the population increases are consistent with the assumptions of Riverside County and Imperial County. The County further finds that the Project's reservation of 10% of its total units (approximately 1,655 units) for affordable housing, is a net beneficial impact in this particularly poor area of the County, and is consistent with the County's existing General Plan Housing Element and the revised Housing Element, now available for public review. See County Counsel testimony at December 13, 2011 Board of Supervisors hearing. Finally, the County finds that it would be financially infeasible to increase the percentage of affordable units from 10% to 40% based on the financial feasibility reports submitted to County Staff, including but not limited to the December 30, 2011 letter from DPF to Matt Straite.

(6) Consistency with Riverside County and Imperial County General Plans. (RDEIR, § 6.12.9.1, pp. 6.12-55 to 6.12-61.)

(a) **Potential Impact.** Riverside County and Imperial County have policies and goals to address population growth and housing supply. Those policies are set forth in the Revised Draft EIR, sections 6.12.9.1 and 6.12.9.2, at pages 6.12-55 to 6.12-61. Revised Draft EIR at pages 6.12-55 through 6.12-60 analyzes the Project's consistency with the policies and goals of Riverside County and Imperial County with respect to population and housing, and determines that the Project is consistent with the General Plans for both Counties. Consequently, any potential impact from inconsistency is less than significant.

(b) **Mitigation.** No mitigation is required because the impact is less than significant, for the reasons explained above.

(c) **Findings.** This potential impact is deemed less than significant because the Project is consistent with the policies and goals of Riverside and Imperial Counties with respect to population and housing impacts.

M. Public Services – Fire Protection.

(1) Result in an increase in response times. (RDEIR, § 6.13.7.2, pp. 6.13-26 to 6.13-28.)

(a) **Potential Impact.** Until the first fire station is built as provided in the Specific Plan, impacts would be temporarily significant. These impacts are discussed in these Findings at Section III. After construction of the fire station, which is required as part of Phases I and II of the Project, impacts would be less than significant in terms of response times. See discussion in Revised Draft EIR, section 6.13.7.2, at pages 6.13-26 to 6.13-28.

(b) **Mitigation.** No mitigation is required with respect to operational impacts occurring after construction of the first fire station in the Specific Plan, which is scheduled to occur as part of Project Phases I and II.

(c) **Findings.** This potential impact is determined to be less than significant because after construction of the first fire station, required by the Specific Plan thresholds, the response time will be consistent with the 15-minute standard for urban communities. See Section III(H) (Fire Protection, Temporary Short-Term Impact), re short-term impacts.

(2) Create or exacerbate an existing fire hazard. (*RDEIR*, § 6.13.7.5, pp. 6.13-37 to 6.13-39.)

(a) **Potential Impact.** Prior to the construction of the first fire station as part of Phases I and II, potential impacts would be significant as described in Section III(H) of these Findings. After construction of the first fire station, the Project would meet Riverside and Imperial County standards for response times and proximity to development, and impacts thereafter would be less than significant. See discussion in Revised Draft EIR, section 6.13.7.5, at pages 6.13-37 to 6.13-38.

(b) **Mitigation.** No mitigation is required with respect to impacts occurring after development of the first fire station in the Public Facilities Overlay for the Specific Plan.

(c) **Findings.** This potential impact, with respect to fire hazard risk after construction of the first fire station, is determined to be less than significant because with construction of the first fire station, response times for both Imperial County and Riverside County would be satisfied by the Project.

(3) Cumulative Public Services – Fire Protection Impacts. (*RDEIR*, § 6.13.8.1, pp. 6.13-39 to 6.13-41.)

(a) **Potential Impact.** In Riverside County, development of related projects would require an additional 21 fire stations in order to provide adequate fire suppression services. In Imperial County, the development of related projects, located within Imperial County, would require one new fire station in order to provide adequate fire suppression services. With respect to both Counties, the Project and future development associated with related projects, would be required to pay the fire department impact fees for both Counties. These fees would provide funding for the development of new fire facilities as needed and the purchase of new firefighting equipment and hiring of fire fighter personnel. Consequently, the cumulative impact is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the cumulative impact is deemed less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is required to develop fire stations as part of its public safety overlay requirements in the Specific Plan, and because the Project will pay fees to both Riverside County and Imperial County designed to mitigate any cumulative impact.

(4) **Consistency with Riverside and Imperial County General Plans.** (RDEIR, § 6.13.9.1, pp. 6.13-41 to 6.13-45.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans set forth policies, goals and objectives to address fire protection services. The Revised Draft EIR analyzes the Project's consistency with those policies, goals and objectives at pages 6.13-41 to 6.13-45. Based on this analysis, the Project is determined to be consistent with the General Plans of both Riverside County and Imperial County. Consequently, any potential impact from inconsistency is deemed less than significant. See discussion in Revised Draft EIR, sections 6.13.9.1 and 6.13.9.2, at pages 6.13-41 to 6.13.45.

(b) **Mitigation.** No mitigation is required because the impact is deemed less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Counties' General Plans.

N. **Public Services – Law Enforcement.**

(1) **Cumulative Law Enforcement Impacts.** (RDEIR, § 6.14.8, pp. 6.14-15 to 6.14-17.)

(a) **Potential Impact.** The Riverside and Imperial County related projects would add approximately 85,215 residents to the regional area that is served by the RCSD Indio Station and the ICSD Salton City Substation, requiring an additional 102 deputies, 15 supervisors, 15 supporting staff, and 34 patrol vehicles. Similar to the proposed Project, each related Project will be required to pay development impact fees. A portion of these fees can be used for the acquisition of land, buildings and equipment necessary to mitigate the impacts to Sheriff services. With payment of development impact fees at the time of project construction, impacts would be deemed less than significant. See discussion in Revised Draft EIR, section 6.14.8, at pages 6.14.-15 to 6.14-17.

(b) **Mitigation.** No additional mitigation is required because with the payment of development impact fees the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project and related projects will pay development impact fees that mitigate the cumulative impact of increased demand for law enforcement services.

(2) Consistency with the Imperial and Riverside County General Plans.
(*RDEIR, § 6.14.9.1, pp. 6.14-17 to 6.14-18.*)

(a) **Potential Impact.** Both the Riverside County and Imperial County General Plans set forth policies, goals and objectives with respect to ensuring adequate law enforcement services. Those policies, goals and objectives are set forth and analyzed in the Revised Draft EIR, sections 6.14.9.1 and 6.14.9.2, at pages 6.14-17 to 6.14-18. The analysis concludes that the Project is consistent with both the Riverside County and Imperial County General Plans with respect to law enforcement services. Consequently, the impact to any potential inconsistency is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project, as conditioned with the payment of development impact fees, is consistent with both the Riverside and Imperial County General Plans.

(c) **Findings.** This potential impact is determined to be less than significant because the Project, as conditioned with the payment of development impact fees, is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans.

O. Public Services - Education.

(1) Consistency with the Imperial and Riverside County General Plans.
(*RDEIR, § 6.15.9.1, pp. 6.15-21 to 6.15-22.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans, with respect to education, are set forth in sections 6.15.9.1 and 6.15.9.2 of the Revised Draft EIR, at pages 6.15-20 and 6.15-21. The analysis set forth on those pages demonstrates that the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to education. Specifically, the proposed Project provides implementation measures and milestones for schools to be developed to provide educational services to the residents of the Project site, including six elementary schools, one middle school, and one high school. Based upon the implementation measures and milestones set forth in the Specific Plan, the proposed Project is consistent with the General

Plans of both Riverside County and Imperial County. *See* discussion in Revised Draft EIR, sections 6.15.9.1 and 6.15.9.2, at pages 6.15-21 and 6.15-22.

(b) **Mitigation.** No mitigation is required because the Project is consistent with both Counties' General Plan education policies. Consequently, any impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with both Counties' General Plan education policies, as explained above.

P. Public Services – Parks and Recreation.

(1) Environmental impact of new recreational facilities. (*RDEIR*, § 6.16.7.3, pp. 6.16-35 to 6.16-36.)

(a) **Potential Impact.** The proposed Specific Plan includes areas for the development of neighborhood parks and community parks, private recreational facilities, regional parks, a trails network, and reservoirs. Residents and employees are expected to use the new park facilities on-site rather than park and recreational facilities off-site. Therefore, no new off-site recreational facilities would be required to be developed, nor would existing off-site recreational facilities need to be expanded. The development of parks and recreation facilities within the proposed Specific Plan area have been discussed throughout the EIR, and would be developed in such a way so as not to cause an adverse aesthetic impact. Furthermore, the trail system has been designed in such a way as to avoid impacts to surrounding sensitive land uses. Consequently, this potential impact is deemed less than significant. *See* discussion in Revised Draft EIR, section 6.16.7.3, at pages 6.16-35 to 6.16-36.

(b) **Mitigation.** No mitigation is required because the Project does not produce a significant environmental impact with respect to the off-site or on-site construction of new or expanded recreational facilities.

(c) **Findings.** This potential impact is determined to be less than significant because the Project has been designed in such a way as to provide sufficient park facilities within the Project site, so as not to increase demand for off-site facilities. Furthermore, the on-site facilities have been designed in such a way so as not to adversely impact surrounding land uses, including sensitive land uses, such as adjacent parkland.

- (2) Require additional parks and recreation staff. (*RDEIR*, § 6.16.7.4, pp. 6.16-37 to 6.16-38.)

(a) **Potential Impact.** In order to maintain equipment and parkland amenities throughout the proposed Specific Plan area, new staff members/employees would need to be hired by the Riverside County Community Service Division, Desert Recreation District, the Imperial County Parks and Recreation Division, and/or the Salton Community Services District. The Riverside County General Plan uses a standard employee per-acre figure of 0.15 employees per acre of open space (recreation) to determine the need for staffing at recreational uses such as golf courses, greenways, parks, etc. Imperial County does not use any such standard. Based on the Riverside County standard, 57 additional staff members would be needed for the proposed Open Space (recreation) areas within the total project site. The Specific Plan more than accounts for this increase need in staffing, *i.e.*, projecting the need for 117 employees. A separate agreement between the project applicant and the Desert Recreation District provides for funding mechanisms to ensure appropriate staffing levels. Consequently, the impact is less than significant.

(b) **Mitigation.** No mitigation is required because necessary park staff funding is addressed in a separate agreement with the Desert Recreation District.

(c) **Findings.** This potential impact is determined to be less than significant because the need for additional staffing will be satisfied by the Project, specifically the funding mechanism set forth in the Memorandum of Understanding between the Desert Recreation District and the applicant.

- (3) Satisfaction of five acres per 1,000 standard for parks. (*RDEIR*, § 6.16.7.5, pp. 6.16-38 to 6.16-39.)

(a) **Potential Impact.** The Riverside County portion of the proposed Specific Plan would require 198.9 acres of parkland to satisfy the parkland dedication standard of five acres of neighborhood community park per 1,000 population. The Imperial County portion of the Project site would be required to dedicate 18.7 acres of parkland to satisfy the same standard of five acres of parkland per 1,000 residents. The proposed Specific Plan would provide 379 acres of land designated as open space (recreation). Although not necessary, the 111-acre proposed regional park would also be applied to satisfy this requirement, subject to DRD's approval. Thus, the Project satisfies the parkland dedication requirements for both Imperial County and Riverside County. Consequently, impacts would be less than significant. *See* discussion in Revised Draft EIR, section 6.16.7.5, at pages 6.16-38 to 6.16-39.

(b) **Mitigation.** No mitigation is required because the Project exceeds the 5-acre per 1,000 population standard for Riverside and Imperial Counties.

(c) **Findings.** This potential impact is determined to be less than significant because the Project provides more parkland than the required standard of five acres per 1,000 population, specifically providing 379 acres of land designated as open space (recreation), and potentially another 111-acre proposed regional park, if approved by DRD.

(4) Cumulative Parks and Recreation Impacts. (*RDEIR*, § 6.16.8.1, pp. 6.16-39 to 6.16-41.)

(a) **Potential Impact.** Riverside County related projects would require approximately 400.7 acres of parkland to meet the County's current standard of five acres of parkland per 1,000 residents. It is likely that the related projects in Riverside County would be required to implement mitigation measures similar to those of the proposed Specific Plan. Furthermore, the Riverside County related projects would be required to either pay parkland development impact fees or dedicate parkland as required by Riverside County's parkland dedication requirements. Since each of these projects would be required to undergo its own environmental review, and comply with Riverside County's existing standards with respect to payment of park fees and/or dedication requirements, cumulative impacts would be less than significant.

With respect to Imperial County, related projects would require approximately 25.4 acres of parkland to satisfy the County's parkland dedication requirement of five acres of parkland for every 1,000 residents. Imperial County projects would be required to implement mitigation measures similar to those for the proposed Specific Plan, and related projects would be required to either pay parkland development impact fees or dedicate parkland as required by the County's parkland dedication requirements. Since each of these related projects would undergo its own environmental review, and would be required to comply with Imperial County requirements for parkland fee payment and/or dedication, cumulative impacts would be less than significant. *See* discussion in Revised Draft EIR, section 6.16.8.1, at pages 6.16-38 to 6.16-40.

(b) **Mitigation.** No additional mitigation is required because cumulative impacts to parks and recreation would be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because all related projects will be required to comply with both Riverside County and Imperial County's existing mitigation requirements for parks and recreation, including the payment of a development impact fee and/or the dedication of parkland.

- (5) Consistency with Riverside County and Imperial County General Plans. (RDEIR, § 6.16.9.1, pp. 6.16-41 to 6.16-48.)

(a) **Potential Impact.** The policies and goals of Riverside County and Imperial County with respect to the provision of adequate parks, open space and recreation, are set forth in the Revised Draft EIR, section 6.16.9, at pages 6.16-40 through 6.16-46. The Revised Draft EIR's discussion of those goals and policies demonstrates that the proposed Project is consistent with the goals and policies set forth by Riverside County and Imperial County in their respective General Plans. Consequently, any potential impact from an inconsistency between the Project and the General Plan requirements for parks, open space and recreation, is determined to be less than significant. See discussion in Revised Draft EIR, sections 6.16.9.1 and 6.16.9.2, at pages 6.16-40 to 6.16-46.

(b) **Mitigation.** No mitigation is required because the proposed Project is consistent with the Riverside County and Imperial County General Plans, with respect to their parks and recreation policies and goals, and therefore, the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to parks, open space and recreation.

Q. Public Services – Libraries.

- (1) Cumulative Library Services Impacts. (RDEIR, § 6.17.8.1, pp. 6.17-14 to 6.17-15.)

(a) **Potential Impact.** Riverside County related projects would require approximately 40,071 square feet of library space and over 200,000 new volumes to adequately serve the residents generated by the related projects. Currently, the seven libraries in the area provide approximately 70,250 square feet of library space, and would require additional books.

With respect to Imperial County, the related projects would require over 25,000 square feet of library space and approximately 12,600 new books to adequately serve the residents generated by the related projects. The Imperial County branches that could provide service to the related projects have a combined size of approximately 8,400 square feet, which is insufficient square footage to provide adequate library services to the increase in population from the related projects.

Similar to the proposed Project, the related projects in Riverside and Imperial Counties, would be required to undergo individual environmental review

and would be subject to the payment of development impact fees, ensuring that both the Riverside County and Imperial County library systems could adequately provide library service to the increased population. Consequently, cumulative are determined to be less than significant. See discussion in Revised Draft EIR, section 6.17.8, at pages 6.17-14 to 6.17-15.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the related projects would pay development impact fees, thereby providing sufficient library space and additional books to mitigate the impact to a less than significant.

R. Transportation and Traffic.

(1) Substantial change in air traffic patterns. (*RDEIR, § 6.19.7.5, pp. 6.19-133 to 6.19-134.*)

(a) **Potential Impact.** The proposed Project is located outside any airport's influence area boundaries, and therefore, no impacts would occur. See discussion in Revised Draft EIR, section 6.19.7.5, at pages 6.19-133 to 6.19-134.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located within any airport's influence area, and therefore there will be no significant impact on air traffic patterns.

(2) Design feature hazard. (*RDEIR, § 6.19.7.6, p. 6.19-134.*)

(a) **Potential Impact.** The Project is not expected to substantially increase hazards due to a design feature or incompatible uses, therefore, any impact is considered less than significant. See discussion in Revised Draft EIR, section 6.19.7.6, page 6.19-134.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because there are no design features that would substantially increase hazards or incompatible uses.

(3) Inadequate emergency access. (*RDEIR, § 6.19.7.7, pp. 6.19-134 to 6.19-135.*)

(a) **Potential Impact.** All the proposed roads in the Project site would be constructed to meet County requirements for access and turning radius for emergency vehicles. Therefore, impacts would be less than significant. *See* discussion in Revised Draft EIR, section 6.19.7.7, at pages 6.19-136 to 6.19-135.

(b) **Mitigation.** No mitigation is required because the impacts are determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because all roads would be constructed to meet County requirements for access and turning radius for emergency vehicles. In addition, the roadway improvements required in the Specific Plan ensure that the proposed Specific Plan could not result in inadequate emergency access.

(4) Inadequate parking capacity. (*RDEIR, § 6.19.7.8, pp. 6.19-135.*)

(a) **Potential Impact.** The Specific Plan requires both residential and non-residential uses to provide adequate parking for residents, employees and guests. In addition, as future projects are developed, tentative tract maps considered by the County will be required to meet County parking standards in effect at the time applications are made. Consequently, impacts are determined to be less than significant. *See* discussion in Revised Draft EIR, section 6.19.7.8, at page 6.19-135.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Specific Plan requires adequate parking for residential and non-residential uses and all future implementing tract maps would be required to meet the County's parking standards at the time of application.

(5) Consistency with Riverside County and Imperial County General Plans. (*RDEIR, § 6.19.9.1, pp. 6.19-138 to 6.19-174.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to transportation and traffic matters are set forth in the revised draft EIR at section 6.19.9, pages 6.19-138 to 6.19-174. The consistency of the proposed Project with the Imperial County and Riverside County General Plan goals, policies and objectives are analyzed therein, and determined to be consistent. Consequently, any potential impact from an inconsistency regarding transportation and traffic is

determined to be less than significant. See discussion in Revised Draft EIR, sections 6.19.9.1 and 6.19.9.2.

(b) **Mitigation.** No mitigation is required because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to transportation and traffic matters.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is determined to be consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to transportation and traffic matters as described in detail at pages 6.19-138 through 6.19-174 of the Revised Draft EIR, and see Memorandum from Matt Straite to Carolyn Luna, dated August 25, 2011, discussing Project consistency with General Plan policies.

S. Utilities – Water.

(1) **Insufficient Water Supplies.** (*RDEIR, § 6.20.7.2, pp. 6.20-66 to 6.20-136.*)

(a) **Potential Impact.** The Revised Draft EIR and Water Supply Assessment analyzed available water supplies and demands under four different water supply conditions, to assess the region's ability to satisfy demands during a normal water year, a single-dry year, and multiple-dry years. Furthermore, the analysis conservatively assumes a 20-year build out of the Project, in addition to a more likely 35-year build out of the Project, resulting in increased demand for water supplies sooner than is actually anticipated by the phased project build out. See Revised Draft EIR discussion in section 6.20.7.2, pages 6.20-66 to 6.20-136.

In summary, the Project would require an estimated 8,369.4-acre afy at project build out. The Project's groundwater demand is reduced by 59% through the substitution and use of Colorado River water for landscape irrigation and a dual-piping system to be constructed throughout the Project. Implementation of these measures are expected to result in the Project meeting or exceeding the water conservation goals outlined in the Coachella Valley Water Master Plan. With respect to the Project's demand on water supplies, vis a vis the existing baseline demand, the estimated amount of indoor water demand (groundwater) would be 3,472 afy. This would result in a surplus of 2,992 afy of groundwater. As shown, the proposed Project would require less water than existing agricultural uses, even before the implementation of indoor water conservation measures, resulting in a surplus of 4,146.6 afy. The proposed Project will use 8,369.4 afy or 66% of the current demand of agricultural water use at build out.

In addition, the proposed Project's total demand is approximately 0.5 acre-foot per unit per year, which is approximately half of CVWD's overall average of

approximately 1.07 acre-feet per unit per year. This estimated demand is within the allowable per connection demand necessary to successfully manage the groundwater basin and its recharge program. The analysis in the Revised Draft EIR, at pages 6.20-1 through 6.20-135, demonstrates that the proposed Project has an adequate supply of water from existing entitlements and resources, and thus the impacts would be less than significant.

(b) **Mitigation.** No mitigation is required because the Project has a less than significant impact with respect to available water supplies.

(c) **Findings.** This potential impact is determined to be less than significant for the reasons set forth above, and at pages 6.20-1 through 6.20-136 of the Revised Draft EIR, namely that the Project has an adequate supply of water from existing entitlements and resources, and draws substantially less water than existing agricultural operations on the Project site.

(2) **Conflict with groundwater management plans.** (*RDEIR, § 6.20.7.3, pp. 6.20-137 to 6.20-138.*)

(a) **Potential Impact.** The Travertine Point Specific Plan would adhere to the goals of the Coachella Valley Water Management Plan by incorporating conservation programs, such as efficient landscaping practices. In addition, the project will participate via the payment of a Supplemental Water Supply Charge (SWSC), which will be used to offset costs associated with purchasing new water supplies and other activities to reduce the overdraft on the groundwater basin. Through this charge, and the conservation methods outlined above, all project impacts on the groundwater basin are expected to be less than significant. *See discussion in Revised Draft EIR, section 6.20.7.3, at pages 6.20-137 to 6.20-138.*

(b) **Mitigation.** No mitigation is required because the potential impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project's total water demand is estimated to be 0.91% of the total anticipated urban demand in the Coachella Valley through 2035, and represents approximately 0.94% of the total anticipated Coachella Valley Water Master Plan urban demand in the Coachella Valley through 2035. Through payment of a supplemental water supply charge, and implementation of conservation measures consistent with the Coachella Valley Water Master Plan, the Project's impacts on the 30 million acre-feet of combined storage in the groundwater basin is determined to be less than significant. *See Revised Draft EIR discussion at pages 6.20-1 through 6.20-138.*

- (3) Interfere with groundwater recharge. (*RDEIR*, § 6.20.7.4, pp. 6.20-138 to 6.20-139.)

(a) **Potential Impact.** The proposed Project provides over 1,634 acres of open space and undeveloped land for potential recharge. This represents approximately 33% of the Project site. Two direct recharge programs for the groundwater basin are currently operating, as discussed on page 6.20-138 of the Revised Draft EIR. The proposed Project does not interfere with either recharge facility. In fact, the current amount of groundwater demand, based on current baseline land uses on the Project site, would use 4,146 acre-feet more than the proposed Project. Consequently, the Project is a net positive for groundwater recharge as compared to the existing draw of agricultural operations. See discussion in Revised Draft EIR, section 6.20.7.4, at pages 6.20-137 to 6.20-138.

(b) **Mitigation.** No mitigation is required because the Project's impacts on the groundwater basin are less than significant and, in fact, net beneficial.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project does not interfere with any of the existing recharge programs for the groundwater basin. To the contrary, the proposed Project will actually use 4,146 acre-feet less than groundwater than is currently used by agricultural operations on the existing Project site.

- (4) Interfere with existing production wells. (*RDEIR*, § 6.20.7.5, pp. 6.20-139 to 6.20-140.)

(a) **Potential Impact.** There are approximately 28 existing wells on the Project site. Existing well operators will continue to utilize wells until those areas of the Project are developed under the current Specific Plan. Moreover, the proposed Project will draw 4,146 acre-feet less groundwater than current agricultural operations on the Project site. Consequently, any potential impact on existing well users will be less than significant. See discussion in Revised Draft EIR, section 6.20.7.5, at pages 6.20-138 to 6.20-139.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because existing well operators will continue to use their well sites until subsequent phases of the Project are implemented. In addition, the Project is estimated to use 4,146 acre-feet less of groundwater than current agricultural operations.

- (5) Degrade ground or surface water resources. (*RDEIR*, § 6.20.7.7, pp. 6.20-141 to 6.20-142.)

(a) **Potential Impact.** The current agricultural water demand for the Project site is 12,516 acre-feet, 6,464 acre-feet of which is from groundwater, and 6,052 acre-feet of which is from surface water. The Project's estimated amount of water demand at build out is 8,369.4 acre-feet. The surplus water available, 4,146.4 acre-feet, would be available for other uses, including emergencies or for contingency situations pursuant to CVWD's discretion. The proposed Project does not introduce land uses or other sources that would potentially degrade water quality thereby decreasing the quantity of water available. The Specific Plan also provides for the maintenance and improvement of surface water quality through the use of multiple layers of water quality management systems and treatment processes, which include reservoir water quality measures (biofilters and aeration), urban stormwater runoff controls (water quality filters and wetland planter areas), and reservoir retention of dry weather runoff and detention of stormwater runoff. Consequently, the proposed Project provides for the maintenance and enhancement of surface water quality and does not include any features that would degrade groundwater quality. Impacts are determined to be less than significant.

(b) **Mitigation.** No mitigation is required because impacts are determined to be less than significant as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project generates a net surplus of 4,146.4 acre-feet, as compared to existing agricultural operations on the Project site, and the Specific Plan includes numerous measures for the maintenance and improvement of surface water quality. See discussion in Revised Draft EIR, section 6.20.7.7, at pages 6.20-141 to 6.20-142.

- (6) Degradation of a surface water body. (*RDEIR*, § 6.20.7.8, pp. 6.20-142 to 6.20-143.)

(a) **Potential Impact.** The proposed Project will improve surface water discharges in the Salton Sea, and accordingly, impacts will be potentially beneficial. There are no other surface water bodies that the Project could potentially impact. See discussion in Revised Draft EIR, section 6.20.7.8, at pages 6.20-142 to 6.20-143.

(b) **Mitigation.** No mitigation is required because any potential impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project has a net beneficial impact upon the only water

body adjacent to the Project site, *i.e.*, the Salton Sea. The Project has a beneficial impact because the Project will maintain and improve surface water discharges into the Salton Sea, and because as discussed elsewhere in the Revised Draft EIR, the Project will establish a Salton Sea restoration financing district to assist in the funding of the Salton Sea Restoration Plan, and generate revenue for sea restoration through property taxes on enhanced property values.

(7) Degradation in water quality. (*RDEIR*, § 6.20.7.9, pp. 6.20-143 to 6.20-144.)

(a) **Potential Impact.** The proposed Project will remove existing agricultural uses and replace them with more urban uses, which will generate far less nitrate runoff into the Salton Sea. Furthermore, future uses, as provided for in the Project, will include features to maintain or enhance water quality. Consequently, the Project's impact upon the Salton Sea is net beneficial. *See* discussion in Revised Draft EIR, section 6.20.7.9, at pages 6.20-143 to 6.20-144.

(b) **Mitigation.** No mitigation is required because the Project's impacts are net beneficial on the adjacent water quality of the Salton Sea.

(c) **Findings.** This potential impact is determined to be less than significant and, in fact, net beneficial, because the Project will have a net beneficial impact on the Salton Sea as compared to existing agricultural operations on the Project site.

(8) Affect emergency water supplies. (*RDEIR*, § 6.20.7.10, pp. 6.20-144 to 6.20-145.)

(a) **Potential Impact.** Currently approximately 6,052.6 acre-feet of Colorado River water is used on the Project site for irrigation purposes. The proposed Project would reduce this to approximately 4,894.4 acre-feet, approximately 81% of current usage, thereby allowing the excess surface water from the Colorado River to be available for contingency purposes or emergencies at CVWD's discretion. Since the proposed Project improves water supplies, does not interfere with existing supplies, and sufficient water supplies exist, impacts would be less than significant and, in fact, net beneficial.

(b) **Mitigation.** No mitigation is required because the Project has less than significant impacts with respect to any potential interference with emergency water supplies.

(c) **Findings.** This potential impact is determined to be less than significant and, in fact, net beneficial, because the Project will reduce the Project site's current water usage by 4,897.4 acre-feet, and does not interfere with existing supplies.

(9) **Cumulative Water Impacts.** (*RDEIR, § 6.20.8.1, pp. 6.20-145 to 6.20-151.*)

(a) **Potential Impact.** Supply and demand for CVWD's service area were analyzed to assess the region's ability to satisfy demands during three scenarios: a normal water year, single dry year, and multiple dry years. The tables in the Revised Draft EIR, concerning cumulative analysis, present the supply-demand balance for the various drought scenarios for the 25-year planning period 2005 to 2030. Based on the analysis set forth in the Revised Draft EIR, it is expected that the region will be able to meet 100% of its dry-year domestic water demand under all three scenarios. *See e.g., Revised Draft EIR at page 6.20-149, Table 6.20-68.* The Revised Draft EIR concludes that all CVWD waters supply sources can provide for 100% of the demand in the Coachella Valley for substantial periods of time, and that therefore cumulative impacts on water supply would be less than significant. *See Revised Draft EIR, at page 6.20-149. See Revised Draft EIR cumulative impacts analysis at section 6.20.8, at pages 6.20-145 through 6.20-151.*

(b) **Mitigation.** No mitigation is required because impacts upon cumulative water supply are determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the analysis in the Revised Draft EIR demonstrates that CVWD's water supply can provide 100% of demand in the Coachella Valley under even the worst case scenario, for a substantial period of time, and therefore the cumulative impacts on water supply would be less than significant. *See discussion in Revised Draft EIR, at pages 6.20-145 through 6.20-151.*

(10) **Consistency with the Imperial County and Riverside County General Plans.** (*RDEIR, § 6.20.9.1, pp. 6.20-151 to 6.20-158.*)

(a) **Potential Impact.** The Revised Draft EIR set forth the policies, goals and objectives of both Riverside County and Imperial County with respect to water demand and supply. *See discussion in Revised Draft EIR, section 6.20.9, at pages 6.20-150 to 6.20-157.* The Revised Draft EIR also analyzes the consistency of the Project with each of the policies set forth therein, and concludes that the proposed Project is consistent with the water demand and supply policies in the Riverside County and Imperial County General Plans. Consequently, any potential impact with respect to a inconsistency between the Project and the Riverside County and Imperial County General Plans is determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the impacts of the Project with respect to water demand and supply are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with policies, goals and objectives of the Riverside County and Imperial County General Plans as set forth in the Revised Draft EIR, at pages 6.20-151 to 6.20-158.

T. Utilities – Wastewater Services.

(1) Require construction of new storm drainage facilities. (*RDEIR, § 6.21.7.3, pp. 6.21-23 to 6.21-24.*)

(a) **Potential Impact.** The proposed Project will result in the construction of stormwater detention areas and linear drainage channels. These drainage corridors may also serve to incorporate additional off-road segments to the bicycle and hiking trail network. With respect to water quality, the drainage channels are planned to serve multiple functions, including flood control, water harvesting, and stormwater treatment through de-silting, a recreational trail system, a native landscaped habitat, and a visual amenity. As such the proposed Project's new stormwater drainage facilities will have a net positive environmental effect, and any adverse impact would be less than significant. See discussion in Revised Draft EIR, section 6.21.7.3, at pages 6.21-23 to 6.21-24.

(b) **Mitigation.** No mitigation is required because Project's impacts from the construction of new stormwater drainage facilities is less than significant and, in fact, net beneficial.

(c) **Findings.** This potential impact is determined to be less than significant because the new stormwater drainage facilities constructed will have positive environmental impacts, such as a cleaner source of water for the Salton Sea.

(2) Cumulative Wastewater Services Impacts. (*RDEIR, § 6.21.8.1, pp. 6.21-25 to 6.21-28.*)

(a) **Potential Impact.** The Specific Plan proposes to develop its own wastewater treatment facilities, and not connect to the existing wastewater treatment plants in the area in Riverside County and Imperial County. The proposed Project would therefore be self-contained, and any potential impact on existing wastewater treatment facilities is less than significant. See discussion in Revised Draft EIR, section 6.21.8, at pages 6.21-25 to 6.21-28.

(b) **Mitigation.** No mitigation is required because the Project will be self-contained with its own wastewater treatment facilities, and therefore any impact upon existing facilities is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project will be self-contained, in that it will develop its own wastewater treatment facilities, and therefore will not cumulatively contribute to any impacts upon existing wastewater treatment facilities.

(3) Consistency with the Riverside County and Imperial County General Plans. (*RDEIR, § 6.21.9.1, pp. 6.21-28 to 6.21-30.*)

(a) **Potential Impact.** The policies, goals and objectives of Riverside County and Imperial County with respect to wastewater demand and services are set forth in the Revised Draft EIR, section 6.21.9, at pages 6.21-28 to 6.21-30. The Revised Draft EIR analyzes the consistency of the proposed Project with those policies, and determines that the proposed Project is consistent with the policies, goals and objectives in the Riverside County General Plan and Imperial County General Plan. *See Revised Draft EIR, at page 6.21-30.* Consequently, any potential impact from an inconsistency between the proposed Project and the policies, goals and objectives of both Counties' respective General Plans, is determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to wastewater treatment services.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans as explained in the Revised Draft EIR, at pages 6.21-28 through page 6.21-30.

U. Utilities – Solid Waste.

(1) Compliance with solid waste statutes and regulations. (*RDEIR, § 6.22.7.2, pp. 6.22-29 to 6.22-30.*)

(a) **Potential Impact.** Existing regulations in Riverside County and Imperial County govern the Project's solid waste handling and diversions. Since the proposed Project would be mandated to adhere to those existing regulations, including those set forth in the Riverside Countywide Integrated Waste Management Plan (CIWMP), impacts would be less than significant, in part because the CIWMP complies with the provisions of Assembly Bill 939 and its diversion mandates section. *See discussion in Revised Draft EIR, section 6.22.7.2, pages 6.22-29 to 6.22-30.*

(b) **Mitigation.** No mitigation is required because the Project will comply with all applicable federal, state and local statutes and regulations concerning solid waste, and therefore, the impact is less than significant.

(c) **Findings.** The Project must comply with all applicable federal, state and local statutes and regulations related to solid waste, including the County's CIWMP, and therefore any potential impact with respect to non-compliance is less than significant.

(2) **Cumulative Solid Waste Impacts.** (*RDEIR, § 6.22.8.1, pp. 6.22-39 to 6.22-42.*)

(a) **Potential Impact.** Development of the proposed Project would result in the cumulative addition of 17,834.3 tons per year of solid waste to the Riverside County landfills. This would represent a cumulative contribution of 0.4 percent of the estimated solid waste generated by the County of Riverside by its expected build out in the year 2040, *i.e.* 4,148,156 tons per year. The related projects are estimated to generate 13,971.6 tons of solid waste per year, which constitutes 0.62% of overall landfill annual intake capacity at the Lamb Canyon Landfill and Badlands Landfill combined. The proposed Project and related projects would contribute to the cumulative amounts of solid waste that is disposed of within the Riverside County landfill system. However, the total amount of waste generated by the proposed Project and related projects could be accommodated by existing landfills, and would not contribute to cumulatively significant impacts to landfill capacity such that all landfills would exceed their capacity. Consequently, in light of the available capacity, and in light of recycling on-site to reduce project operational waste impacts to the existing landfills, cumulative impacts are deemed less than significant. *See discussion in Revised Draft EIR, section 6.22.8.1, at pages 6.22-39 to 6.22-42.*

With respect to Imperial County, the Imperial County related projects would contribute approximately 6.3% of the annual yearly intake capacity of the Salton City Solid Waste site. However, that facility has received a conditional use permit to expand its intake capacity to 1,926,000 tons of solid waste per year. The Imperial County related projects would contribute approximately 0.05% of that annual yearly intake after expansion. Consequently, this Project in conjunction with other projects within the area will not contribute to cumulatively significant impacts to Imperial County landfill capacity such that landfills exceed their capacity. Due to available capacity and implementation of recycling on site, to reduce project operational waste, cumulative impacts to existing landfills are considered to be less than significant. *See discussion in Revised Draft EIR, section 6.22.8, at pages 6.22-39 to 6.22-42.*

(b) **Mitigation.** No mitigation is required because cumulative impacts are determined to be less than significant as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because, as explained above, the proposed Project and any related

Projects generate a total amount of waste that could be accommodated by existing landfills, and would not contribute to cumulatively significant impacts to landfill capacity, such that landfills exceed their capacity.

- (3) Consistency with the Imperial County and Riverside County General Plans. (*RDEIR*, § 6.22.9.1, pp. 6.22-42 to 6.22-45.)

(a) **Potential Impact.** The policies, goals and objectives in the Riverside County and Imperial County General Plans concerning solid waste services are set forth in the Revised Draft EIR, at sections 6.22.9.1 and 6.22.9.2, pages 6.22-42 to 6.22-45. The Revised Draft EIR analyzes the consistency of the proposed Project with the policies, goals and objectives of Riverside County and Imperial County with respect to solid waste services, and determines that the Project is consistent with those policies, goals and objectives. Consequently, any potential impact is less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to solid waste demand and services.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to solid waste demand and services, and consequently, any potential impact is less than significant.

V. Utilities – Energy.

- (1) Compliance with existing energy standards. (*RDEIR*, § 6.23.8.4, pp. 6.23-30 to 6.23-31.)

(a) **Potential Impact.** The proposed project is designed to comply with existing energy standards and will implement design features that meet or exceed the California energy efficiency standards, including Title 24 for energy efficiency requirements. The Specific Plan Climate Action Plan requires that project development exceed 2008 Title 24 energy efficiency standards by 30% for residential development and 15% for commercial development. Consequently, impacts would be less than significant. See discussion in Revised Draft EIR in 6.23.8.4, at pages 6.23-30 to 6.23-31.

(b) **Mitigation.** No mitigation is required because the Project will meet or substantially exceed energy efficiency standards.

(c) **Findings.** This potential impact is determined to be less than significant because the Project will meet or substantially exceed energy efficiency standards, as explained above.

(2) Effects on energy sources. (*RDEIR, § 6.23.8.5, p. 6.23.-31.*)

(a) **Potential Impact.** The proposed Project would increase overall energy demand in the project area by approximately 109 megawatts, which could be accommodated by IID's current system capacity of 1,445 megawatts with an available capacity of 466 megawatts. As explained previously, the Specific Plan Climate Action Plan requires that Project development exceed 2008 Title 24 energy efficiency standards by 30% for residential development, and 15% for commercial development. The Specific Plan would require the installation of solar energy systems in all land designations as soon as economically feasible, which could further reduce Project energy demand. Because the proposed project's demand for energy resources can be met by existing energy resources, impacts would be less than significant.

(b) **Mitigation.** No mitigation is required because impacts are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because IID has sufficient capacity to meet the Project's energy needs. In addition, as explained in the Revised Draft EIR, the area around the Salton Sea has a wealth of renewable energy sources, which are currently receiving substantial investment. As these resources are developed (including geothermal, biodiesel and solar) it is anticipated that IID's system capacity will markedly expand, although such expansion is not necessary to meet the Project's energy needs.

(3) Long-term implications for energy. (*RDEIR, § 6.23.8.7, pp. 6.23-34 to 6.23-35.*)

(a) **Potential Impact.** Both construction and operation of the Project could necessarily lead to the consumption of limited, slowly renewable, and non-renewable resources, committing such resources to uses that future generations would be unable to reverse. Moreover, given existing energy resources available for both stationary and mobile consumers, and given the anticipated expansion in renewable energy resources in the vicinity (including geothermal, biodiesel and solar), long-term energy implications are determined to be less than significant. To the contrary, to the extent that the Project provides housing and other facilities for the development of the burgeoning renewable energy industries in and around the Salton Sea, the Project may have a net beneficial impact on the development of those resources over the long term. *See discussion in Revised Draft EIR, section 6.23.8.7, at pages 6.23-34 to 6.23-35.*

(b) **Mitigation.** No mitigation is required because project impacts are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project's consumption of renewable and non-renewable energy resources will not have adverse long-term implications on energy resources in the region as explained above.

(4) **Cumulative Energy Impacts.** (*RDEIR, § 6.23.9.1, pp. 6.23-35 to 6.23-36.*)

(a) **Potential Impact.** The cumulative development of related projects listed in the Revised Draft EIR, Tables 5.0-1 and 5.0-2, would result in substantial growth in energy use in the eastern Coachella Valley. Demand is projected to increase from current demand of slightly less than 1,000 megawatts to approximately 1,100 megawatts for 2015, an increase of approximately 10% over five years. Should development exceed IID's capacity up to 2015, additional power supplies are available to IID by power purchase agreements and spot purchases. Since adequate energy resources would be available to meet cumulative energy demand, impacts are determined to be less than significant. See discussion in Revised Draft EIR, section 6.23.9.1, at pages 6.23-35 to 6.23-36.

(b) **Mitigation.** No mitigation is required because the cumulative impact on energy resources is determined to be less than significant as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because adequate energy resources would be available to meet cumulative energy demand, as explained at pages 6.23-35 to 6.23-36 of the Revised Draft EIR.

(5) **Consistency with the Riverside County and Imperial County General Plans.** (*RDEIR, § 6.23.10.1, pp. 6.23-36 to 6.23-43.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to energy demand and resources are set forth in the Revised Draft EIR at section 6.23.10, pages 6.23-36 through 6.23-43. The Revised Draft EIR analyzes each of the policies, goals and objectives with respect to the Project's consistency, and concludes that the Project is consistent with the Riverside County and Imperial County General Plans concerning energy. Consequently, any potential impact is determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to energy.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to energy use, as explained at pages 6.23-36 through 6.23-43.

W. Greenhouse Gases.

(1) Consistency with the Riverside County and Imperial County General Plans. (*RDEIR*, §§ 6.24.8.1 to 6.24.8.3, pp. 6.24-69 to 6.24-126.)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to greenhouse gas emissions are set forth in the Revised Draft EIR, at pages 6.24-69 through 6.24-125. The Revised Draft EIR analyzes the Project's consistency with respect to those policies, goals and objectives, and concludes that the Project is consistent. Consequently, any potential impact from inconsistency between the Project and the Riverside County and Imperial County General Plans, with respect to greenhouse gas emissions, is determined to be less than significant. *See* discussion in Revised Draft EIR, sections 6.24.8.1 to 6.24.8.3, at 6.24-69 through 6.24-125.

(b) **Mitigation.** No mitigation is required because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to greenhouse gas issues.

VI. Findings Regarding Alternatives Analyzed in the Revised EIR and Rejected.

(Note: As a prefatory matter, the County finds that the RRDEIR contains several outdated and incorrect references regarding off-site impacts to parks and cultural resources in the Alternatives discussion and thresholds table, incorrectly identifying those project impacts as significant and unavoidable. The more detailed discussion of those two impacts in the RRDEIR has been updated to correctly identify off-site impacts to park lands and facilities and cultural resources as less than significant. These corrections do not change any of the conclusions of the RRDEIR regarding the Alternatives analyzed therein.)

A. Alternative 1: No Project.

[See RDEIR, § 7.5.1, pp. 7.0-23 to 7.0-82.]

Under the No Project Alternative, discussed at pages 7.0-23 to 7.0-82 of the Revised Draft EIR, the proposed project would not be constructed. The current site would remain in its present condition for the near future. Land would continue to be used in agricultural production (non-tribal lands), to the extent that continued agricultural production remains economically viable. Tribal land would likely remain vacant.

The No Project Alternative would result in less or similar impacts as the proposed project in both Riverside and Imperial counties except for those impacts related to Public Services, specifically medical facilities and water supply. For these issues the No Project Alternative would result in greater adverse impacts as follows:

Medical Facilities: Under Alternative 1, there would be no new medical facilities provided in the area that would serve existing local residents. The closest hospital to the Alternative 1 site is John F. Kennedy Memorial Hospital located 19 miles to the north in the City of Indio. Existing residents in the area would continue to travel to other portions of the Coachella and Imperial Valleys for such services. As existing facilities are at substantial distances from the area, this would be a continuing impact.

Water: Alternative 1 would consume 6,464 afy of groundwater while the proposed project would require 3,472 afy of groundwater. Additionally, under Alternative 1, agricultural uses in the area would continue resulting in a continuation of runoff into the Salton Sea of agricultural chemicals, which have contributed to the Sea's deterioration, including oxygen depletion and fish kills. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future restoration efforts.

Alternative 1 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, land use, noise, transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative, including certain air quality/dust impacts associated with the Salton Sea's continued shrinkage.

By not developing the proposed project, the applicant would not achieve the following objectives:

- Respect and celebrate the region's heritage – No additional site surveys would occur and no further examination of the cultural heritage features of the area would occur. Under this alternative, no areas would be set aside for cultural resource protection.

- Stimulate economic development and employment opportunities – No new industry would be developed and existing agricultural operations would continue for the foreseeable future, or until they become economically infeasible. The ability to introduce alternative industries to replace agricultural, as it becomes more difficult, would not occur.
- Provide a diverse array of housing types, including affordable housing – No new housing opportunities would be introduced into the area and the existing housing stock would remain.
- Provide public facilities and community amenities – With no increase in population in the area, there would not be the critical mass necessary for major investments to improve public facilities. This would include no new parks.
- Balance and integrate land uses – There would be no change in land use and the area would continue with agricultural uses, to the extent they remain viable.
- Create special places – There would be no new places created (no town center, resort, marina).
- Create walkable neighborhoods – No new neighborhoods would be created and existing residents would continue to travel long distances to other locations for services.
- Incorporate principles of smart growth, sustainable development, and green building – No new development would occur, thereby precluding development of a more sustainable model town, that is more consistent with the state's efforts to materially reduce per capita greenhouse gas emissions.

Further, the No Project Alternative does not further the goals of federal, state, and local agencies to restore the Salton Sea. As proposed by both the Department of Water Resources and Salton Sea Authority, the restoration of the Salton Sea is predicated on reducing agricultural flows and changing land use patterns in the areas surrounding it. Alternative 1 would not provide for any potential increase in the local tax base to allow local funding from a benefit assessment district to assist in meeting the substantial Sea restoration costs.

Finally, the No Project Alternative would not provide for an improvement to the local economic conditions that could benefit the TMDCI. The tribe, which is considered one of the poorest and economically depressed in the state, would not benefit from the partnership with private development, as would occur with Project implementation.

B. Alternative 2: Build out Under Existing Land Use Designations.

[See RDEIR, § 7.5.2, pp. 7.0-82 to 7.0-182; and RRDEIR § 7.4.2, pp. 7.0-5; and pp. 7.0-83 to 7.0-86; 7.0-89 to 7.0-93; 7.0-95 to 7.0-96; 7.0-108 to 7.0-115; 7.0-130; 7.0-137 to 7.0-141; 7.0-144 to 7.0-148; 7.0-151; and 7.0-154 to 7.0-157.]

Under Alternative 2, "Build out Under Existing Land Use Designations," discussed in section 7.5.2, at pages 7.0-82 to 7.0-182 of the Revised Draft EIR, the Project site would be built out according to the existing land use designations provided by Riverside County and Imperial County. The existing land uses within Riverside County and Imperial County would allow for the development of up to 9,532 residential units and 1,278,486 square feet of commercial uses. The information provided below conservatively assumes a maximum case development intensity scenario, *i.e.*, that all 9,532 residential units would be developed and all 1,278,486 square feet of commercial use would be developed.

The Build out Under Existing Land Use Designations (Alternative 2) would result in less or similar impacts as the proposed project in both Riverside and Imperial Counties except for those impacts related to Public Services – Medical Facilities, Water, and Wastewater. For these issues the Alternative 2 would result in greater impacts as follows:

Medical Facilities: Under the Alternative 2, there would be no new medical facilities provided in the area that would serve local residents, including very poor residents for whom travel is difficult. Existing residents in the area would continue to have to travel to other portions of the Coachella and Imperial Valleys for such services. As the existing facilities are at substantial distances from the area (19 miles), this would be a continuing impact.

Water: Under Alternative 2, many agricultural uses in the area would continue resulting in a continuation of chemical runoff into the Salton Sea, furthering its deterioration, including further oxygen depletion and fish kills. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future restoration efforts.

Wastewater: Under Alternative 2, existing wastewater treatment providers would be required to provide services to the area. For the Coachella Valley Water District, this would require extension of services into an area that is currently only served by septic systems. Further, it may require either upgrades to existing wastewater treatment facilities, or the development of on-site treatment systems. For the Salton Community Services District, extension of services to the area as well as upgrades to existing plants in Desert Shores or Salton City would be required as both of these are at or near capacity.

Alternative 2 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, land use, noise,

transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

By developing Alternative 2, rather than the proposed Project, the applicant would not achieve the following objectives to the same degree as the proposed project:

- Respect and celebrate the region's heritage – No additional site surveys would occur and no further examination of the cultural heritage features of the area would occur. Under this alternative, no areas would be set-a-side for cultural resource protection.
- Stimulate economic development and employment opportunities – The area would remain rural in nature and the existing land use designations and zoning would remain. Under this alternative, the area would continue in agricultural uses, so long as they remain financially viable. As permitted under existing zoning, future development would provide for very little density increase (1 unit per 2 acres) and thereby would not create sufficient population to encourage new industry and employment. In summary, this objective would not be achieved because the number of employment opportunities anticipated under this alternative would be substantially less than the proposed project.
- Provide a diverse array of housing types, including affordable housing – While some new housing (1 unit per 10 acres average in Riverside County) may develop, it would most likely be very low density and not encourage subdivisions that would provide for a range of housing types and the ability to include affordable units. Housing development under Alternative 2 would be limited to the requirements under existing land use designations, and would not include the variety of housing densities proposed by the project.
- Provide public facilities and community amenities – The need for future public facilities would be limited and would be based on what population growth occurred. Most likely, no new schools would be developed but existing schools may be expanded. No new sewer or water infrastructure would be developed.
- Balance and integrate land uses – Under this alternative there would be no change in land use designations or zoning. The land uses allowable under the existing general plan land use designations would not allow for a balance and integration of housing, commercial, and public uses, creating a more sustainable model for new town development. Therefore, Alternative 2 would not achieve this objective to the same extent as the proposed project.
- Establish alternative development standards to implement sustainable development and environmentally sensitive principles. Under Alternative 2,

existing planning concepts would continue in a "business-as-usual" mode. Development would mostly likely occur on a piece meal basis with no master planning to integrate individual tract map applications.

- The Salton Sea area is currently receiving a substantial influx of investment capital (\$5 billion currently) to develop renewable energy development (geothermal, biodiesel (algae) and solar, that will generate employment and the need for nearby housing, for a diverse range of income levels (from highly compensated professional engineers to low wage employees). Development under Alternative 2 would not satisfy this need. In addition, rather than short local commutes, workers serving in the rapidly expanding renewable energy industries would commute long distances to their residences, thus worsening greenhouse gas emissions.

Although some level of future development could occur under Alternative 2, it is anticipated that it would not be at a level that would further the goals of federal, state and local agencies to restore the Salton Sea. As proposed by both the Department of Water Resources and Salton Sea Authority, the restoration of the Sea is predicated upon reducing agricultural flows and changing land use patterns in the areas surrounding it. While some level of development under existing land use designations and zoning could occur, the probability of such development without associated commercial and industrial development to provide local jobs, that are not part of the declining agricultural industry, would probably not occur. As such, Alternative 2 would not provide for a substantial enough tax base to allow for a substantial increase in local funding to assist in meeting the Sea's restoration costs.

Finally, Alternative 2 would not provide for an improvement to the local economic conditions, that could benefit the TMDCI, one of the poorest tribes in the state, and one of the most economically depressed areas in the nation. While the tribal General Plan provides for some development, there would be no incentive for significant private development, and thus little material change in the local economy.

C. Alternative 3: Riverside County Only.

[See RDEIR, § 7.5.3.1, pp. 7.0-182 to 7.0-303; and RRDEIR, pp. 7.0-128 to 7.0-220 and 7.0-265 to 7.0-266.]

Under Alternative 3, the Riverside County Only development scenario, discussed in section 7.5.3, at pages 7.0-182 to 7.0-303 of the Revised Draft EIR, only the Riverside County portion of the Project site would be developed as currently proposed. Alternative 3 would result in development of 3,938 acres of land (3,175 acres of non-tribal land and 763 acres of tribal land). At build out, Alternative 3 would include the development of up to 15,409 residential units (14,640 on non-tribal land and 769 on tribal land) and 4,862,000 square feet of commercial (3,580,600 square feet on non-tribal land and 1,281,400 square feet on tribal land).

Alternative 3, the Riverside County Only scenario, would result in less or similar impacts for all issues as the proposed project within Riverside County. As there would be no development in Imperial County, the impacts would be similar or less for all issues except for Water.

For this issue, Alternative 3 would result in greater impacts as follows:

Water: Under Alternative 3, agricultural uses in Imperial County would continue resulting in a continuation of adverse runoff into the Salton Sea of agricultural chemicals, a factor in the Sea's continued deterioration. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future restoration efforts.

Alternative 3 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, land use, noise, transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

By developing Alternative 3 as opposed to the proposed project, the applicant would not achieve the following objectives to the same extent as the proposed project:

- Preserve and enhance culturally sensitive resources – Portions of the site (such as Travertine Point and other significant cultural features) located in Imperial County would not be included in the project and thereby not become part of a comprehensive cultural heritage preservation program for the Torres-Martinez. As such, significant aspects of the tribal heritage would not be included in the project. Alternative 3 would not conserve open space that are proposed as part of the Imperial County portion of the project. The alternative would not develop the Cultural Preserve and Living Desert that is proposed as part of the project. Therefore, the alternative would not achieve this objective to the same extent as the proposed project.
- Stimulate economic development and employment opportunities – The ability to include important economic opportunities, such as the hotel/resort complex and potential golf course, would be eliminated or severely restricted. This objective would not be achieved because the number of employment opportunities anticipated under this alternative would be substantially less than the proposed project.
- Provide diverse array of housing types, including affordable housing – The ability to provide a large diversity of housing type would be restricted and would include less housing on tribal land. Since Alternative 3 would not develop the Imperial County portion of the project, it would reduce the array of housing types that would be available under the proposed project. Thus the

alternative would not achieve this objective to the same extent as the proposed project.

- Provide public facilities and community amenities – While it would provide increased opportunity for new facilities in Riverside County, the project would not include an opportunity for Imperial County to participate. This Alternative would not provide an opportunity for a more regional approach to service and infrastructure improvement.
- Balance and integrate land uses – Development of uses proposed for the Riverside County portion of the project would not result in the same array of land uses as are proposed by the proposed project. Therefore, Alternative 3 would not achieve this objective to the same extent as the proposed project.
- Advance the implementation of the joint Riverside/Imperial County transportation plans – since there would be no development in Imperial County, this Project benefit could not be realized.

While Alternative 3 would indirectly further the goals of federal, state and local agencies to restore the Salton Sea, it does not provide the same level of potential financial support as the proposed project. As proposed by both the Department of Water Resources and Salton Sea Authority (SSA), the restoration of the sea is predicated upon reducing agricultural flows and changing land use patterns in the areas surrounding it. Under the Salton Sea Authority Plan, it is anticipated that approximately 250,000 new dwelling units would be needed to provide an adequate base for a potential benefit district for restoration of the Sea. Alternative 3 would provide for increases in the local tax base in Riverside County but would not promote similar development in Imperial County. As such, local funding to assist in meeting the restoration costs would be more limited.

D. Alternative 4: Decreased Land Use Intensity Project.

[See RDEIR, § 7.5.4.1, pp. 7.0-303 to 7.0-420; and RRDEIR, pp. 7.0-341 to 7.0-344; and 7.0-387.]

Alternative 4, the Decreased Land Use Intensity Project, discussed in section 7.5.4, at pages 7.0-303 to 7.0-420 of the Revised Draft EIR, would decrease residential units from 16,655 to 12,300 and commercial square footage would decrease from 4,982,330 square feet to 3,404,800 square feet.

Alternative 4 would result in less or similar impacts as the proposed project within Riverside County and Imperial County, except for greenhouse gases.

For this issue Alternative 4 would result in greater impacts as follows:

Greenhouse Gases: Under Alternative 4, the proposed project would be developed at an overall lower density but would not include the mixed-use and trip reduction features of the proposed project, that are more viable with the critical mass created by the Project, *i.e.*, a new town of approximately 43,500 persons. Under Alternative 4, per capita vehicle miles traveled would be 65.4 miles per day per person (1.85 million miles per day for a population of 28,300 persons) versus 42.9 miles per day per person (1.87 million miles per day for a population of 43,500 persons) for the proposed project. As a result, greenhouse gases associated with Alternative 4 would be approximately 50 percent more per person. As such, this Alternative would not comply with the requirements of AB32 to reduce greenhouse gas emissions, and would certainly not achieve the Project's major per capita reductions in greenhouse gas emissions compared to the business as usual benchmark for new development.

Alternative 4 would reduce the significant and unavoidable impacts of the proposed project related to air quality and noise. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

Alternative 4 would not achieve many of the project objectives. It would not achieve the following:

- Develop a range of transportation/mobility options, pedestrian- friendly circulation; encourage energy conservation and alternative energy uses; and implement attractive design with a strong sense of place, and appropriate human scale design. Under Alternative 4, many of the features that provide for a walkable community and encourage energy conservation would not be as prevalent. There would likely be far less mixed-use areas within the Town Center, the circulation network would not include an extensive NEV friendly street system, and the decreased amount of commercial and light industrial space would not generate as many on-site jobs.
- Establish sustainable principles that reduce carbon footprints and promote sustainable watershed management. As noted above, while this alternative would generate fewer greenhouse gases in total, it would not provide for a reduction in future emissions to meet AB32 requirements on a per capita basis.
- The Salton Sea area is currently receiving a substantial influx of investment capital (\$5 billion) for renewable energy development (geo-thermal, biodiesel (algae) and solar), that will generate employment and the need for nearby housing, for a diverse range of income levels (from highly compensated professional engineers to low wage employees). Development under Alternative 4 would help to satisfy this need, but not to the same extent as the Project.

Although this Alternative would indirectly further the goals of federal, state and local agencies to restore the Salton Sea, it does not provide the same level of potential financial support as the proposed project. Alternative 4 would provide for increases in the local tax base but at much reduced levels compared to the proposed project.

E. Alternative 5: Alternate Site.

[See RDEIR, § 7.5.5, pp. 7.0-420 to 7.0-529; and RRDEIR, pp. 7.0-492 to 7.0-493.]

Alternative 5, the Alternate Site alternative, at section 7.5.5, pages 7.0-420 to 7.0-530 of the Revised Draft EIR, provides an alternative site scenario approximately 6.9 miles northwest of the proposed Project site. Alternative 5 would be completely developed within Riverside County and would include the development of 16,655 residential units and 5,029,00 square feet of commercial uses. Alternative 5 would be approximately 5,140 acres in size, which is approximately 222 acres larger than the proposed Project site. Alternative 5 contains approximately 1,216 acres of Torrez Martinez Tribal Land, with the remaining 3,924 acres owned by nearly 100 different land owners.

Alternative 5 would result in similar impacts for all issues in Riverside County except for Hazards/Hazardous Materials, Hydrology and Water Quality, Land Use, Population and Housing, Water, and Solid Waste. Under Alternative 5, there would no development in Imperial County; therefore all impacts would be similar or less than the proposed project except for Hydrology and Water Quality, and Population and Housing.

For these issues Alternative 5 would result in greater impacts as follows:

Hazards/Hazardous Materials: Currently, the Alternative 5 site provides for a private recycling/transfer facility that would require relocation. The relocation of such a facility would require the closure (and possible relocation) of the California Bio-Mass Composting Facility and the reclamation of the 40-acre parcel where it is located.

Land Use: Under this Alternative 5, development would convert agricultural open space to urban uses. The site contains approximately 4,100 acres of agricultural land, and the Alternative 5 land use plan would provide 827 acres of open space. Thus, Alternative 5 would result in a net loss of 3,273 acres of open space.

Agricultural Land: The Alternative 5 site contains twice as much prime farmland as the Project site, 3,080 acres for the Alternative 5 site versus 1,550 acres for the Project site. The Alternative 5 site also contains 140 acres of Farmland of Statewide Importance versus 0 acres of such land on the Project site. Although the Project site contains more Unique Farmland than the Alternative 5 site, 1,553 acres versus 13 acres, Prime Farmland and Farmland of Statewide Important is far more valuable for agricultural production.

Consequently, the conversion of agricultural land on the Alternative 5 site would have a far more significant adverse impact than the Project's conversion of farmland.

Population and Housing: Alternative 5 would develop 16,655 residential units in Riverside County, which would generate an estimated maximum population of 43,513 residents. However, under Alternative 5 all of the residential growth would occur in Riverside County, as Alternative 5 proposes no development in Imperial County. Therefore, certain impacts for Alternative 5 would be greater than the proposed project for Riverside County. As the project would provide neither housing nor jobs in Imperial County, certain economic impacts would be adverse for Imperial County.

Utilities – Water: Under Alternative 5, agricultural uses in both Riverside County and Imperial County would continue resulting in a continuation of runoff into the Salton Sea of agricultural chemicals, a factor in the Sea's continued deterioration. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future Salton Sea restoration efforts.

Alternative 5 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, noise, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

By developing the same uses on an alternate site, this alternative would achieve many of the same objectives as the proposed project, but not in the same location nor with the benefits of a sea side location. However, development on the alternate site would be infeasible for the following reasons:

- The alternate site consists of parcels owned by several property owners who may not be willing sellers. The project applicant does not own any parcels on this site.
- The Vista Santa Rosa community has adopted a policy that restricts development to a maximum residential density of 3 units per acre and prohibits commercial uses.
- Tribal property contains significant housing and population that would have to be relocated.
- The site is not accessible from a major arterial such as SR-86.

Further, Alternative 5 does not further the goals of federal, state, and local agencies to restore the Salton Sea. Alternative 5 is not located near the Salton Sea and as such would not provide for any potential increase in the local tax base to allow local funding from a benefit assessment district to assist in meeting the restoration costs.

F. Additional Findings Regarding Alternatives.

1. The Environmentally Superior Alternative.

The findings in the alternatives impact analysis discussed above are summarized in **Table 7.0-50, Comparison of Alternatives to the Proposed Project**. However, the No Project Alternative would not meet the objectives of the proposed project.

The State *CEQA Guidelines* require that an environmentally superior alternative be identified among the selected alternatives (excluding the No Project alternative).¹³ If the No Project Alternative is determined to be the environmentally superior alternative, an environmentally superior alternative must also be identified among the remaining alternatives.

The environmentally superior alternative among the remaining alternatives would be Alternative 3 – Riverside County Only. This alternative would result in less or similar impacts for all issues. As there would be no development in Imperial County, the impacts would be similar or less for all issues except adverse runoff into the Salton Sea from agricultural operations in Imperial County. Such runoff is a contributing factor to the Sea's continued deterioration, which would not occur after Project implementation. See discussion in Revised Draft EIR, section 7.5.3, at pages 7.0-182 to 7.0-303.

As discussed above, by developing Alternative 3, as opposed to the proposed project, the applicant would not achieve the following objectives to the same extent as the proposed project:

- Preserve and enhance culturally sensitive resources to the same degree,
- Stimulate economic development and employment opportunities in a very poor community to the same degree,
- Provide a diverse array of housing types, including affordable housing to the same degree,
- Provide public facilities and community amenities to the same degree,
- Balance and integrate land uses to the same degree,
- Advance the implementation of the joint Riverside/Imperial County transportation plans; and

¹³California Public Resources Code, Title 14, Division 6, Chapter 3, *California Environmental Quality Act Guidelines*, Section 15126.6(e)(2).

- Facilitate Salton Sea restoration to the same degree as the Project, with respect to Sea restoration funding and eliminating agricultural run-off into the Sea from the Project site in Imperial County.

Therefore, this Alternative, while environmentally superior to the proposed project, but is not considered as beneficial as the Project with respect to the objectives/factors stated above. In addition, Alternative 3 would materially reduce the Project's overall financial return in relation to the substantial infrastructure investment required, and thus not be as financially feasible/viable as the Project.

VII. Statement of Overriding Considerations.

The Project will have unavoidable significant adverse environmental impacts, as described in Section III above. However, the County hereby adopts this Statement of Overriding Considerations concerning the Project's unavoidable significant impacts, so as to explain why the Project's benefits and objectives override and outweigh its unavoidable impacts.

The Revised Draft EIR for the Project recognizes that certain specific adverse environmental impacts will be caused by the approval and construction of the Project, which will not be mitigated to a level of insignificance by the application of feasible mitigation measures or an alternative to the Project. Despite the finding in the Revised Draft EIR that such unavoidable adverse environmental impacts will be caused by the Project, the County nevertheless finds, after a thorough review and consideration of such potentially adverse environmental impacts, that the economic, legal, social, technological and other benefits of the Project, as more specifically defined herein, outweigh those unavoidable adverse environmental impacts. Those impacts are therefore deemed to be acceptable to the County. Each of the benefits and objectives set forth below constitutes an independent overriding consideration, warranting approval of the Project despite its unavoidable impacts. Furthermore, the County finds that even if any other environmental impacts were determined to be significant, the County would nevertheless still find that such additional impacts are also outweighed by the Project's benefits and objectives as stated below.

In general, the Project site provides an appropriate location for the proposed residential, recreation and commercial uses that will provide employment, housing, recreation, and increased property and sales tax revenue opportunities for both Riverside County and Imperial County, its residents and visitors, and includes the following benefits:

- (1) The Project will facilitate formation of a special financing district to help fund the Restoration Plan for the Salton Sea, which is vital in preserving various migratory bird species that rely upon the Sea, and in protecting humans from adverse air quality impacts associated with the current shrinkage of the Salton Sea.
- (2) The Project will provide significant employment and economic opportunities for one of the poorest areas of the state, including for Native Americans and farm worker immigrants.

- (3) The Project will provide a mix of housing and office space to serve the burgeoning renewable energy industries currently being developed around the Salton Sea, including geo-thermal, bio-diesel (algae) and solar resources. Currently, the lack of such housing and office space require workers to commute long distances to the Northern Coachella Valley or the San Diego suburbs, thus creating adverse Greenhouse Gas Emission impacts.
- (4) The Project will provide a regional and statewide model for the development of a sustainable new town, designed from inception to significantly reduce Greenhouse Gas Emissions from both stationery and mobile sources.
- (5) The Project will provide infrastructure and other public facilities to serve the Project site, and in some instances, the surrounding areas. In particular, the Project will ultimately result in new police, fire, library and medical facilities, that will serve other existing and future residents and businesses.
- (6) The Project will contribute to the circulation and other infrastructure needed within the County, including funds to facilitate regional improvements to Highway SR 86s interchanges and County roadways.
- (7) The Project will provide a diversity of housing types, including active adult and affordable housing.
- (8) The Project will provide extensive recreational facilities for use by its residents, and will provide a new public 18-hole golf course, a boat marina, and potentially a hotel/casino, creating recreational opportunities for the general public.
- (9) Implementation of the Project will facilitate the development of transmission lines to bring renewable energy (in particular geothermal energy), north from Imperial County to Riverside County, by creating nearby demand in Riverside County at the north end of the Salton Sea.
- (10) Implementation of the Project will enhance the County's economic base from revenues derived from increased sales taxes, property taxes, and other fees, taxes and exactions.

In addition, the Project is consistent with the County's growth and development concepts and policies, including the following points that support additional public benefits:

- The Project is located near the intersection of three Counties, Riverside, Imperial and San Diego Counties, along a designated NAFTA corridor, SR 86s, facilitating potential commercial and industrial development opportunities that might not be available at a different location.

- The Project is uniquely located along the largest inland water body in California, that was previously a significant draw for tourists and associated revenue for the region. This Project is designed to kick start the rebirth of the Salton Sea, and its associated tourist industry.
- The Project is uniquely located to create beach front residences within the Inland Empire, that are only currently available in the coastal areas along the Pacific Ocean.

These Findings are based upon all of the documents and records contained within the County's files with respect to the Project, including but not limited to the entire record of proceedings defined in Section II(C) above.

VIII. Other General Findings.

A. The Project's Long Term Buildout/Phasing.

The County finds that this a phased project, with potential buildout occurring over four decades. Certain future components of the Project, such as a potential marina or casino, may or may not be developed based on circumstances that are not currently knowable, including the economic conditions over the next 40 years and the timing of adopting and implementing a Salton Sea restoration plan. The County finds that the future delay or omission of certain land uses allowed within the Specific Plan area does not render the Project infeasible, because the Project as conditioned can be successful without them. The County further finds that the various development thresholds stated in the Project's Specific Plan, Conditions of Approval and mitigation measures, particularly with respect to job creation, ensure that the Travertine Project will be developed in a sustainable manner, with a viable balance of housing, jobs, and needed services. Similarly, the County finds that the delay of future phases, due to applicant's delay in satisfying any particular threshold in the Specific Plan, for example, occupied commercial space requirements, does not render the overall Project infeasible, but rather may delay its estimated buildout.

The County further finds that the RRDEIR and Final EIR adequately analyze the potential impacts of a project with less density than full buildout of the proposed Project, including Project Alternative 4, and that it would be too speculative and too burdensome to meaningfully evaluate every potential scenario where not every housing unit and approved land use in the Specific Plan is developed.

The County further finds that successful Salton Sea restoration is not a necessary pre-condition to the implementation of the Project as a whole, although the lack of successful restoration may impede certain small component parts, such as the proposed Marina.

B. Affordable Housing.

The County finds that the applicant's commitment to reserve 10% of the Project's total units for affordable housing, approximately 1,655 units, is (1) consistent with the County's

current and pending General Plan Housing Element policies regarding affordable housing, and (2) is a net beneficial impact with respect to the existing need for affordable housing in the Southeast Coachella Valley, which has been identified as one of the poorest areas in the United States. See County Counsel testimony at December 13, 2011 Board of Supervisors hearing. Finally, the County finds that it would be financially infeasible to increase the percentage of affordable units from 10% to 40% based on the financial feasibility reports submitted to County Staff, including but not limited to the December 30, 2011 letter from DPF to Matt Straite.

C. EIR Cumulative Impacts Methodology.

The Sierra Club and Center for Biological Diversity has generally commented on the methodology used by the County's EIR consultant in preparing the cumulative impacts analysis in the EIR for multiple subjects, including loss of open space, loss of farm land, biological impacts, etc.

With respect to the November 8, 2011 and December 9, 2011 letters submitted by the Shute Mihaly firm on behalf of Sierra Club and Center for Biological Diversity, the County finds that the RRDEIR and the Final EIR adequately explain the cumulative impacts analysis and methodology, in that the EIR conservatively assessed cumulative impacts for several topics, including but not limited to open space, agricultural lands, and biological impacts, by both methods authorized by CEQA Guideline § 15130, *i.e.*, a list of past, present and probable future projects (§ 15130(b)(1)(A)) and the summary of projections method (§ 15130(b)(1)(B)), either of which would have been adequate under CEQA. With respect to the "list method," the County finds the geographic scope employed to be reasonable as to location and project type, and finds that the lengthy list of other projects presented in the late Shute Mihaly letters are at such distances (in excess of 30 miles), and of such different types (mostly energy related projects), as to make them inappropriate for inclusion in the EIRs cumulative projects list per Guideline § 15130(b)(1)(A). Even if additional cumulative projects were to be deemed appropriate for inclusion in the "list method," the County finds the EIR's "Summary of Projections" method (§ 15130(b)(1)(B)) to be independently sufficient for compliance with CEQA's cumulative impact analysis requirements under § 15130. See Final EIR Response to Comments, pp. 2.0-50 to 2.0-52, Responses 9-1 to 9.5; and the Memorandum from Impact Sciences to Matt Straite, re cumulative impacts study methodology.

D. Growth Inducing.

The County finds that the Project would remove existing barriers to growth and development and would be a catalyst for economic growth and development in the southeast Coachella Valley, including Riverside and Imperial County. (RDEIR, § 8.3, p. 8.3-1 to 8.3-7.) Such growth inducement could significantly affect the environment.

The County finds that the RDEIR complies with CEQA Guideline 15126.2(d), by providing a discussion of how the Project could be growth inducing, without assuming "that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

Under this standard, an EIR is not required to provide a detailed analysis of a project's effects on growth; a general analysis of how the project may facilitate growth is sufficient. *See Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 349.

The County further finds that any effort to determine the location, extent and timing of project induced growth, and its impacts, would be unduly speculative and unreasonable, at this programmatic level of entitlement approval and EIR analysis (*Napa Citizens*, 91 Cal.App.4th at 371. *See also Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1266), and that CEQA does not require the forecasting and mitigation of future development resulting from Project induced growth.

The County further finds that future growth induced by this Project will be subject to CEQA compliance, and thus the disclosure and mitigation of growth induced impacts when the details of those future projects are known, and can be more appropriately analyzed under CEQA's requirements.

See generally the Final EIR, at pp. 2.0-198 to 2.0-202, Response 13-17.

E. Programmatic Level of Review.

The County finds that the Program-level EIR prepared for this Project contains an appropriate and adequate level of detail, given the very long projected buildout of the Project, the level of detail contained within the Specific Plan, and the information reasonably available at this time. The County further finds that sufficient information regarding the precise location of certain components of the Project, including on-site and off-site infrastructure improvements, is not presently available to allow detailed project level environmental review at this time. However, the County finds that the District Refinement Plan process will provide an adequate opportunity to analyze potentially significant environmental effects, and measures to mitigate those effects, relating to the location, construction and operation of such Project components, and each District Refinement Plan must be reviewed under CEQA prior to approval. In addition, certain off-site infrastructure, including certain SR-86s improvements and a regional wastewater treatment plant, will be approved by other public agencies and subject to independent CEQA review prior to implementation. *See PRC* § 21081(a)(2).



MITIGATION MONITORING AND REPORTING PROGRAM

for the

TRAVERTINE POINT SPECIFIC PLAN

EXHIBIT B TO RESOLUTION NO. 2012-040

4.0 MITIGATION MONITORING PROGRAM

This document constitutes the Mitigation Monitoring and Reporting Program for the Riverside County General Plan in Riverside County, California. It has been prepared pursuant to the requirements of Public Resources Code 21081.6, which states, among other things, that when a governmental agency adopts or certifies a California Environmental Quality Act (CEQA) document that contains the environmental review of a proposed project:

[T]he public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Pursuant to Section 15094 (c), a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to written compliance review that will be presented to the responsible parties included in the table below. A report can be required at various stages throughout project implementation or upon completion of the mitigation measure. The following table provides the required information that includes identification of the potential impact, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified.

The following clarifies the meaning of each column in the following table:

Impact Category:	Identifies potentially affected resource/environmental condition.
Mitigation Measure:	Those measures that will be implemented to minimize possible significant environmental impacts.
Level of Impact:	Level of significance of possible significant environmental impact prior to mitigation measures.
Implementation Timing:	The phase of the project in which implementation and compliance will be monitored.
Responsible Party:	Identifies the entity responsible for monitoring implementation of the mitigation measure.
Monitoring/Reporting Method:	Identifies mechanism by which implementation will be verified.

4.0 MITIGATION MONITORING PROGRAM

This document constitutes the Mitigation Monitoring and Reporting Program for the Riverside County General Plan in Riverside County, California. It has been prepared pursuant to the requirements of Public Resources Code 21081.6, which states, among other things, that when a governmental agency adopts or certifies a California Environmental Quality Act (CEQA) document that contains the environmental review of a proposed project:

[T]he public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Pursuant to Section 15094 (c), a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to written compliance review that will be presented to the responsible parties included in the table below. A report can be required at various stages throughout project implementation or upon completion of the mitigation measure. The following table provides the required information that includes identification of the potential impact, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified.

The following clarifies the meaning of each column in the following table:

Impact Category:	Identifies potentially affected resource/environmental condition.
Mitigation Measure:	Those measures that will be implemented to minimize possible significant environmental impacts.
Level of Impact:	Level of significance of possible significant environmental impact prior to mitigation measures.
Implementation Timing:	The phase of the project in which implementation and compliance will be monitored.
Responsible Party:	Identifies the entity responsible for monitoring implementation of the mitigation measure.
Monitoring/Reporting Method:	Identifies mechanism by which implementation will be verified.



4.0 Mitigation Monitoring Program

Impact After Mitigation: Level of significance of possible significant environmental impact following implementation of mitigation measures.

Comments/Completion Date: To be noted and dated by the Planning Department upon receipt of verification of each mitigation measure.

The program outlined in Table 4.0-1 has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based on recommendations by those responsible for the program. If changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

The following mitigation measures contain several acronyms that are defined in the Draft EIR, but may not be defined in the following mitigation measures. As used in the mitigation measures, these acronyms are defined as follows:

CDFG	California Department of Fish and Game
MSHCP	Multiple Species Habitat Conservation Plan
NPDES	National Pollutant Discharge Elimination System
CNEL	Community Noise Equivalent Level
EMWD	Eastern Municipal Water District
CC&R	Covenant, Condition and Restriction document
CRMP	Cultural Resources Management Plan

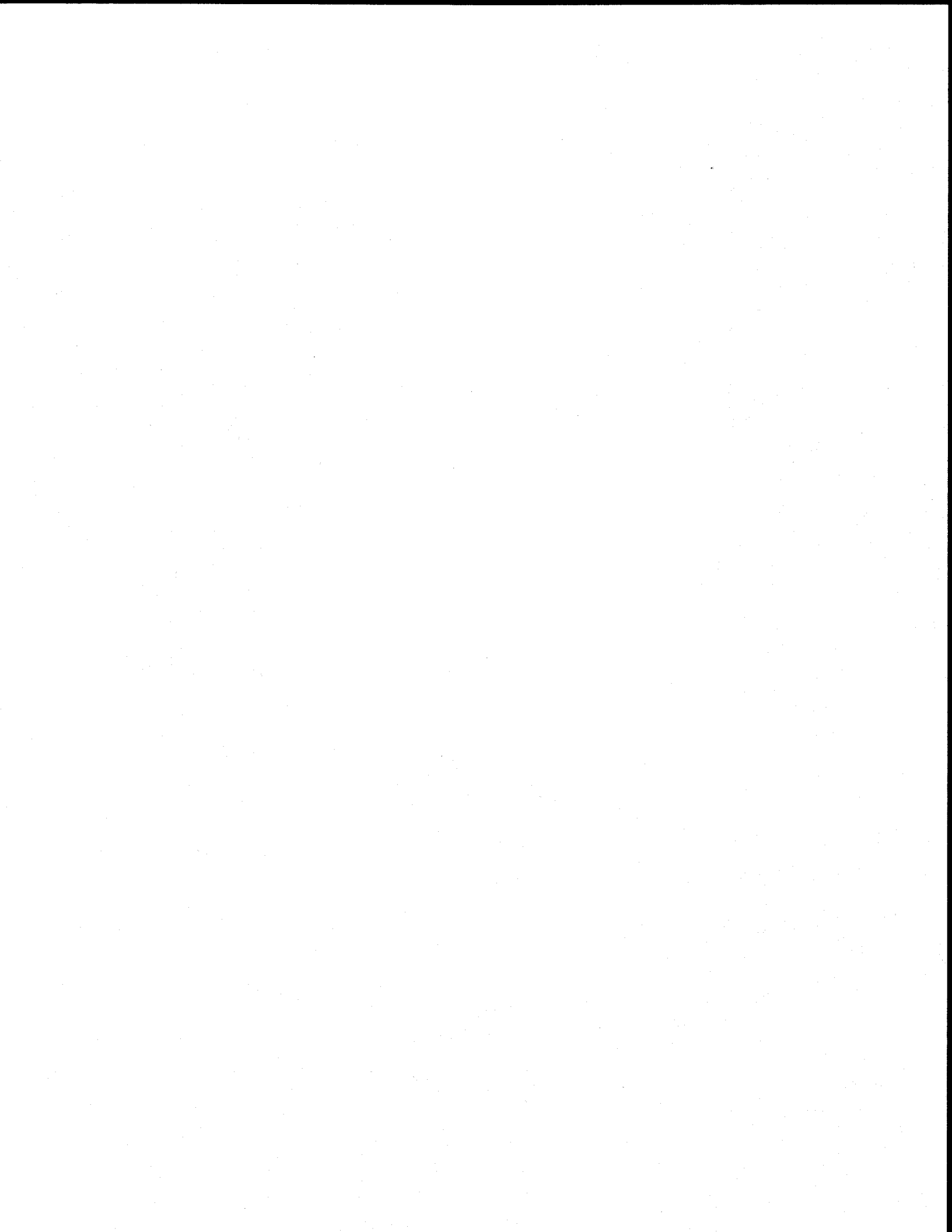


Table 4.0-1
Mitigation Monitoring Program for the Travertine Point Specific Plan

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.1-1 Prior to tentative tract map approval for the first development in the Imperial County portion of the project site, modern graffiti shall be carefully removed from Travertine Rock in coordination with the Torres-Martinez Desert Cahuilla Indians and under the supervision of an archaeological preservation specialist. Where modern graffiti cannot be removed without damage to prehistoric rock art, the archaeological preservation specialist shall determine feasibility of appropriate measures for the preservation of the prehistoric art.</p>	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
<p>6.1-2 The specific plan shall be modified to provide for protective fencing consistent with standards provided in the wall and fencing plan for planning areas adjacent to Travertine Rock and that such fencing shall be placed no closer than 500 feet around the perimeter of physical outcropping of Travertine Rock.</p>	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
<p>6.1-3 The specific plan shall be modified to restrict trails within planning areas adjacent to Travertine Rock, requiring that such trails and associated parking, trailheads, rest, and/or picnic areas shall be located no closer than 500 feet from the perimeter of physical outcropping of Travertine Rock, and shall provide for signage discouraging off-trail access.</p>	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
<p>6.1-4 Prior to grading final, the project applicant shall develop a lighting plan to reduce off-site and nighttime lighting impacts that shall be subject to approval by the Riverside or Imperial County Planning Department. The plan shall require all lighting adjacent to open space areas to be downcast luminaires with light patterns directed away from and shielded so that light is not directed into open space areas. Mercury vapor and halide lighting shall not be used on the perimeter of the developed areas and in areas adjacent to undeveloped open space. Security lighting throughout the project shall be controlled to limit light stune to necessary periods.</p>	Significant	Prior to grading final	County Building and Safety Department		Significant and Unavoidable	

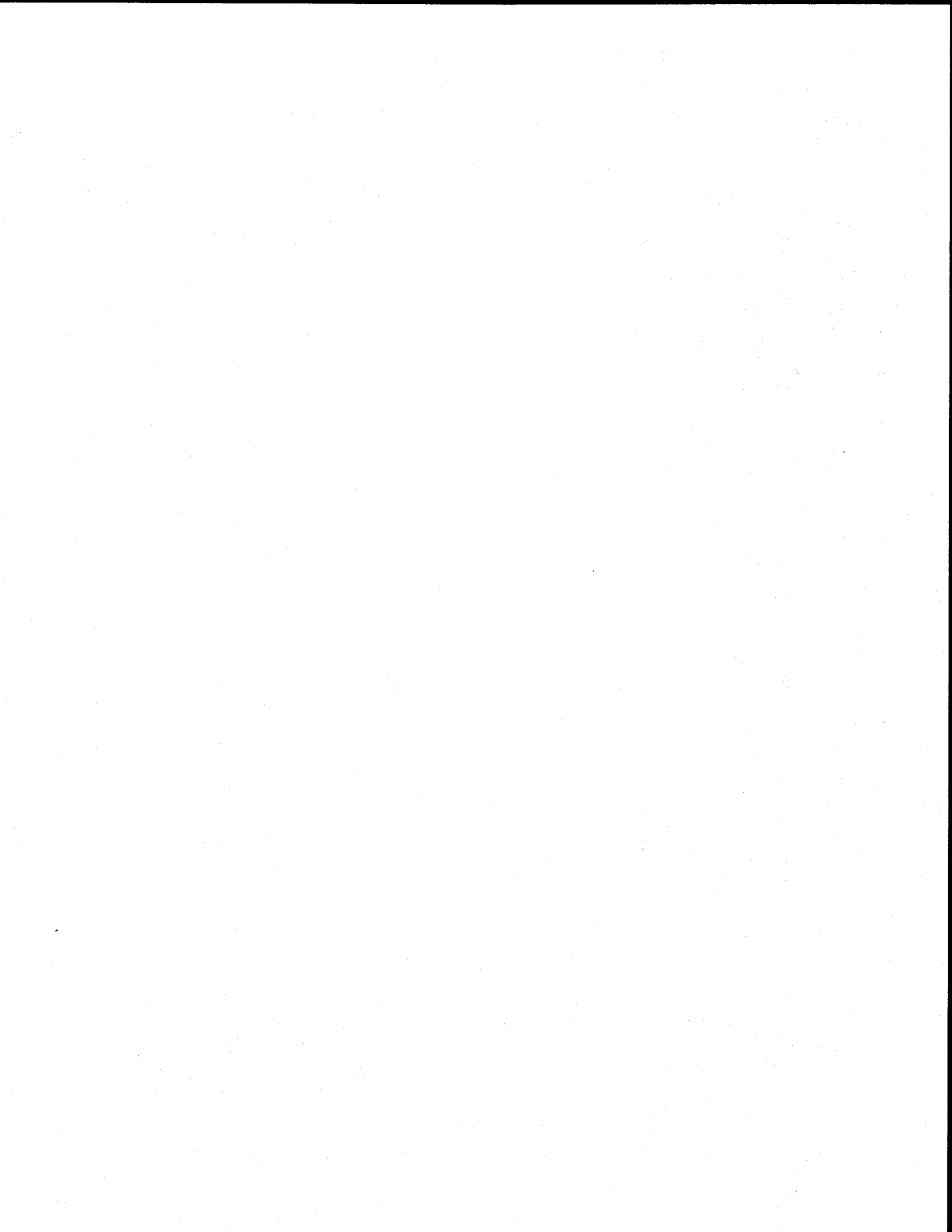


Agricultural Resources	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.2-1: The specific plan shall include for the development of a vegetative screen within the 150-foot-wide transitional agricultural buffer. The minimum standards for the vegetative screen shall include the following:</p> <ul style="list-style-type: none"> • Two staggered rows of trees and shrubs characterized by evergreen foliage that extends from the base of the plant to the crown • Trees and shrubs should be vigorous, drought tolerant and at least 6 feet in height at the time of installation. • Plants should have 50 percent to 75 percent porosity (i.e., approximately 50 percent to 75 percent of the plant is air space) • Plant height should vary in order to capture drift within 4 feet of ground applications • A mature height of 15 feet or more is required for trees • To ensure adequate coverage, 2 staggered rows should be located 5 feet apart and consist of minimum 5 gallon plants at least 6 feet tall planted 10 feet on center. • Recommended plants include Toyon (<i>Heteromeles arbutifolia</i>), Sugarbush (<i>Rhus ovata</i>), Laurel Sumac (<i>Malosma laurina</i>), and Italian cypress (<i>Cupressus sempervirens</i>). • A long-term plan shall be in place for maintaining the vegetative shelterbelt. <p>If the development of a 300-foot-wide transitional agricultural buffer is used between intensive agricultural land uses and sensitive residential and commercial land uses, the transitional agricultural buffer shall include the development of an 8-foot-tall chain link fence, placed nearest the agricultural side to deter pilferage and vandalism of crops and agricultural uses.</p>	<p>6.2-2: Prior to building final inspection, applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to active agricultural land (either active agricultural land within the project site or adjacent to the project site's boundaries) to be notified pursuant to either the Right-To-Farm notice for Riverside County (Ordinance No. 460) and/or Imperial County (Right-to-Farm Ordinance) as appropriate.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
		<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Air Quality	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.3-1:	<p>Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configuring construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.</p>	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-2:	<p>Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:</p> <ul style="list-style-type: none"> • Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour, the operators shall increase watering frequency. • Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour). • Suspend the use of all construction equipment during first-stage smog alerts. • Active sites shall be watered at least three times daily during dry weather. • Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies. • Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible. • Application of non-toxic binders to exposed areas after out and fill operations and hydroseeded areas. • Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles. • Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment. 	Significant	Prior to issuance of grading permit	County Building and Safety Department		Significant and Unavoidable	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timeline	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Consent/Completion Date
<p>Air Quality (continued)</p> <p>6.3-2 (continued):</p> <ul style="list-style-type: none"> The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following: Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentation, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment. Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt. The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations. Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions. 						
<p>6.3-3: Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD Final Localized Significance Thresholds Methodology or any superseding guidance document adopted by the SCAQMD Governing Board.¹</p>	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
<p>6.3-4: Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.</p>	Significant	Prior to building final inspection	County Building Department		Significant and Unavoidable	

1 South Coast Air Quality Management District, Final Localized Significance Threshold Methodology (2008). The guidance document may be viewed at the following website: <http://www.sqmd.gov/ceqa/handbook/lst/lst.html>.



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.3-3: Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.	Significant	Prior to building final inspection	County Building Department		Significant and Unavoidable	
6.3-4: Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled vehicles, carpools, and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.	Significant	Prior to building final inspection	County Building and Safety Department		Significant and Unavoidable	
6.3-7: Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.	Significant	Prior to building final inspection	County Building and Safety Department		Significant and Unavoidable	
6.3-8: Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the project site.	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
6.3-9a: Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the project shall be considered not feasible.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-9b: Prior to implementing project approval, the applicant shall require that electrical outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-9c: Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-10: Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 865 shall be submitted to the County Planning Department for review and approval.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	



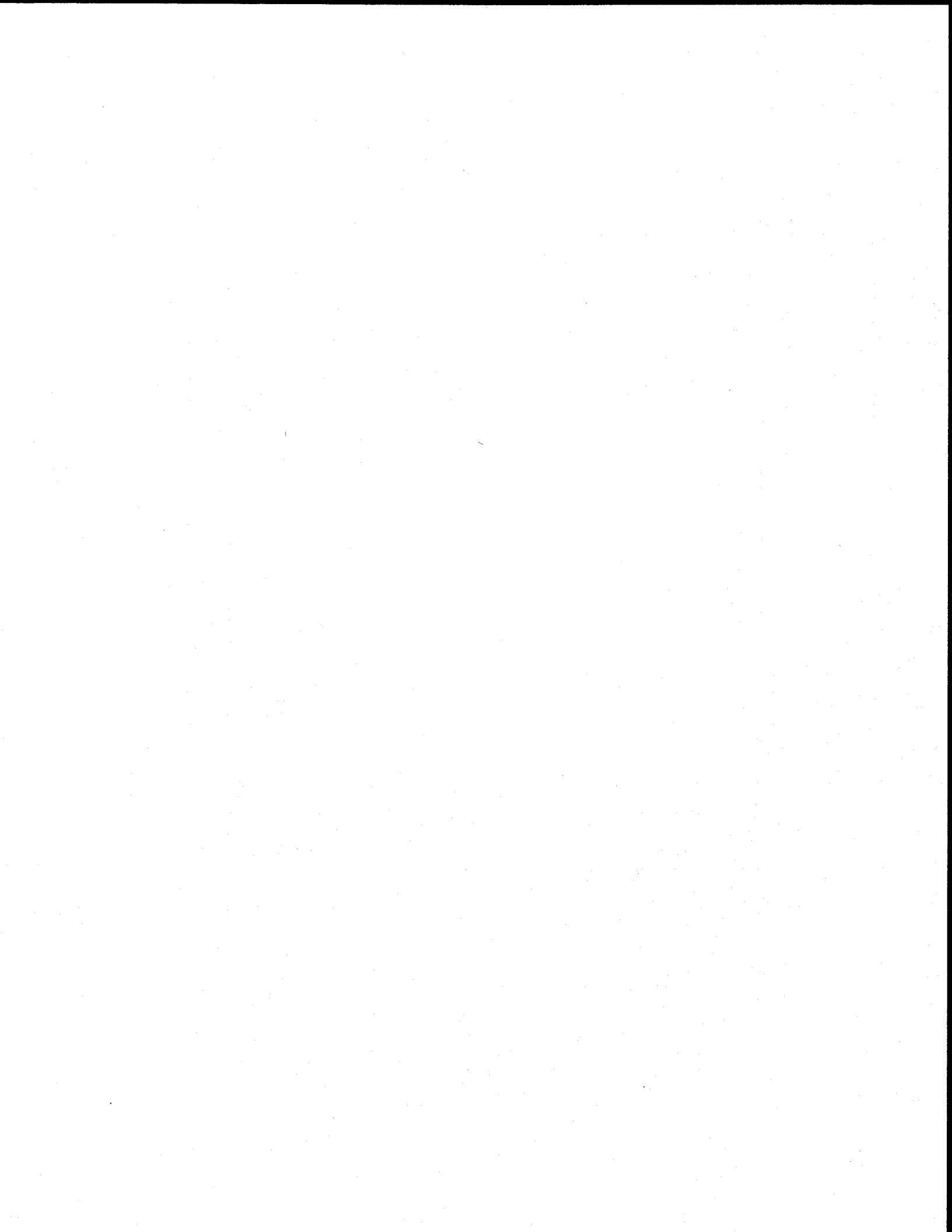
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.3-11: Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 865 to the lot line shall be submitted to the County Planning Department for review and approval.</p>	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
<p>6.3-12: Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 865 shall be equipped with high-efficiency electrostatic cleaning devices.</p>	Significant	Prior to building final inspection	County Building and Safety Department		Significant and Unavoidable	
<p>6.3-13: Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 865 shall be required to conduct a health risk assessment.</p>	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
<p>6.3-14: Prior to building final inspection, permit applicants shall provide to the County Planning Department with a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic wind-blown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.</p>	Significant	Prior to building final inspection	County Planning Department		Significant and Unavoidable	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Air Quality (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact Assessment/Mitigation	Comments/Completion Date
<p>6.3-15: Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by County Building and Safety Department and County Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:</p> <ul style="list-style-type: none"> For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work. Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (<i>coccidioides immitis</i>) and are therefore immune. Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings. Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations. Require that the cabs of grading and construction equipment be air-conditioned. Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever). Pave or apply sufficient water or environmentally safe dust control agents on all construction roads. Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering. During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents. 	Significant	Prior to issuance of grading permit	County Building Department		Significant and Unavoidable	
<p>6.3-16: Prior to the first implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority a one-time payment in the amount of \$100,000 for IPFD formation.</p>	Significant	Prior to the first implementing project approval	County Planning Department		Significant and Unavoidable	
<p>6.3-17: Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IPFD.</p>	Significant	Prior to the first implementing project approval	County Planning Department		Significant and Unavoidable	

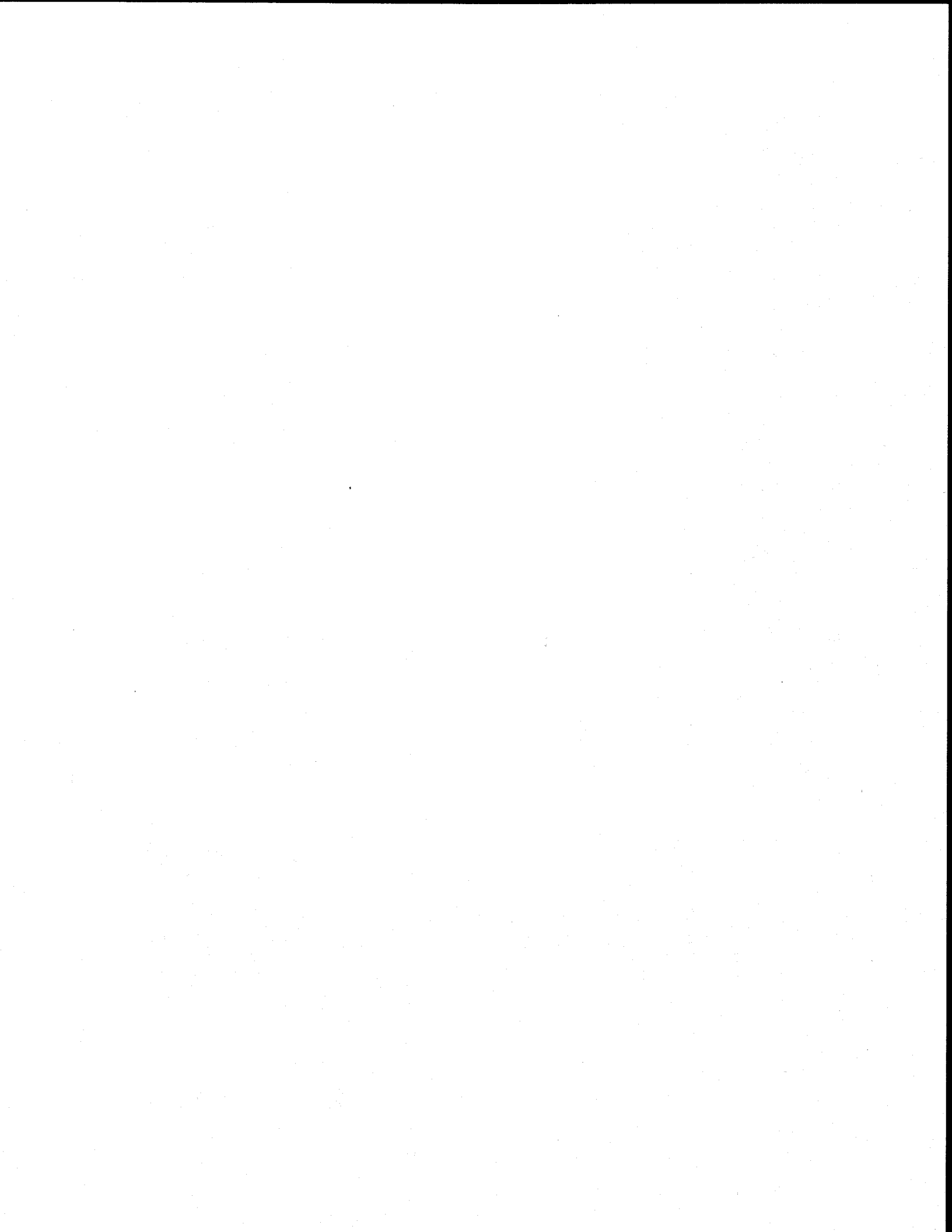


Impact Category/Mitigation Measures <i>(Air Quality (continued))</i>	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Costs/Start/Completion Dates
<p>6.3-18: Prior to implementing project approval, stationary sources of diesel, ozone, or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the thresholds.</p>	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
<p>6.3-19: Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall enclose odor-generating processes and utilize other odor-abatement technologies as required under state and local regulations.</p>	Significant	Prior to building final inspection	Wastewater treatment facility operator		Significant and Unavoidable	
<p>6.3-20: Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall develop a protocol for handling odor complaints.</p>	Significant	Prior to building final inspection	Wastewater treatment facility operator		Significant and Unavoidable	
<p>6.3-21: Prior to implementing project approval, plans demonstrating that auto body shops with painting/coating operations are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.</p>	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
<p>6.3-22: Prior to implementing project approval, plans demonstrating that asphalt plants are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.</p>	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
Biological Resources						
<p>6.4-1: Prior to implementing project approval, a qualified biologist currently holding an MOU with Riverside County shall conduct a focused survey for the two special-status plant species observed within the Riverside County portion of the proposed project site, chaparral sand verbena and Peirson's pebble pincushion, which are not covered under the CVMSHCP within the proposed development areas in order to determine the extent of individual plants to be impacted by the implementing project design. Impacts resulting from project construction to the two special-status plant species observed shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.</p>	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	



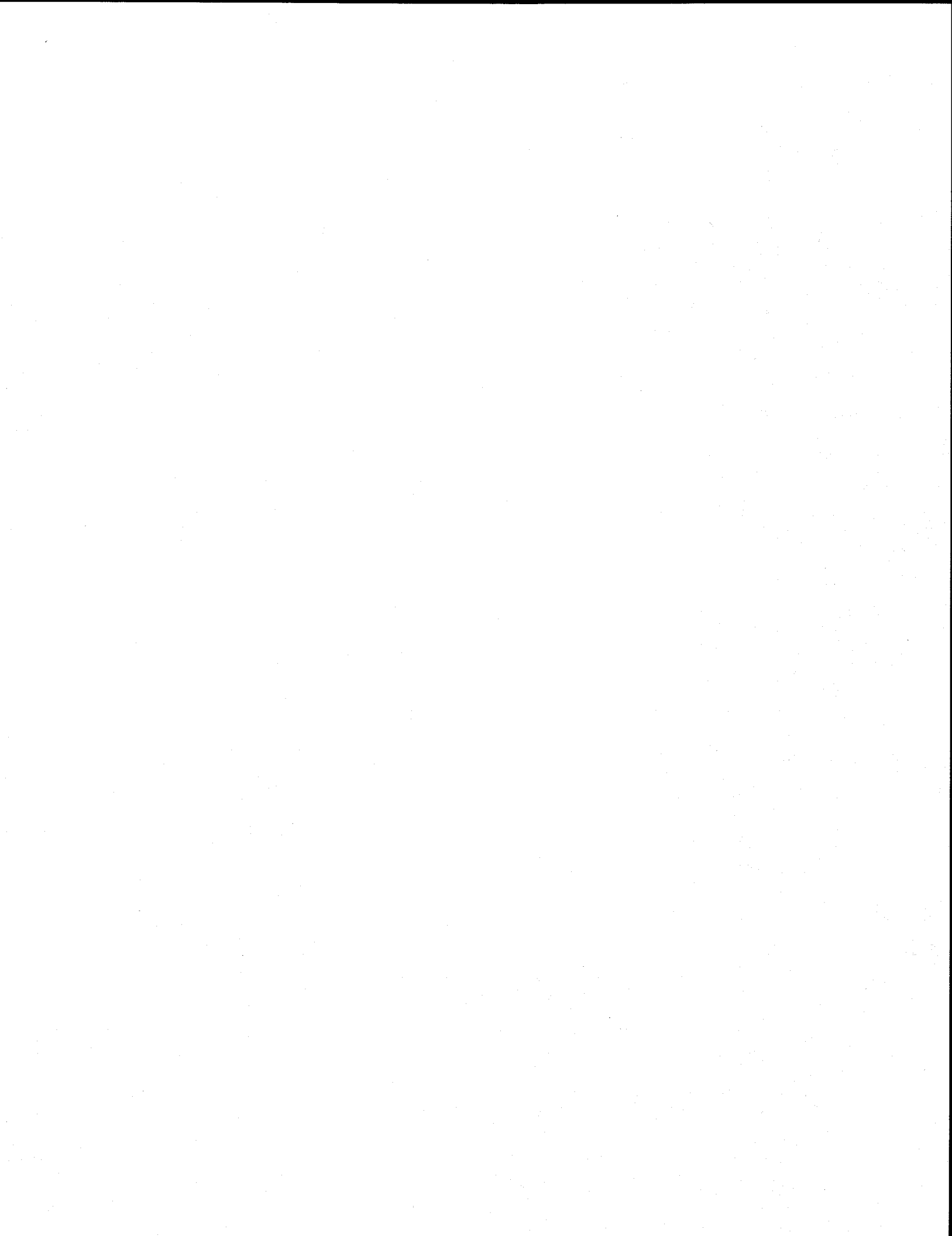
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-2: Prior to implementing project approval, the project applicant shall retain a qualified biologist currently holding an MOU with Riverside County, to collect seed from special-status plant species individuals during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-3: Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peterson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Riverside County Environmental Programs Division.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-4: Impacts resulting from project construction within the Riverside County portion of the proposed project site to those special-status wildlife species covered under the CVMSHCP, including desert pupfish, flat-tailed horned lizard, Yuma clapper rail, burrowing owl, Crissal thrasher, Le Conte's thrasher, western yellow bat, Palm Springs round-tailed ground squirrel, and Palm Springs pocket mouse, shall be mitigated through payment of the CVMSHCP Local Development Mitigation Fee. Prior to implementing project approval, fee payment shall be made by the project applicant to Riverside County. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Coachella Valley Conservation Commission.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>Biological Resources (continued)</p>						
<p>6.4-5: Impacts resulting from project construction within the Riverside County portion of the proposed project site to Couch's spadefoot, which is not covered under the CVMSHCP, shall be mitigated. Prior to implementing project approval, in areas of suitable habitat for Couch's spadefoot on the project site, a qualified biologist currently holding an MOU with Riverside County shall conduct focused surveys including areas of runs or small pools, as well as the irrigation ponds, and relocate any toad individuals or eggs found. The survey shall be conducted during the active season of Couch's spadefoot (which corresponds with the rainy season). The survey results shall be submitted to the Riverside County Environmental Programs Division and Imperial County and CDFG.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



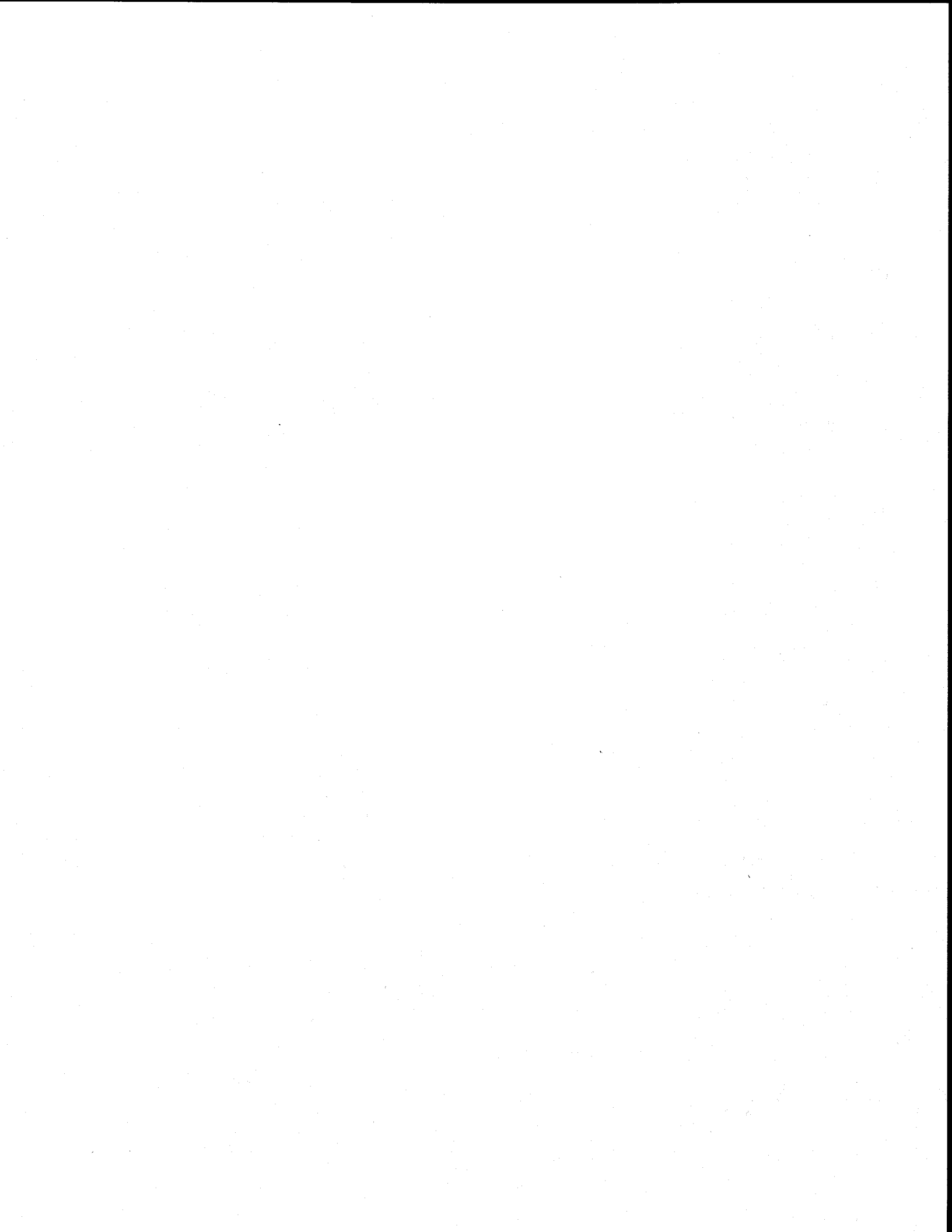
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-4: Prior to implementing project approval, if the above surveys result in the observation of Couch's spadefoot within project impact areas, observed individuals and/or eggs shall be removed from project impact areas (with the prior approval of the CDPC) and relocated to predetermined suitable habitat in an appropriate area within Open Space-Conservation areas on the project site that will not be impacted. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.</p> <p>Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. If suitable habitat for relocation of Couch's spadefoot is found within this area, load individuals or eggs will be taken to this location. In addition, suitable disturbed/recovering Sonoran creosote bush scrub areas will also be considered for relocation efforts.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4.2: Prior to implementing project approval, impacts resulting from project construction to rosy boa, which is not covered under the CVMSHCP, within the Riverside County portion of the proposed project site shall be mitigated through pre-construction surveys and relocation. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of the grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation.</p> <p>If rosy boa individuals are found, an active trapping and relocation program conducted by a qualified biologist currently holding an MOU with Riverside County and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation, shall take place. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of rosy boa into the grading site. The fences shall be monitored as a regular part of construction monitoring.</p> <p>Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of rosy boa.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	

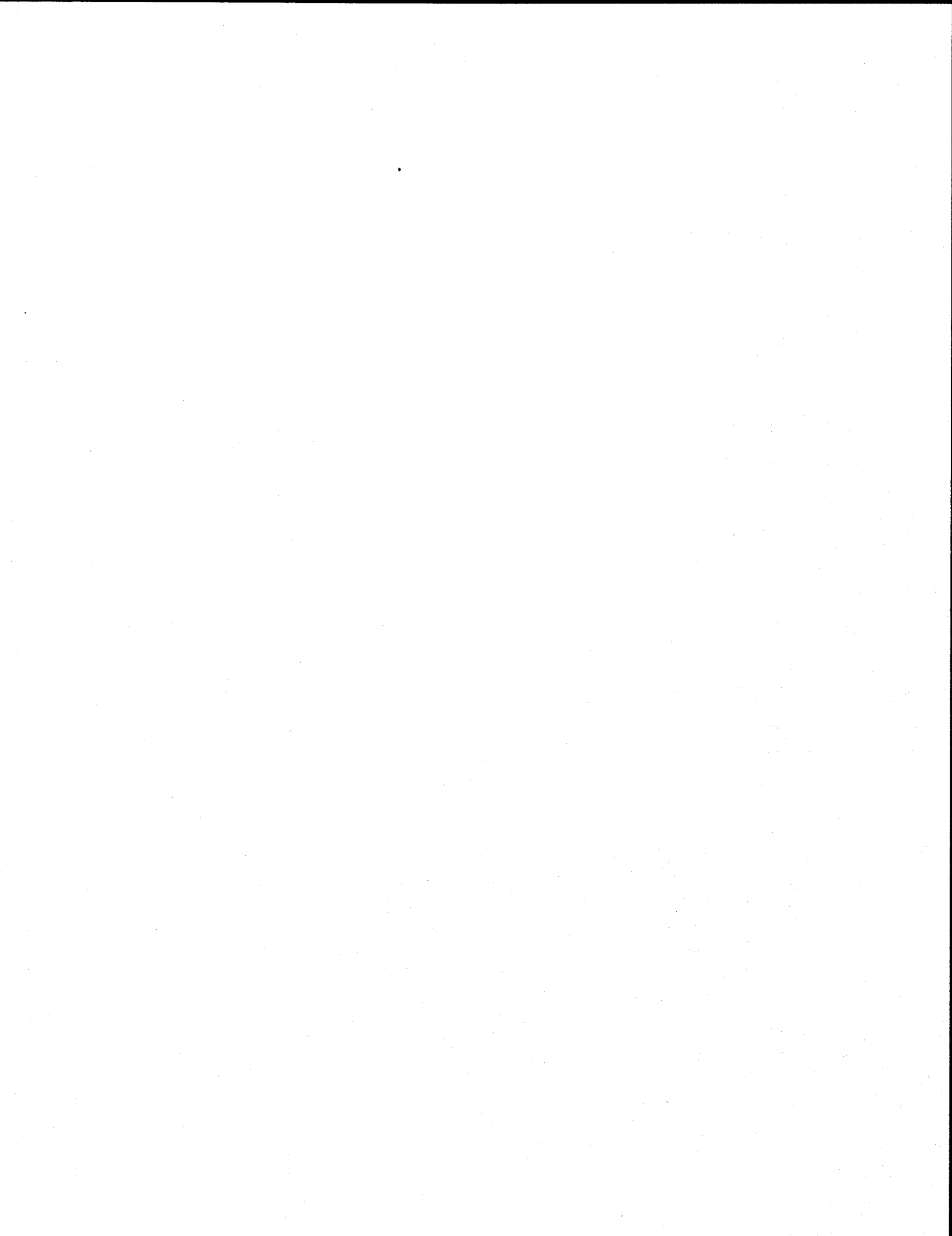


Biological Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-4: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include loggerhead shrike and black-tailed grnatcatcher, shall be mitigated through pre-construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to ensure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting loggerhead shrike and black-tailed grnatcatcher individuals shall be conducted in trees and shrubs of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts. Where nesting loggerhead shrike and/or black-tailed grnatcatcher individuals are found, protection of nests shall include postponing or halting clearing and construction activities within 500 feet of the nest until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved</p>	<p>Prior to implementing project approval</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>	<p>Less than Significant</p>		

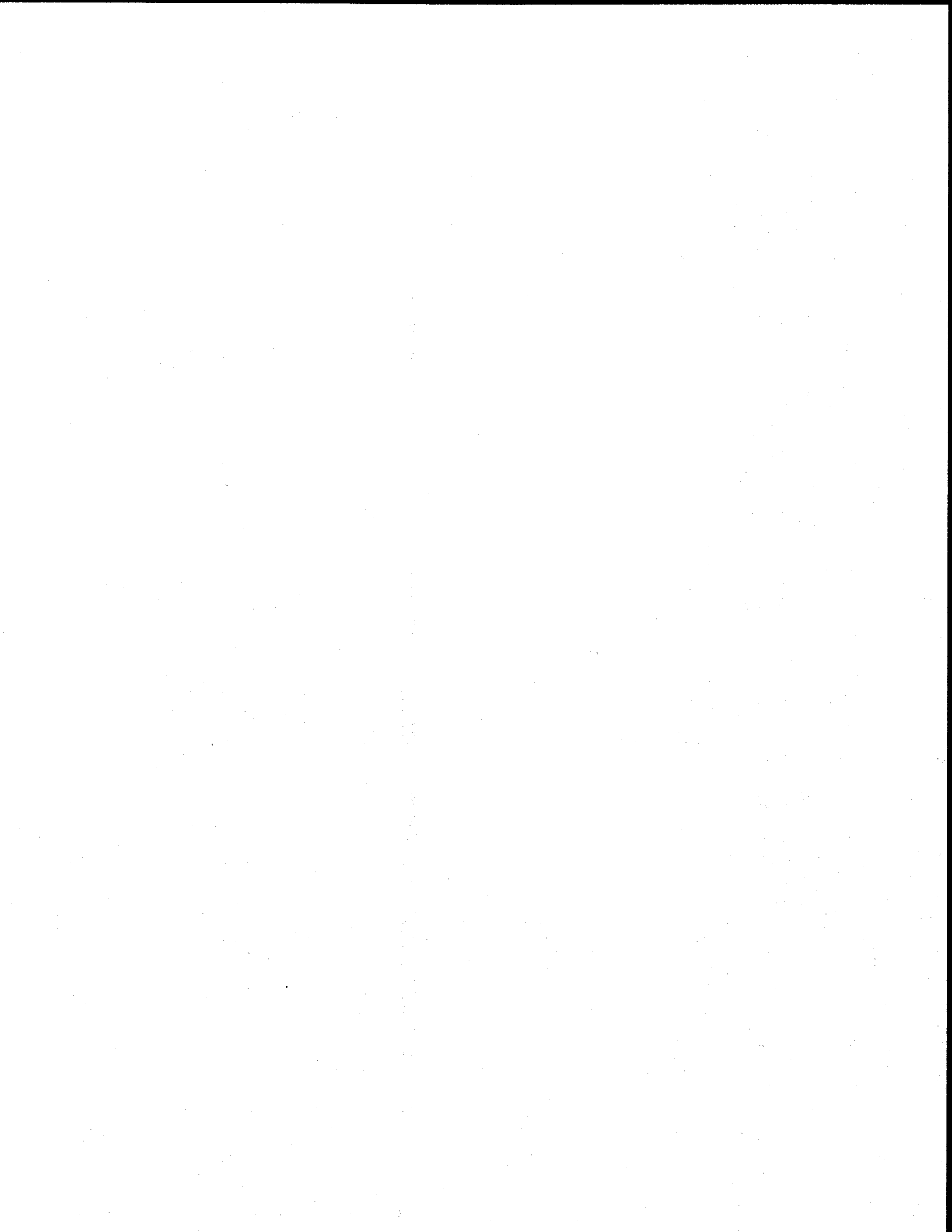


4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-3 (continued): buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the Riverside County Environmental Programs Division within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>							
<p>6.4-4: Prior to implementing project approval, impacts resulting from proposed construction within the Riverside County portion of the project site to pallid San Diego pocket mouse, which is not covered under the CVMSEHCP, shall be mitigated through focused surveys utilizing small mammal trapping and relocation of this species. The applicant shall retain a qualified biologist currently holding a MOU with Riverside County to conduct the trapping. The survey results shall be submitted to the Riverside County Environmental Programs Division and CDFG. Prior to implementing project approval, if pallid San Diego pocket mouse is found during small mammal trapping efforts, an active trapping and relocation program shall be conducted by a qualified biologist currently holding a MOU with Riverside County, in coordination with the CDFG. The active trapping and relocation program shall move individuals to suitable on-site or off-site habitat that will not be directly impacted by project implementation. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of pallid San Diego pocket mouse.</p>		<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



Biological Resources (continues)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-10: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to Colorado Valley woodrat, which is not covered under the CVMSHCP, shall be mitigated through pre-construction surveys and relocation. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County, to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation. The biologist shall survey for Colorado Valley woodrat nests.</p> <p>Where a Colorado Valley woodrat nest is found, it shall be determined by the biologist in which direction escape by any rat individuals occurring inside the nest will be encouraged. Vegetation around the nest in the opposite direction shall be cleared to discourage woodrat individuals from moving in that direction. Once vegetation in that direction is cleared, the nest shall be nudged with a front-end loader, encouraging any woodrats in the nest to exit the structure in the direction that leads toward adjacent habitat occurring within the Open Space-Conservation land use category of the proposed project or alternatively within areas near the project site (such as ARDOSP and SRSM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements). Once any woodrats present in the nest have been encouraged to exit the nest, nest materials shall be carefully and slowly picked up with a front end loader (slowly enough that any woodrats remaining in the nest can escape), and the materials shall be moved to adjacent suitable habitat, as noted above, that will not be impacted by project development, where woodrats may scavenge nest materials to build new nests. Due to hantavirus hazards, the nest shall not be excavated by hand, and nest materials shall not be carried by hand.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of Colorado Valley woodrat shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of woodrats into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>			<p>Less than Significant</p>	



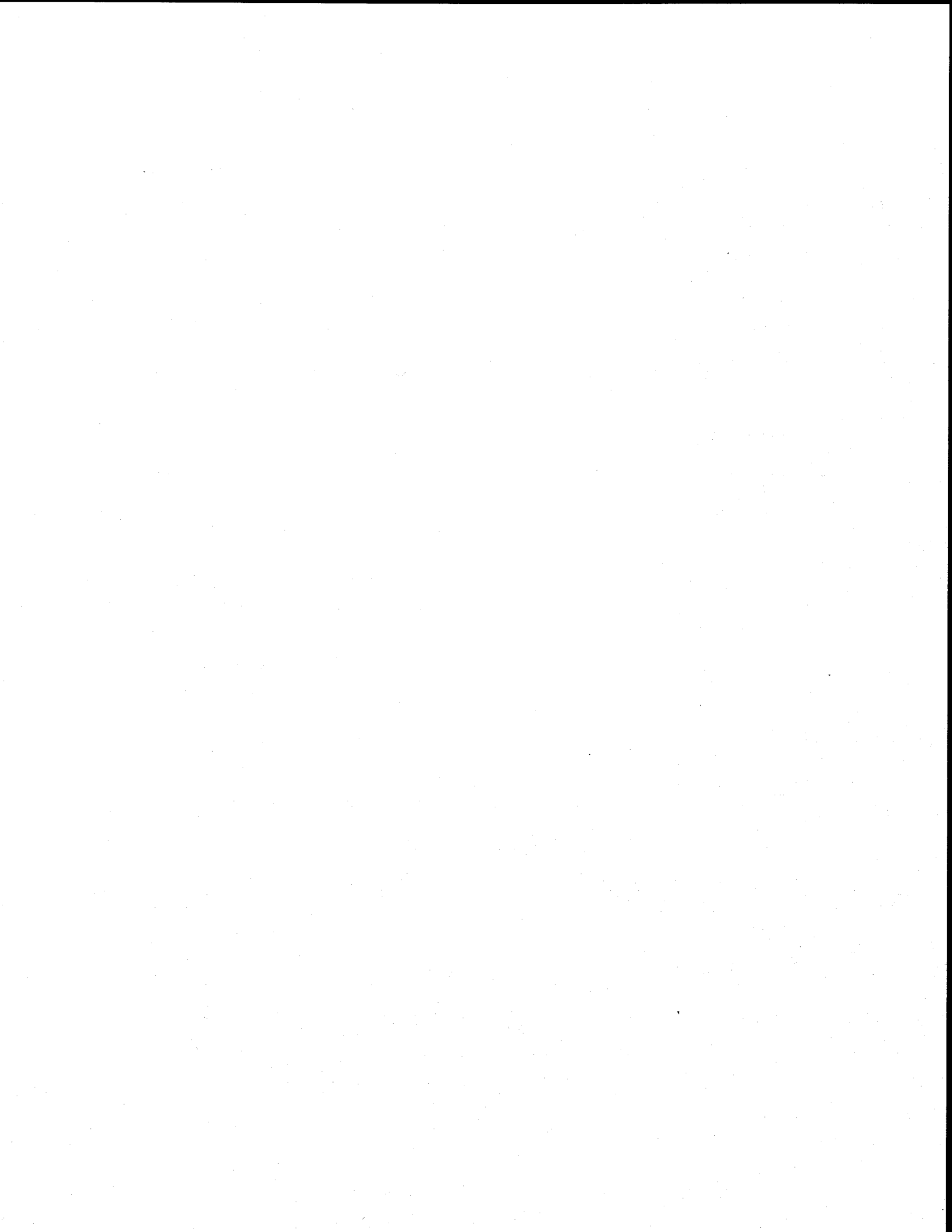
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-11: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to American badger, which is not covered under the CVMSHCP, shall be mitigated through a pre-construction clearance survey. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and salbush scrub habitats that will be developed as part of project implementation.</p> <p>Prior to implementing project approval, if an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde wash woodland habitat located in of the project site that is not planned for development. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of badgers into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p> <p>Prior to implementing project approval for each implementing project, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space (Conservation) land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of American badger and sufficient carrying capacity is assumed for the conserved areas.</p>	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	

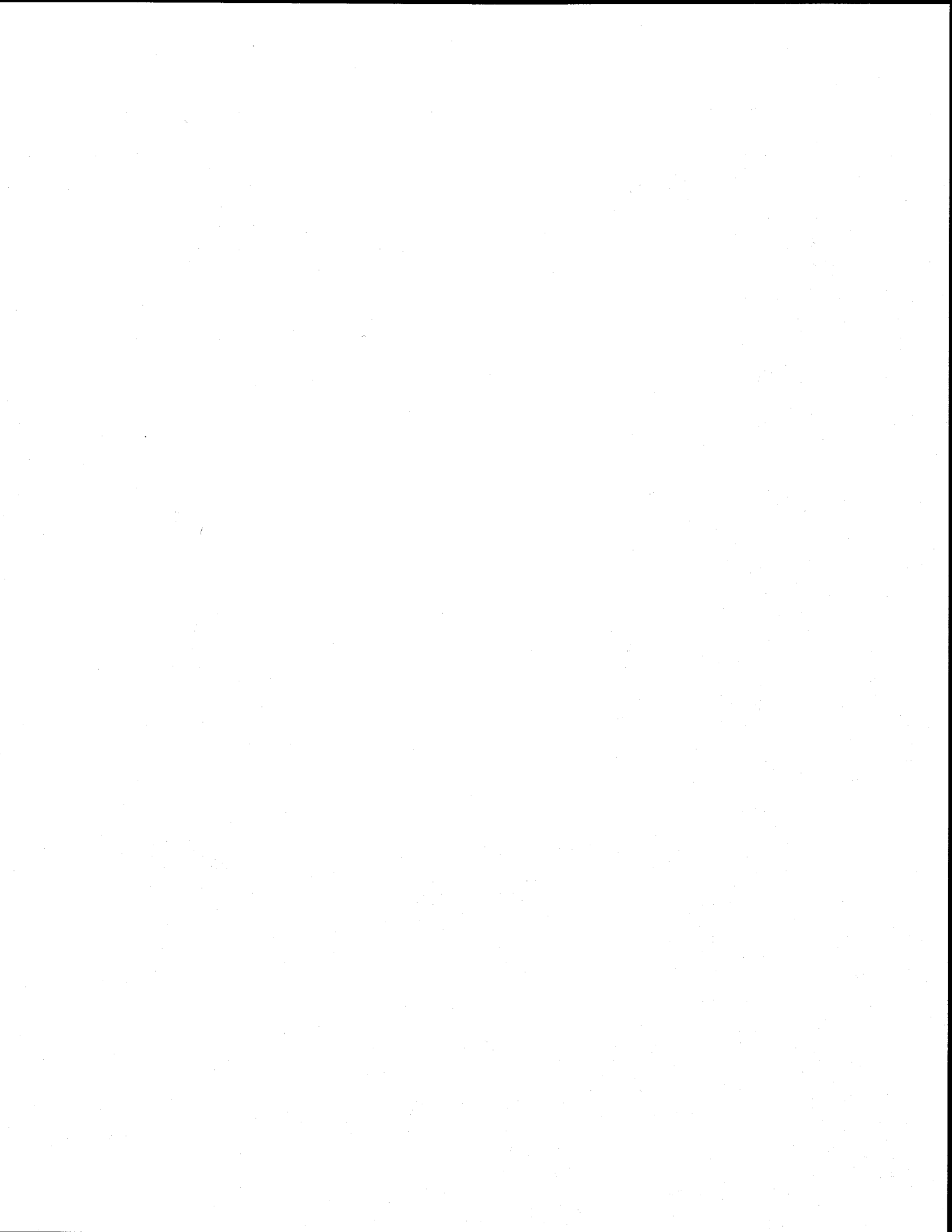


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-12: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include great egret, great blue heron, black-billed night heron, double-crested cormorant, snowy egret, gull through pre construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting individuals of these species shall be conducted in trees and shrubs and on the ground of Salton Sea shoreline habitat and arrowweed scrub adjacent to the Salton Sea that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-13: Biological Resources (continued) Proposed project construction impacts to nesting birds located in project impact areas within the Riverside County portion of the project site shall be mitigated through pre-construction nesting bird surveys and avoidance of any nesting birds found. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Prior to grading final for each implementing project for construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist currently holding an MOU with Riverside County to determine if active nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Surveys shall take place in all habitat types containing trees, shrubs, or grasses. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understorey, as several bird species known to the area and project site, are ground nesters, including burrowing owl, California horned lark, and mourning dove.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-14: Impacts and potential impacts resulting from project construction within the tribal lands of the Riverside County portion of the proposed project site to those federally listed or proposed for listing special-status wildlife species protected under the CVMSHCP, such as desert pupfish, flat-tailed horned lizard, Yuma dapper rail, and Palm Springs round-tailed ground squirrel, shall be mitigated through payment of a pro-rated amount equivalent to the CVMSHCP Local Development Mitigation Fee in conjunction with consultation with US Fish and Wildlife Service. Fee payment shall be made by the proposed project applicant to Riverside County prior to issuance of grading permits for the proposed project. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Coachella Valley Conservation Commission but pro-rated to an amount equivalent to that portion covering federally listed species only.</p>	Significant	Prior to implementing project approval	Torres-Martinez Desert Cahuilla Indians		Less than Significant	
<p>6.4-15: Impacts resulting from project construction to the two special-status plant species observed within the Imperial County portion of the proposed project site, chaparral sand verbena, and Peirson's pebble pincushion, shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDRG and will include provisions for monitoring success criteria and performance standards.</p> <p>Prior to implementing project approval, a qualified biologist, shall conduct a focused survey for the two special-status plant species within the proposed development areas in order to determine the extent of individual plants to be impacted by the implementing project design.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.4-16: Prior to implementing project approval, the project applicant shall retain a qualified biologist to collect seed from special-status plant species individuals during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site designated Open Space (Conservation) will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-17: Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbenas and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Imperial County Department of Planning and Building, Planning Division.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-18: Proposed project construction impacts to active burrowing owl burrows located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction burrowing owl surveys and other measures described below. Prior to implementing project approval for each implementing project, the project applicant shall retain a qualified biologist to conduct focused pre-construction burrowing owl surveys within implementing project areas and 75 meters (approximately 250 feet) of impact areas, prior to construction or site preparation activities, including grubbing or grading. Such surveys shall be conducted if ground disturbing activities commence during the burrowing owl wintering season (typically September 1 through January 31) or during the burrowing owl breeding season (typically April 15 through July 15). In accordance with the Burrowing Owl Survey Protocol and Guidelines, the pre-construction survey shall be conducted no more than 30 days prior to commencement of initial ground disturbing activity. Burrowing owl pre-construction surveys may be conducted concurrently with general nesting bird surveys; the recommended protocol for general nesting bird surveys is provided in Mitigation Measure 6.4-22.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>California Department of Fish and Game</p>		<p>Less than Significant</p>	



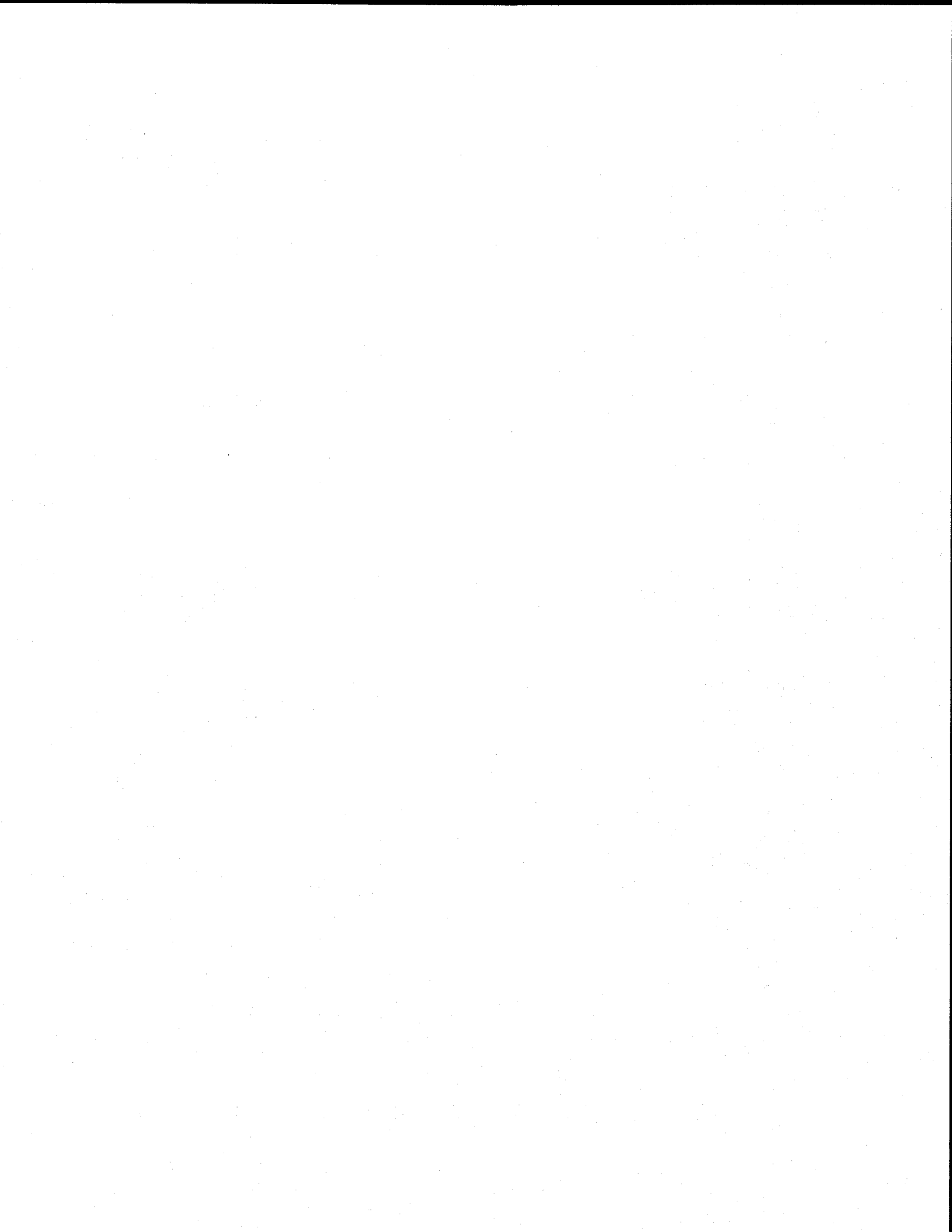
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-18 (continued): If active burrowing owl burrows are observed within the Imperial County portion of the implementing project impact areas or the adjacent 75 meters, during construction activities protective fencing shall be erected to provide a 75-meter buffer around the burrows during the breeding season, or a 50-meter buffer around the burrows during the wintering season. If during construction, active burrowing owl burrows are located during the breeding season, the protective fencing shall remain in place around the burrows until the young have fledged. Once the young have fledged, or if grading will occur during the non-breeding season, owls may be excluded from all active burrows through the use of exclusion devices placed in occupied burrows, in accordance with CDPC protocols. Specifically, with the approval of CDPC, exclusion devices utilizing one-way doors shall be installed in the entrances of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the proposed project impact area, as determined by a qualified biologist. If suitable, natural alternate burrowing owl burrows are not present within the vicinity of the excluded burrows (but beyond 50 meters from the project impact zone), within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls or each single bird (if not paired), where feasible, artificial burrows meeting these criteria shall be created for the owls.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>California Department of Fish and Game</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Biological Resources (continued) Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact/After Mitigation	Comments/Completion Date
<p>6.4-18 (continued):</p> <p>Prior to implementing project approval, if construction will reduce suitable on-site habitat below the threshold level of 6.5 acres per relocated pair or single bird, off-site habitat shall be provided and could include areas near the project site (such as ABDSP, SKSIM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements. Off-site habitat shall be suitable burrowing owl habitat, as defined in the Burrowing Owl Survey Protocol and Guidelines, and CDFG shall approve the site. If the 6.5-acre threshold is not satisfied, off-site lands shall be obtained at a 1.5:1 ratio (9.75 acres per pair or single bird) for occupied habitat, at a 2:1 ratio (13 acres per pair or single bird) for habitat contiguous to currently occupied habitat, or at a 3:1 ratio (19.5 acres per pair or single bird) of suitable but unoccupied habitat. This shall be determined by a qualified biologist, at the time of implementation of ground-disturbing activities. This mitigation may be conducted concurrently with mitigating for impacts to rosy boa, flat-tailed horned lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger, as discussed in Mitigation Measure 6.4-21. If off-site habitat is not available for purchase by the project applicant, then the applicant shall pay an in-lieu payment at the current market rate for a designated conservation area within the CVHCF.</p> <p>A report shall be prepared and submitted to the CDFG upon completion of pre-construction surveys for burrowing owl and implementation of any necessary mitigation. The report shall provide the CDFG with information about survey and mitigation efforts for impacts to burrowing owl resulting from construction of the proposed project within the Imperial County portion of the proposed project site.</p>						



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-19: Prior to implementing project approval, construction impacts to breeding loggerhead shrike, black-tailed grackle, Crissal thrasher, and Le Conte's thrasher located in the project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction special-status bird surveys and other measures described below. Such surveys shall be conducted concurrently with pre-construction nesting bird surveys, and shall include reconnaissance for loggerhead shrike, black-tailed grackle, Crissal thrasher, or Le Conte's thrasher nests or individuals exhibiting breeding behavior: If special-status bird nests are found in the Imperial County portion of the project site, clearing and construction activities within 500 feet of the nest shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the pre-construction special-status bird surveys, as well as any avoidance measures taken and the success of those measures, shall be included in the report submitted to the County of Imperial Department of Planning and Building, Planning Division, as described in Mitigation Measure 6.4-22 for nesting birds.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-20: Prior to implementing project approval, construction impacts to rosy boa, flat-tailed horned lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger located in project impact areas within the Imperial County portion of the proposed project site shall be mitigated through a pre-construction clearance survey and relocation. The applicant shall retain a qualified biologist, to conduct focused pre-construction surveys for the presence of these species on the proposed project site. Surveys shall be within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of Sonoran creosote bush scrub and blue palo verde wash woodland habitats.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact/Air Mitigation	Comments/Completion Date
<p>6.4-20 (continued):</p> <p>If one of the above special-status species is observed on the project site during clearance surveys, potential loss of individual animals shall be mitigated by (1) ensuring that construction activities do not enter the specific area in which the individual was observed until the individual has been observed vacating the area and moving into nearby habitat that will not be directly impacted by project activities (appropriate for more mobile species), or (2) through an active trapping and relocation program, conducted by a qualified biologist, and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation (appropriate for less mobile species). If an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of any of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde wash woodland habitat that is not planned for development.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa, flat-tailed horned lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of these species into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p> <p>It is noted that this mitigation measure may be more successful during summer months, when species such as rosy boa and flat-tailed horned lizard are above ground and active, than during winter months, when such species are inactive. It is also noted that the success of this mitigation depends upon the trapping of individual animals, which may in some cases have moved out of the immediate area between the time of observation and the time of trapping. Therefore, it is recommended that a best effort at pre-construction clearance surveys and a trap and relocate plan be implemented, as is determined to be feasible.</p>						



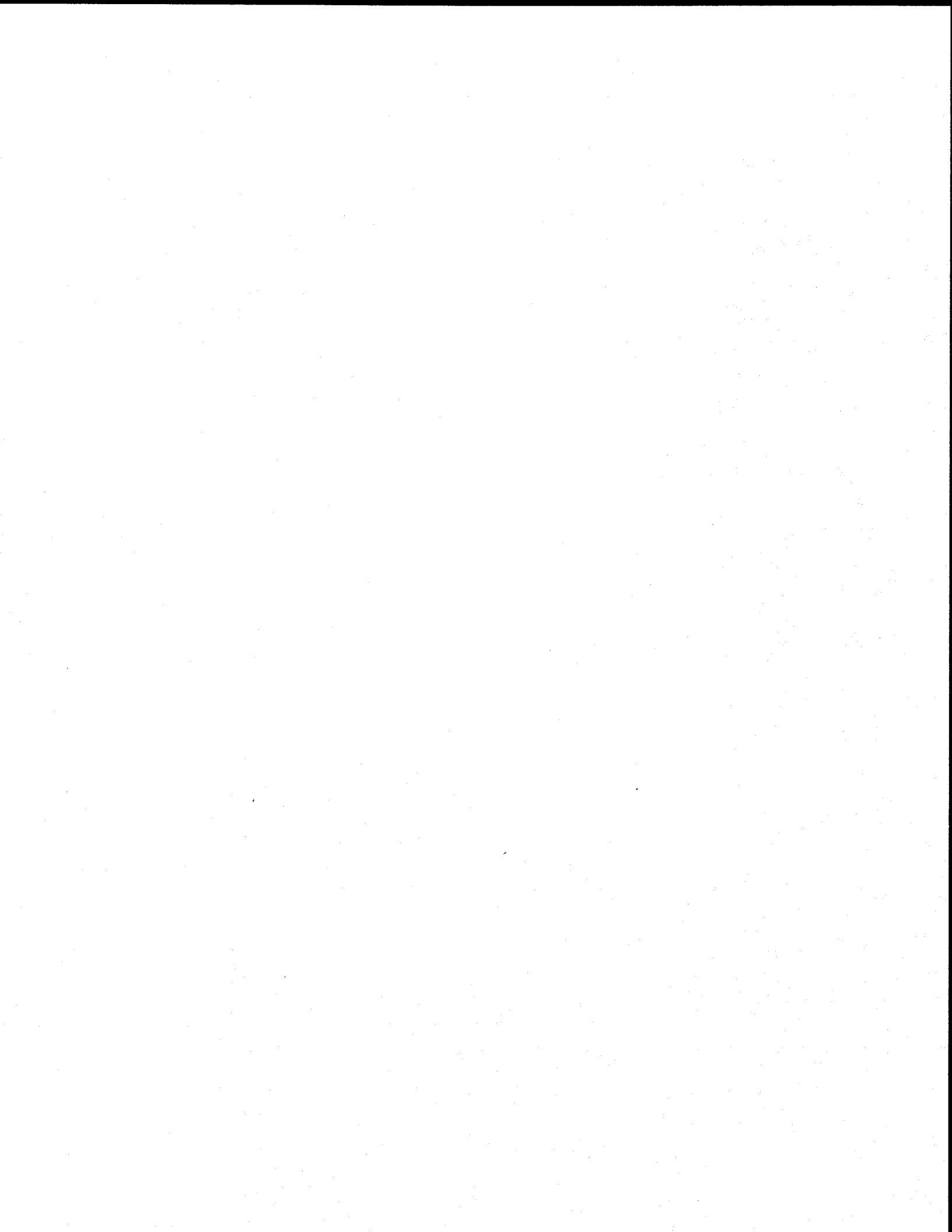
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-21: Prior to implementing project approval, construction impacts to rory boa, flat-tailed horned lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger located in the Imperial County portion of the project site shall be mitigated through the preservation of suitable habitat currently present within the proposed project site. A portion of the Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site (Open Space-Conservation), which provides suitable habitat for these species, will remain undeveloped upon construction of the proposed project. This undeveloped area is located adjacent to open space lands to the west (ABDSF, SRSJM National Monument, and other state and federally owned lands), allowing for connectivity with nearby suitable habitat for these species. The project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland that are to remain undeveloped through a conservation easement, deed restriction, or similar mechanism. This mitigation may be conducted concurrently with mitigating for impacts to active burrowing owl burrows, as discussed in Mitigation Measure 6.4-18.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-22: Prior to implementing project approval, construction impacts to nesting birds located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction nesting bird surveys and the other measures described below. Within 30 days of ground-disturbing activities associated with construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist, to determine if active nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



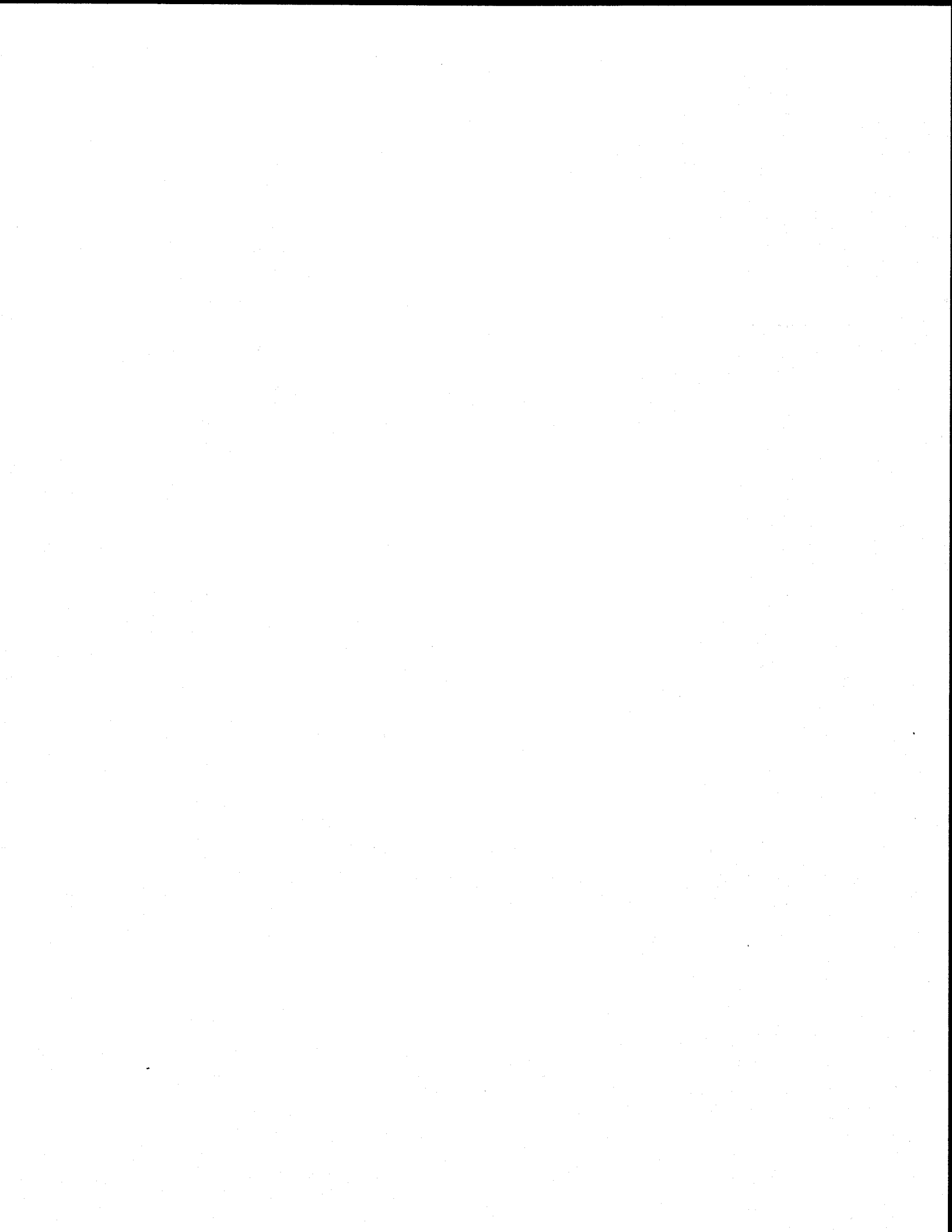
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-22 (continued)</p> <p>during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understorey, as several bird species known to the area and project site, are ground nesters, including burrowing owl, California horned lark, and mourning dove.</p> <p>If active nests are found, clearing and construction activities within 300 feet of the nest (500 feet for raptors) shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the County of Imperial Department of Planning and Building, Planning Division within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-23: Prior to implementing project approval, impacts resulting from proposed project conversion of potential western yellow bat habitat (date palms) to residential and commercial development shall be mitigated through a pre-construction roosting bat survey and the mitigation measures described below. Palm trees that will be impacted (removed or within approximately 300 feet of construction areas) by proposed project construction shall be surveyed by a qualified biologist for western yellow bat. Surveys may involve visual examination of palm trees (especially hanging, dead palm fronds, behind which bats roost) for bat sign (stains created by body oils, urine, and guano) or study of bats utilizing on-site palm trees with an Anabat bat detector system. If visual surveys result in the observation of bat sign, but the species of bat roosting in the palm tree is unknown, an Anabat system shall be utilized to determine the species of bat utilizing the tree.</p>						



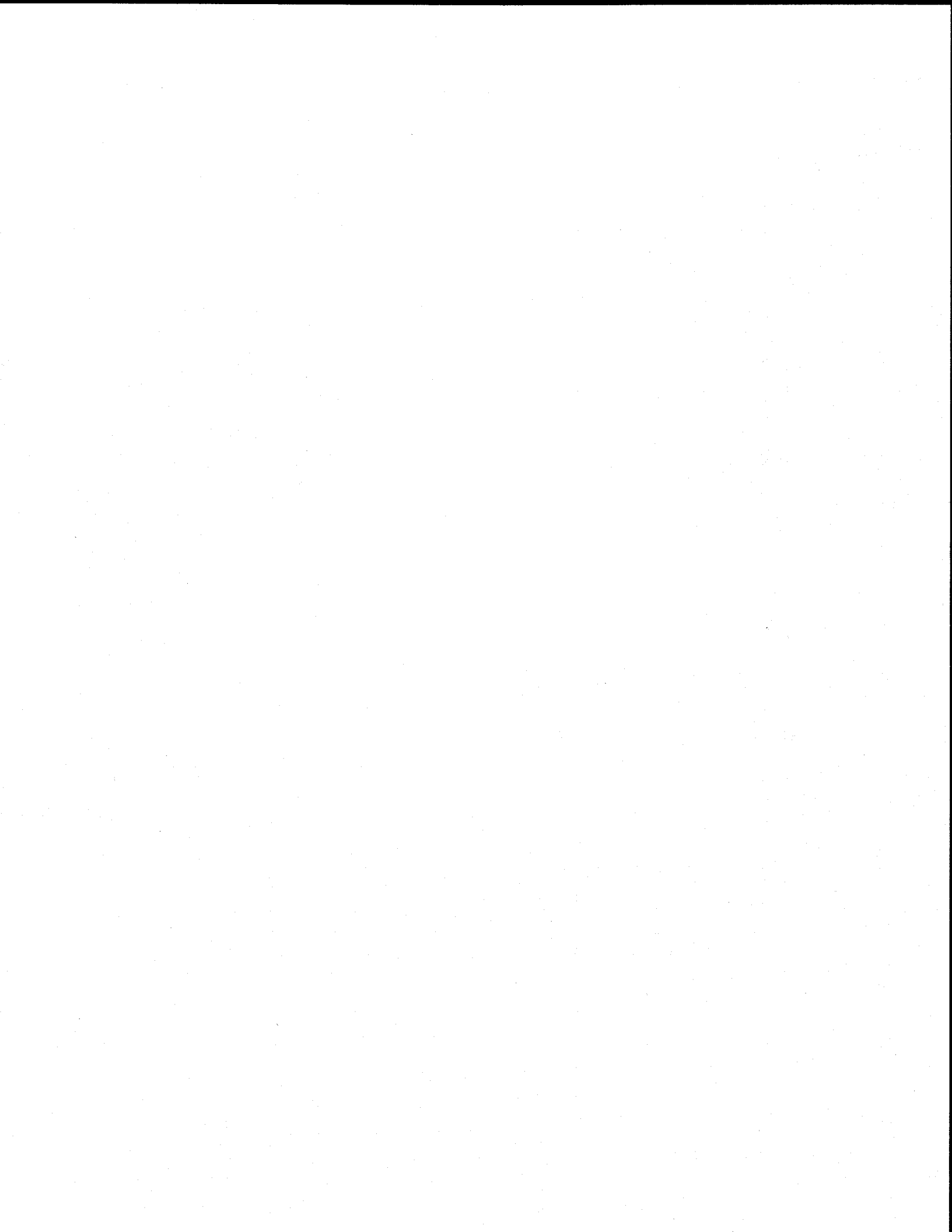
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued) 6.4-23 (continued) If western yellow bat is found to utilize on-site palm trees for roosting, and if impacts to palm trees with bats will commence during the western yellow bat-breeding season (April through July), a qualified biologist shall inspect dead, hanging palm fronds on each palm tree to see whether young are present. If no young are observed, the roost is unlikely to be a maternal roost, and tree removal shall follow the methodology below. If young are observed and the tree is determined to be a maternal roost, tree removal shall be temporarily postponed until the project biologist has determined that the juvenile bat(s) have fledged, at which point tree removal shall continue, following the methodology below. If, during construction, western yellow bat is determined to utilize on-site palm trees for roosting, and impacts to palm trees with bats will commence outside the western yellow bat-breeding season, removal of palm trees shall commence after sundown, as western yellow bat is nocturnal and will be active and should be away from the palm trees at this time. Due to the availability of similar palm tree habitat in nearby locations, individuals would be likely to utilize palm trees in adjacent areas.</p>						



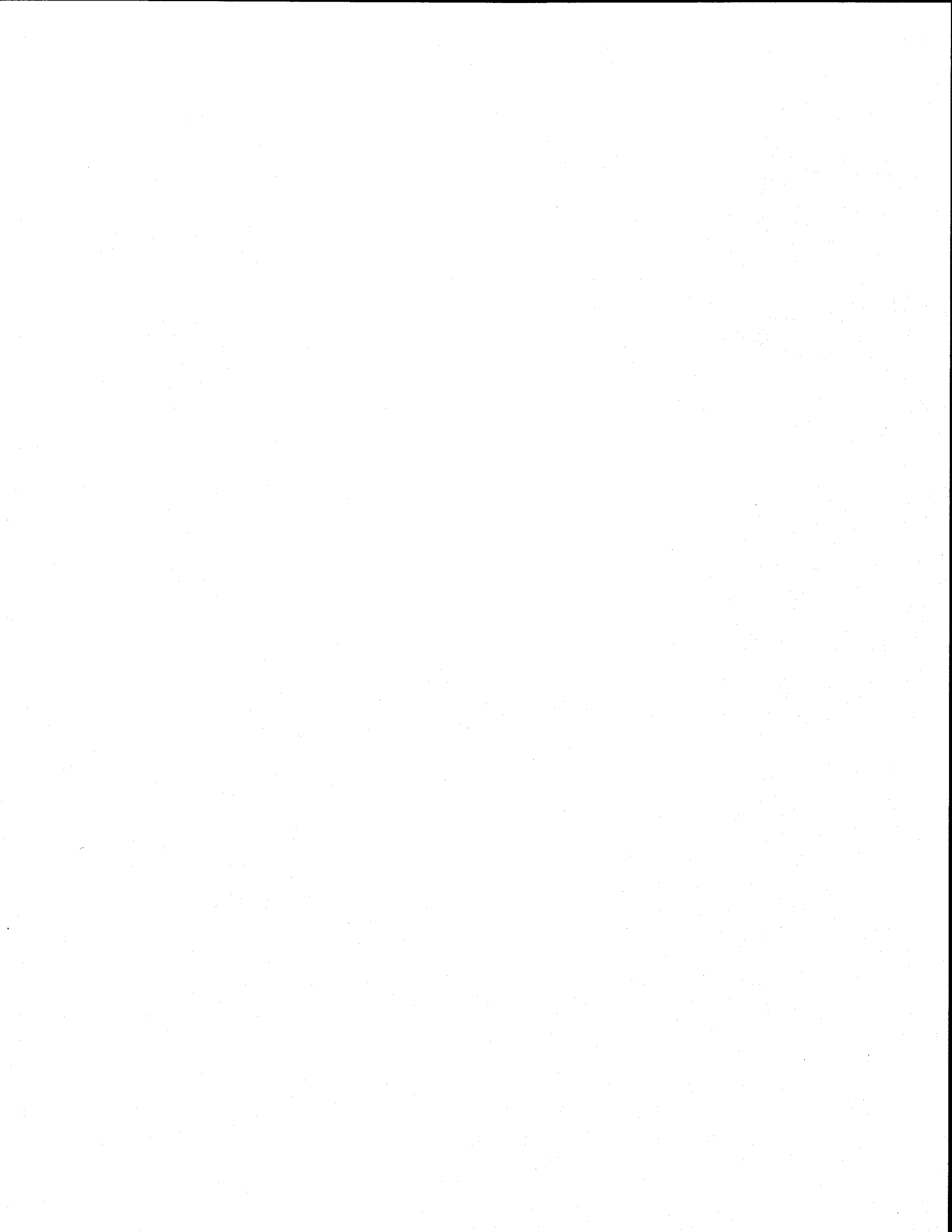
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-24: Prior to the approval of any tentative tract maps in Imperial County, impacts to sensitive species, including federal or state listed Endangered, Threatened or Species of Special Concern, shall be mitigated through the applicant's participation in a multiple species habitat conservation plan or similar program then in effect, through the payment of established mitigation fees for the long-term preservation of impacted species on the Imperial County portion of the project site. The presence or absence of such species shall be determined by site surveys conducted by a professional biologist approved by Imperial County, prior to any ground disturbance. If no such multi-species habitat conservation program is in effect at the time the applicant seeks a grading permit from Imperial County, then the applicant shall mitigate by option 1 or 2 below, or some combination thereof: (1) Set aside undisturbed open space areas, of equivalent quality habitat, on the Imperial County portion of the project site, at the ratios then established by the California Department of Fish and Game (CDFG) for any sensitive species impacted; and/or (2) Acquire suitable off-site habitat at the ratios then established by CDFG for any sensitive species impacted. If the applicant cannot feasibly and fully mitigate all impacts to sensitive species as described above, through options 1 and 2, the applicant shall terminate its application for a grading permit in Imperial County, as agreed to in the conditions of approval imposed by Riverside County upon the Traverline Point Specific Plan, until such time as a multi-species habitat conservation program has been established in Imperial County, with application to the project site.</p> <p>The implementation of the mitigation measures on tribal lands will require consideration and approval by the TMDCI. The project is subject to the implementation of a Memorandum of Understanding (MOU) between Riverside County, Imperial County, and TMDCI to address issues relating to tribal involvement on the properties within the boundaries of the specific plan. The MOU will, among other requirements, include that proposed mitigations that involve tribal lands will be permitted and implemented. As such, the mitigation proposed herein would apply to the entire project regardless of jurisdiction and Mitigation Measures 6.4-15 through 6.4-24 would equally apply to tribal lands within Imperial County.</p>	<p>Significant</p>	<p>Prior to tentative tract map approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-25: Prior to building final inspection for each implementing project, a public awareness program shall be developed by the homeowners' association (HOA), or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. The public awareness program shall address the impact domestic cats have on local wildlife populations (especially birds and small mammals), to encourage pet owners to keep their cats indoors. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space (Conservation)) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) and of prohibiting off-leash domestic animals from disturbing native wildlife species. The public awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-26: Dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space-Conservation. Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall add a prohibition to the covenants, conditions, and restrictions (CCRs) for the community against unleashed dogs and cats in areas designated Open Space-Conservation.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-27: Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall be responsible for maintaining these receptacles.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-28: Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.</p>	<p>Significant</p>	<p>Prior to grading final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.4-29:	Prior to grading final for each implementing project, the applicant shall develop a lighting plan that shall be subject to approval by the Riverside County Environmental Programs Division. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates dark-sky requirements for the project site area.	Significant	Prior to building final inspection	County Environmental Programs Division		Less than Significant	
6.4-30:	Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7a through 3-7f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist currently holding an MOU with Riverside County, and will be subject to review by the Riverside County Environmental Programs Division. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low-rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive <i>Acacia</i> species, fruiting <i>Olea europaea</i> , <i>Phoenix canariensis</i> , and <i>Washingtonia robusta</i> . <i>Phoenix dactylifera</i> existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.	Significant	Prior to project approval	County Environmental Programs Division		Less than Significant	
6.4-31:	Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational materials emphasizing the importance of planting non-invasive, drought-tolerant plants.	Significant	Prior to building final inspection	County Environmental Programs Division		Less than Significant	
6.4-32	Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and waterborne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.	Significant	Prior to grading final	County Environmental Programs Division		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-33 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydrosessed with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.</p>	Significant	Prior to grading final	County Environmental Programs Division		Less than Significant	
<p>6.4-34: Prior to each implementing project approval, the Riverside County Environmental Programs Division shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space-Conservation areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP or SRSJM National Monument lands and proposed residential or commercial land uses.</p>	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	
<p>6.4-35: Prior to building final inspection for each implementing project, a public awareness program shall be developed by the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space-Conservation) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands). The public awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	



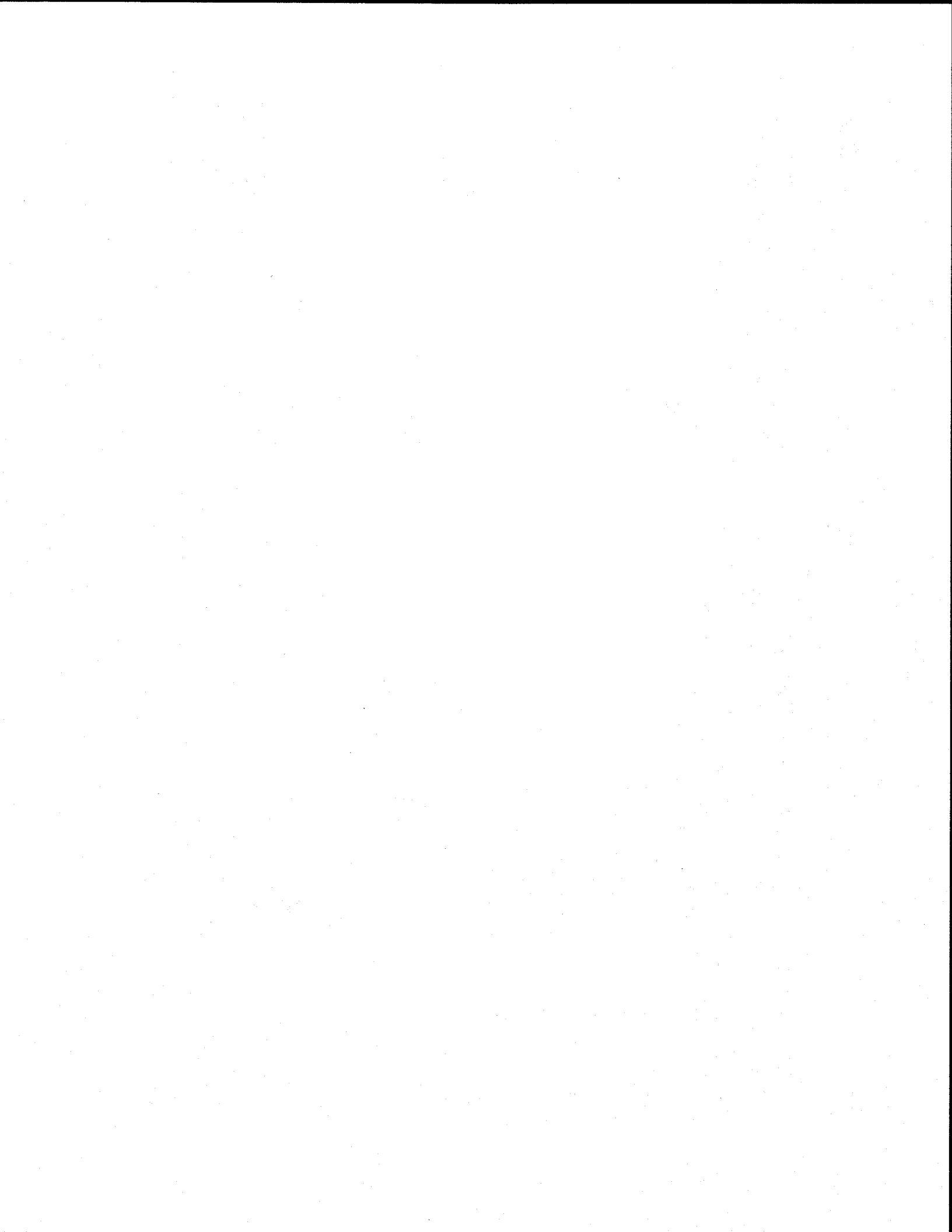
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-36: Prior to building final inspection for each implementing project, all dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space (Conservation). The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall add a prohibition to the CCRs for the community against unleashed dogs and cats in areas designated Open Space-Conservation.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
<p>6.4-37: Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining these receptacles.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
<p>6.4-38: Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
<p>6.4-39: Prior to grading permit issuance for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the County of Imperial Department of Planning and Building, Planning Division. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates Dark Skies requirements for the project site area.</p>	Significant	Prior to grading permit issuance	County Planning Department		Less than Significant	



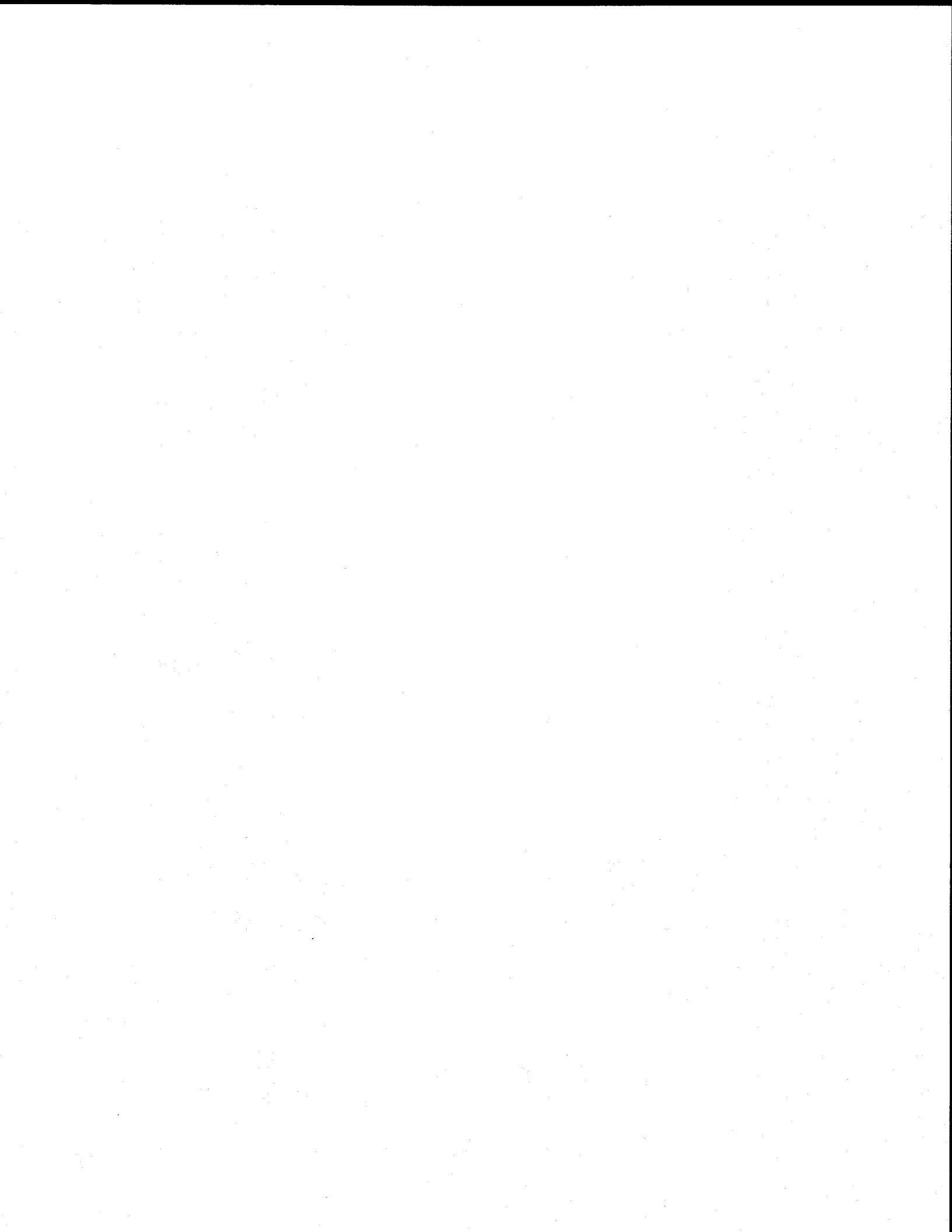
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-40: Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7e through -f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist, and will be subject to review by the County of Imperial Department of Planning and Building, Planning Division. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive <i>Acacia</i> species, fruiting <i>Olea europaea</i>, <i>Phoenix canariensis</i>, and <i>Washingtonia robusta</i>. <i>Phoenix dactylifera</i> existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.</p>	Significant	Prior to grading permit issuance	County Planning Department		Less than Significant	
<p>6.4-41: Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational materials emphasizing the importance of planting non-invasive, drought tolerant plants.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
<p>6.4-42: Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and water-borne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.</p>	Significant	Prior to grading final	County Planning Department		Less than Significant	
<p>6.4-43: Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.</p>	Significant	Prior to grading final	County Planning Department		Less than Significant	



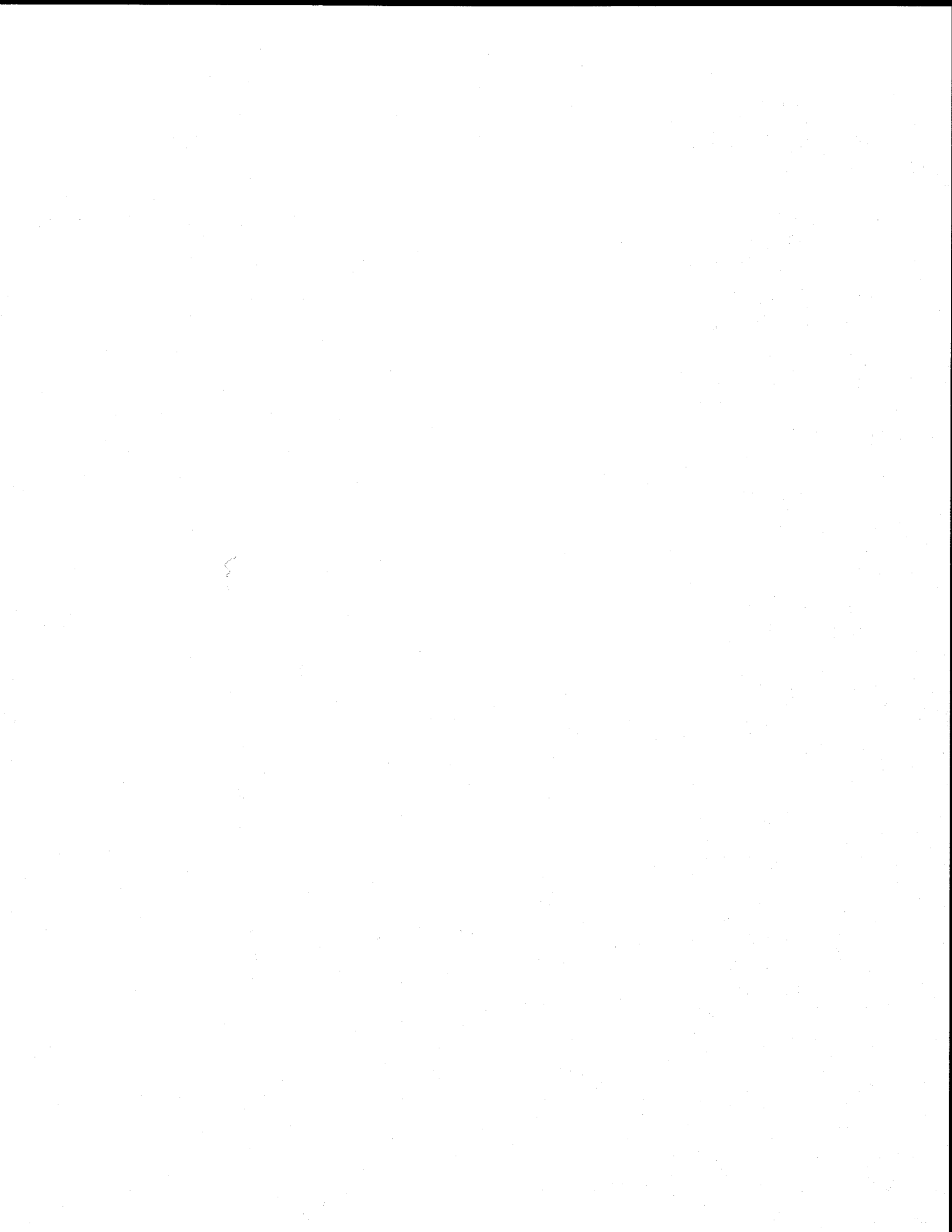
4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-4: Prior to each implementing project approval, the County of Imperial Department of Planning and Building, Planning Division, shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space (Conservation) areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP lands and proposed residential or commercial land uses.</p>		Significant	Prior to project approval	County Planning Department		Less than Significant	
<p>6.4-5: Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.</p>		Significant	Prior to building final inspection	County Planning Department		Less than Significant	
<p>6.4-6: Prior to implementing project approval, impacts to 29 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Riverside County portion of the proposed project site resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federal or state-controlled lands, or purchase of lands in a program that has already entered a conservation easement) of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.</p>		Significant	Prior to project approval	Torres-Martinez Desert Cahuilla Indians		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-47: Prior to implementing project approval, impacts to 67 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Imperial County portion of the proposed project site resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federally or state-controlled lands, or purchase of lands in a program that has already entered a conservation easement) of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.</p>	Significant	Prior to project approval	Torres-Martinez Desert Cahuilla Indians		Less than Significant	
<p>6.4-48: Prior to implementing project approval, the applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct a jurisdictional delineation in the Riverside County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to grading final. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-46, above.</p>	Significant	Prior to implementing project approval	USACE/CDFG		Less than Significant	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Consent/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-49: Prior to implementing project approval, the applicant shall retain a qualified biologist, to conduct a jurisdictional delineation in the Imperial County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to issuance of a grading permit. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-47, above.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>USACE/CDFG</p>		<p>Less than Significant</p>	
<p>Cultural Resources:</p> <p>6.5-1: Prior to issuance of a grading permit, as required by State CEQA Guidelines Sections 15064.5(e) and (f), a cultural resources management plan (CRMP) shall be prepared and submitted for the appropriate County Planning Department for review and approval. The CRMP shall contain detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains. The provisions of the CRMP should be consistent with state law as contained in Health and Safety Code Section 7050.5, and PRC Sections 5097.94 and 5097.98. Such mitigation shall be addressed in a manner consistent with the following:</p> <p>a. If buried materials of potential historical or cultural significance are accidentally discovered during any earth-moving operations associated with the proposed project, all work in that area shall be halted or diverted until a qualified historian/archaeologist can evaluate the nature and significance of the finds. If the find is determined to be an historical resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures as discussed in the CRMP shall be implemented.</p> <p>b. If evidence of potentially significant prehistoric or historic resources is uncovered during project-related grading areas in which archaeological and Native American monitoring has already been required, the extent of monitoring shall be amended and the presence of a Native American monitors shall be incorporated into the monitoring program for all areas in the affected tentative tract.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Cultural Resources (continued)</p> <p>6.5-2: The following standard policies and policy implementation measures shall be implemented prior to implementing project approval:</p> <p>Cultural Resources Policy 1</p> <p>Prior to grading final for each implementing project, a comprehensive survey program for unsurveyed areas within the project area shall be completed to identify, document, and protect, if feasible, prehistoric and historical archaeological sites, and sites containing Native American human remains.</p> <p>Implementation Measure 1.1 The proposed project would be covered under the <i>State CEQA Guidelines</i> (California 2005) or Section 106 of the NHPA, and shall be surveyed by a professional who meets the Secretary of the Interior's Standards and Guidelines regarding archaeological activities and methods prior to the County's approval of proposed project plans and prior to grading final (48 CFR 44716-44742).</p> <p>Implementation Measure 1.2 All archaeological site location data collected during the cultural resources surveys must be considered to be of a sensitive nature and must remain confidential. Caution must be exercised when disseminating this information; in particular, maps and site location data should be made available only to managers, County officials, and other professionals who have a legitimate need to know.</p> <p>Implementation Measure 1.3 For potentially significant prehistoric archaeological resources or sites containing Native American human remains identified during the project's archaeological surveys, the project proponent, Federated Insurance Company or their designee, shall continue consultation with the NAHC in Sacramento and interested Native American individuals and organizations.</p> <p>Cultural Resources Policy 2</p> <p>Avoid impacts to potentially significant prehistoric and historical archaeological resources and sites containing Native American human remains, where feasible.</p> <p>Implementation Measure 2.1 If cultural resources avoidance is feasible, potentially significant archaeological resources and sites containing Native American human remains shall be placed within permanent project-specific conservation easements or dedicated open space areas prior to grading final.</p> <p>Implementation Measure 2.2 Where avoidance of archaeological resources and sites containing Native American human remains is not a feasible management option, capping these resources with sterile sediments and avoidance planting (e.g., planting of cactus, mesquite, or other native plants) shall be considered the next most favorable management option. In doing so, capping the resource(s) will ensure that indirect impacts from increased public availability to these sites are avoided. Plans for capping identified cultural resources shall be submitted to and approved by the County prior to map recordation.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5.2 (continued):</p> <p>Cultural Resources Policy 3</p> <p>Reduce adverse impacts to significant archaeological resources that cannot be protected in place through data recovery excavations.</p> <p>Implementation Measure 3.1 If avoidance and/or preservation in place of known prehistoric and historical archaeological resources is not a feasible management option, the project proponent shall ensure that potentially significant archaeological resource(s) and site(s) shall be investigated pursuant to the standards, guidelines, and principles of the Advisory Council's <i>Treatment of Archaeological Properties: A Handbook</i> (ACHP 1989).</p> <p>Prior to grading final for each implementing project, the project applicant shall retain a qualified archaeologist who meets the <i>Secretary of Interior's Standards and Guidelines</i>, and shall use the project's Research Design detailed in the Phase I Cultural Resources Survey Report for the Travertine Point Specific Plan (Applied EarthWorks 2008) to guide the implementation of a Phase II Testing and Evaluation Program. In general terms, the Phase II Testing and Evaluation Program shall be designed to further define site boundaries and to assess the structure content, nature, and depth of subsurface cultural deposits and features. Emphasis shall also be placed on assessing site integrity and the site's potential to address regional archaeological research questions. These data shall then be used to address the NRHP/CRHR eligibility requirements for the archaeological resource and make recommendations as to the suitability of the resource for listing on either the NRHP/CRHR.</p> <p>Prior to grading final for each implementing project and after approval of the project's various cultural resources survey reports by the County, the project applicant shall retain a qualified archaeologist to complete the Phase II Testing and Evaluation Program as specified in the project's Phase II Testing and Evaluation Proposal and Research Design and prior to the issuance of a project grading permit. The results of this Phase II Testing Program shall be presented in a technical report that follows the State of California Office of Historic Preservation <i>Archaeological Resource Management Report Recommended Contents and Format Guidelines</i> (California 1990). The Phase II Report shall be submitted to the County's Planning Department for review and comment and the Torres-Martinez Desert Cahuilla Indians prior to the issuance of a project-grading permit. If the resource is determined to be ineligible for listing on the NRHP or CRHR upon completion of the Phase II Testing Program, no further cultural resources management of this resource would be required.</p> <p>Implementation Measure 3.2 A participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during Phase II archaeological excavations involving all sites of Native American concern.</p>						

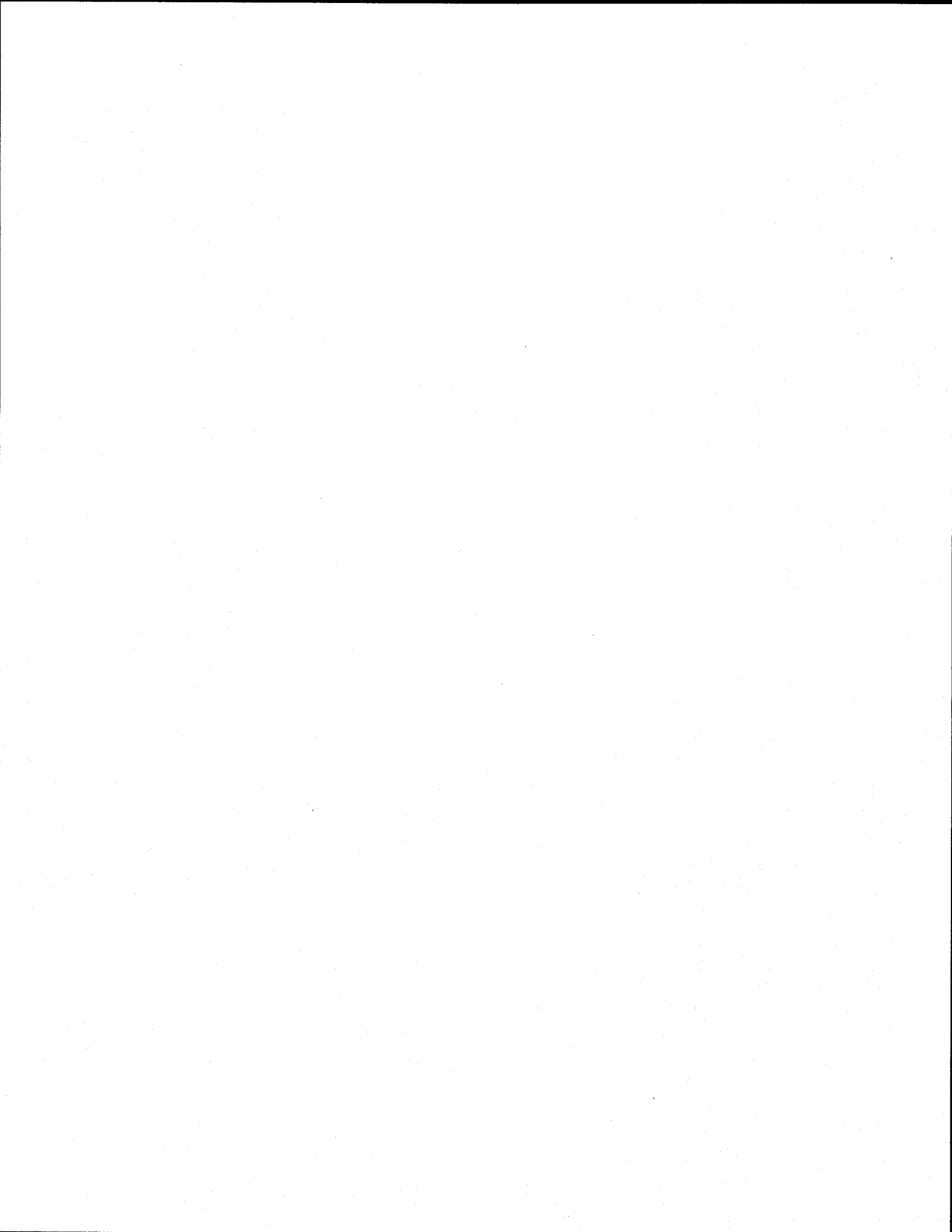


Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5.2 (continued):</p> <p>Cultural Resources (continued)</p> <p>Implementation Measure 3.2 A participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during Phase II archaeological excavations involving all sites of Native American concern.</p> <p>Implementation Measure 3.3 If the cultural resource is identified as being potentially eligible for listing on either the NHRP or CEHR, and project designs cannot be altered to avoid impacting the site, a Phase III Data Recovery Program to mitigate project effects shall be initiated. A Data Recovery Treatment Plan detailing the objectives of the Phase III Program shall be developed and shall contain specific testable hypotheses pertinent to the project's Research Design and relative to the site(s) under study. The Phase III Data Recovery Treatment Plan shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to implementation of the Data Recovery Program.</p> <p>After approval of the Treatment Plan, the Phase III Data Recovery Program for affected, eligible site(s) shall be completed. Typically, a Phase III Data Recovery Program involves the excavation of a statistically representative sample of the site(s) to preserve those resource values that qualify the site(s) as being eligible for listing on the NHRP/CEHR. Again, participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during archaeological data-recovery excavations involving sites of Native American concern. At the conclusion of the Phase III Program, a Phase III Data Recovery Report shall be prepared, following the State of California Office of Historic Preservation <i>Archaeological Resource Management Report Recommended Contents and Format Guidelines</i> (California 1998).</p> <p>The Phase III Data Recovery Report shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to the issuance of a project-grading permit.</p> <p>Implementation Measure 3.4 All archaeological materials recovered during implementation of the project's Phase II Testing or Phase III Data Recovery programs shall be processed, including cleaning and cataloging, detailed description, and analysis, as appropriate. Following completion of laboratory and analytical procedures, all project-related collections shall be suitably packaged and transferred to a curation facility that meets the standards of 36 CFR 79 for long-term storage. Materials to be curated include archaeological specimens and samples, field notes, feature and burial records, maps, plans, profile drawings, photo logs, photographic negatives, consultants' reports of special studies, and copies of the final technical reports.</p>						

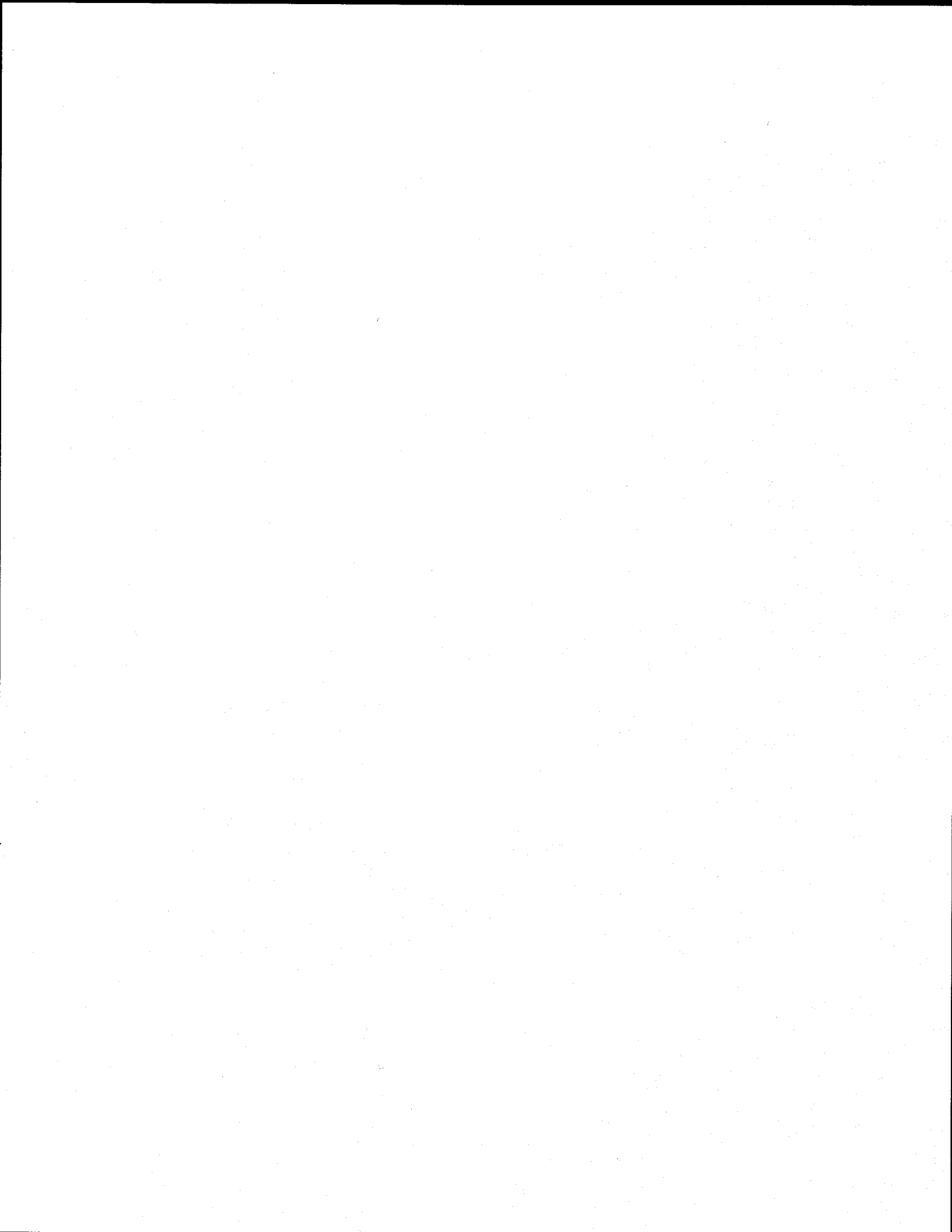


4.0 Mitigation Monitoring Program

Cultural Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-2 (continued):</p> <p>It should be noted that provisions of the Native American Graves Protection Repatriation Act (NAGPRA) pertaining to Native American burials, sacred objects, and objects of cultural patrimony would come into effect when archaeological materials are recovered from lands owned by the Torres-Martinez Desert Cahuilla Indians and managed by the BIA. NAGPRA would also come into effect when ownership of the collections from anywhere within the Travertine Specific Plan study area is transferred to a curation repository that receives federal funding.</p> <p>Cultural Resources Policy 4</p> <p>Ensure proper identification and treatment of cultural resources discovered during project development and construction.</p> <p>Implementation Measure 4.1 Registered professional archaeologists and culturally affiliated Native Americans, with knowledge in cultural resources, shall monitor all project-related ground-disturbing activities that extend into natural sediments in areas determined to have high archaeological sensitivity for prehistoric resources.</p> <p>Prior to grading final for each implementing project, the project applicant shall include in its mitigation plan provisions for the identification and evaluation of archaeological resources inadvertently discovered during construction. If buried archaeological resources are uncovered during construction, all work shall be halted in the vicinity of the archaeological discovery until a registered professional archaeologist can visit the site of discovery and evaluate the significance of the archaeological resource.</p> <p>Implementation Measure 4.2 If the archaeological resource is determined to be a potentially significant cultural resource, the project proponent's mitigation plan shall include provisions for the preparation and implementation of a Phase III Data Recovery Program, as well as disposition of recovered artifacts, in accordance with Cultural Resources Policy 3 Implementation Measure 4, above. The mitigation plan shall be reviewed and approved by the County prior to grading final.</p>							

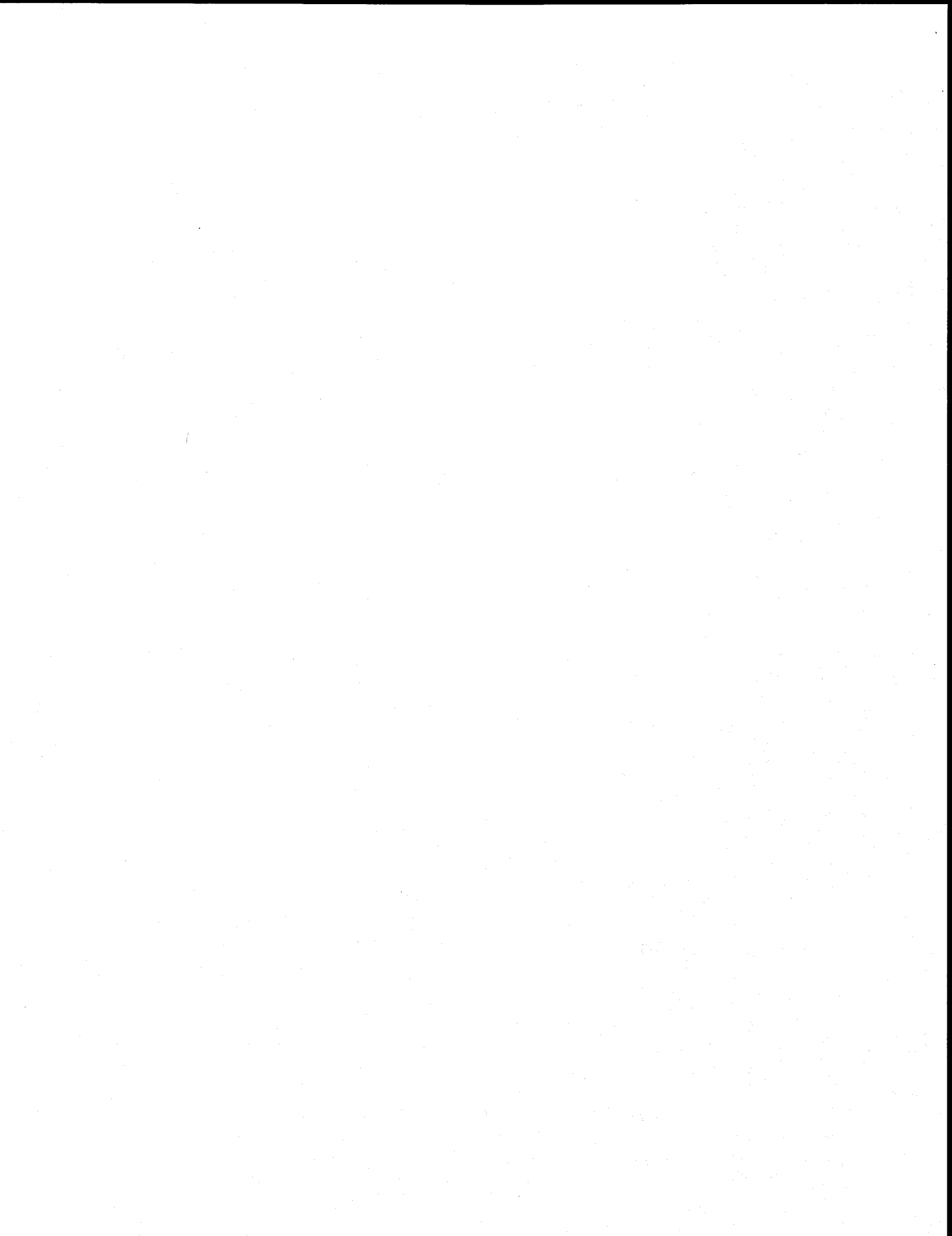


Impact Category/Mitigation Measures (Cultural Resources (continued))	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-2 (continued):</p> <p>Implementation Measure 4.3 In the event of an accidental discovery of any human remains in a location other than a dedicated cemetery on privately owned or State-owned land, the steps and procedures specified in Health and Safety Code Section 7090.5, <i>State CEQA Guidelines</i> 15064.5(d), and Public Resources Code Section 5097.98 shall be implemented. Specifically, in accordance with Public Resources Code (PRC) Section 5097.98, the Riverside County Coroner shall be notified within 24 hours of the discovery of potentially human remains. The Coroner shall then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC by phone within 24 hours, in accordance with PRC Section 5097.98. The NAHC shall then designate a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification.</p> <p>The MLD shall then have the opportunity to recommend to the project proponent means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification. Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the MLD and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-enter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>It should be noted in the event that Native American human remains are inadvertently discovered during the County-permitted, project-related construction activities, there would be unavoidable significant adverse impacts to these resources. Implementation of the Cultural Resources Policies 1, 2, and 3 and their corresponding implementation measures would, however, reduce impacts to other types of archaeological resources to a level that is less than significant.</p> <p>Implementation Measure 4.4 The treatment and management of potential TCPs identified with the Traverline Point Specific Plan study area shall be conducted through extensive consultation with concerned Native American groups and organizations. These consultation efforts shall be conducted utilizing the County of Riverside's SB 18 consultation process.</p>						



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impacts After Mitigation	Comments/Completion Date
<p>6.5-2 (continued): Cultural Resources Policy 5 Ensure that the project proponent shall bear all costs associated with cultural resources management within the County's jurisdiction. Implementation Measure 5.1 The project proponent shall bear all expenses related to the identification, evaluation, and treatment of cultural resources directly or indirectly affected by project-related construction activity. Such expenses may include pre-field planning, field work, post-field analysis, research, interim and summary report preparation, and final report production (including draft and final versions), and costs associated with the curation of project documentation and the associated artifact collections. Implementation Measure 5.2 Prior to grading final, on behalf of the County and the project applicant, the final technical reports detailing the results of the Phase II Testing or Phase III Data Recovery programs shall be submitted to the appropriate Archaeological Information Centers of the California Historical Resources Inventory System for their information and where they would be available to other researchers. Final Phase III Data Recovery Reports shall also be submitted to local libraries, schools, and historical societies to enable the general public to learn about their local cultural heritage.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	
<p>6.5-3: Prior to grading final, the following sites shall be tested and evaluated in consultation with the Torres-Martinez Desert Cahuilla Indians as required, and pursuant to the requirements of Phase II Archaeological standards and practices, as approved by Riverside County, for the sites to determine integrity, data potential and significance: CA-RIV-8991 (33-17082), CA-RIV-8994 (33-17085), CA-RIV-8995 (33-17086), CA-RIV-8996 (33-17087), CA-IMP-8784 (13-009821), CA-IMP-8785 (13-009822), CA-IMP-8786 (13-009823), CA-IMP-92, CA-IMP-100, and CA-IMP-2626.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	
<p>6.5-4: Consultation and in conjunction with the Torres-Martinez Desert Cahuilla Indians is recommended to ascertain if Phase II Testing and Evaluation is warranted for CA-IMP-33 to assess the site's content, depth, and integrity for cultural deposits, as well as data removal. It is also recommended that the modern graffiti be carefully removed from Travertine Rock in its entirety, with special care not to damage the prehistoric rock art. It is also recommended that aesthetically pleasing and protective fencing be placed around Travertine Rock. And finally, Travertine Rock should be formally nominated as a Traditional Cultural Property (TCP).</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	



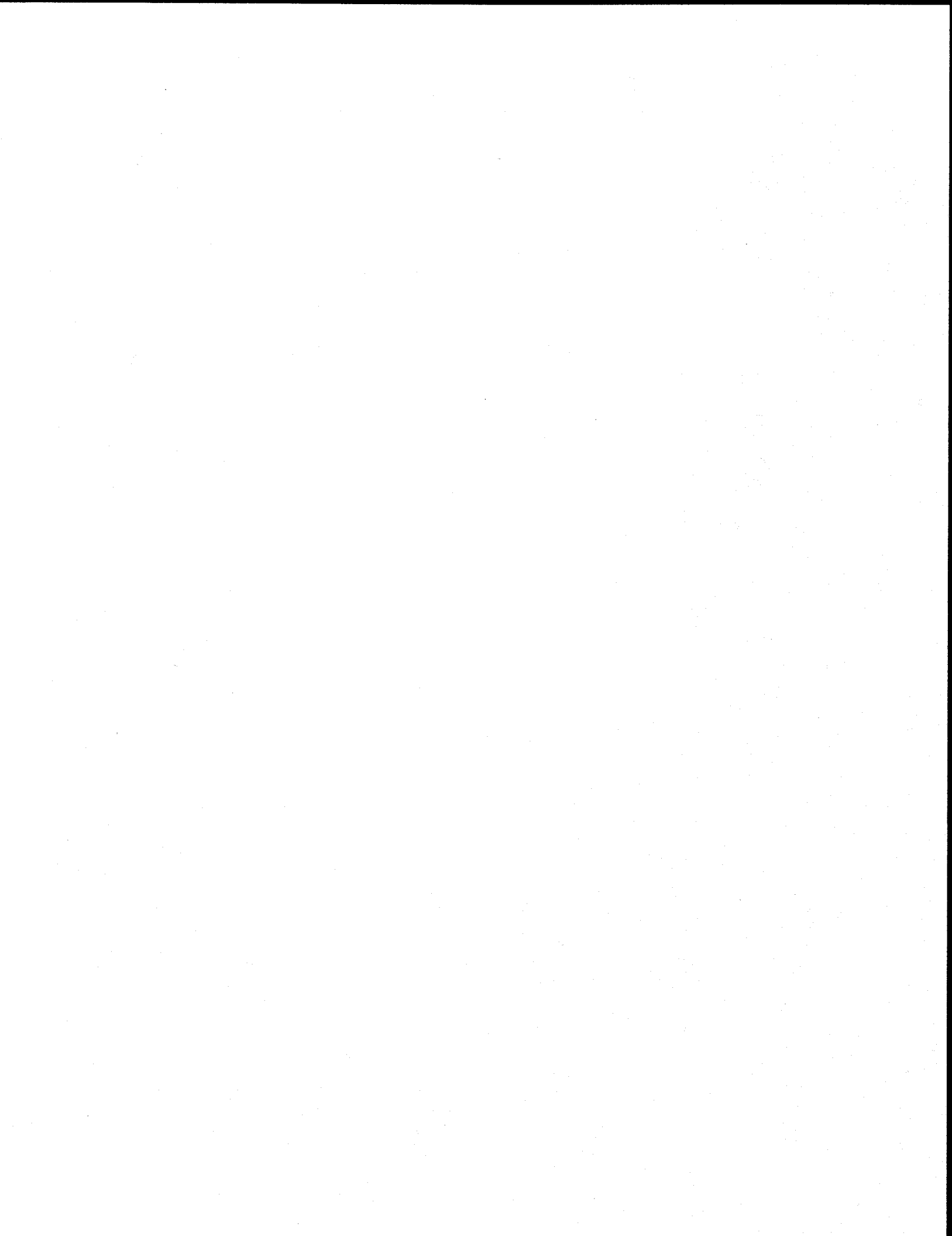
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>4.0-5: If avoidance and/or preservation in place of cultural resources is not possible, the following mitigation measures shall be initiated for each impacted site:</p> <p>(1) A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.</p> <p>(2) Prior to grading final, the project applicant shall develop a test level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either register. The research design shall be submitted to the County of Riverside Regional Park and Open-Space District or the County or Imperial Planning Department, as appropriate, for review and comment. For sites determined through the testing program to be ineligible for listing on either the California or National Register, execution of the testing program will suffice as mitigation of project impacts to this resource.</p> <p>(3) Prior to the issuance of a grading permit issuance for each implementing project, and after approval of the research design, the project applicant shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the County of Riverside outline for Archaeological Testing. The Test Level Report shall be submitted to the County of Riverside Regional Park and Open-Space District or the County of Imperial Planning Department, for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test level investigations will have depleted the scientific value of the sites and the project can proceed.</p> <p>(4) If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the County of Riverside Regional Park and Open-Space District or Imperial Planning Department, as appropriate, for review and comment.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Cultural Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>4.5-5 (continued):</p> <p>(5) After approval of the Treatment Plan, the Treatment Program for affected, eligible sites shall be initiated. A Treatment Program typically involves excavation of a statistically representative sample of the site to preserve those resource values that qualify the site as being eligible for the California or National Register. At the conclusion of the excavation or research program, a Treatment Report, following the outline of the County of Riverside for Archaeological Mitigation or Data Recovery, shall be developed. This data recovery report shall be submitted to the County of Riverside Regional Park and Open-Space District or Imperial Planning Department, as appropriate, for review and comment.</p>						
<p>4.5-6:</p> <p>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:</p> <ol style="list-style-type: none"> (1) Pay \$25,000 annually to the Torres Martinez Desert Cahuilla Indians (TMDCI), for 10 years for the expansion of the TMDCI conservation/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. (2) Provide authorization for the TMDCI patrols to access the applicant's property and patrol the edge of the project; (3) Create a volunteer Citizens Patrol, similar to the successful volunteer patrols in other Coachella Valley cities and communities, to supplement the TMDCI patrols along the boundary of the project with adjacent park lands. A local Community Policing office would be located on the Travertine Point Specific Plan site to support this program; and (4) Create a volunteer docent program, similar to the successful volunteer programs in other Coachella Valley cities and communities, to assist in educating residents on the importance and sensitivity of nearby cultural resources and park lands. 	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/TMDCI</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-7: Prior to grading final for each implementing project, the areas under consideration shall be monitored by a County-approved and qualified paleontologist, who shall develop a formal agreement with a recognized museum repository, such as the Natural History Museum of Los Angeles County Vertebrate Paleontology Department (LACM). Prior to earth moving activities, the paleontologist shall coordinate with appropriate construction contractor personnel.</p> <p>Should paleontological resources be discovered during earthmoving activities, work shall cease and no further disturbance shall occur in the immediate vicinity of the uncovered resource and an area 50 feet in diameter of the find. A paleontologist shall be contacted to investigate the find and, if deemed necessary, collect uncovered paleontological resources, curate any resources collected with an appropriate repository, and file a report with the appropriate Planning Department documenting any paleontological resources that are found. Upon completion of the field investigation, collection of the resources, if necessary, and clearance of the find by the paleontologist, earthmoving activities may resume.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.5-8: If human remains are encountered during a public or private construction (earthmoving) activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Riverside or Imperial County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Riverside County Coroner must be notified within 24 hours.</p> <p>If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendant (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.</p> <p>Upon clearance by the coroner and the NAHC for Native American remains, construction (earthmoving) activities may resume.</p>	<p>Significant</p>	<p>During construction</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures (Geology and Seismicity)	Level of Impact	Implementation/Training	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-1: Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/ Department of Public Works</p>		<p>Less than Significant</p>	
<p>6.4-2: Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/ Department of Public Works</p>		<p>Less than Significant</p>	
<p>6.4-3: Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map application. The report(s) shall identify and address site-specific (a) underlying soil conditions (including cohesive and expansive soil conditions), (b) liquefaction potential, (c) seismic parameters and building requirements, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department/ Department of Public Works</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Geology and Soils (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-4: Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall analyze site-specific soils for erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department--Geology or Imperial County Department of Public Works (or equivalent) for review and approval.</p>	<p>Significant</p>	<p>Prior to implementing project approval and grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-5: Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:</p> <ul style="list-style-type: none"> • Pre-Grading: The portions of the site to be graded shall be pre-wetted to a depth designated by the soils engineer prior to the onset of grading operations. • Pre-Grading: Undisturbed areas of biological soil crusts in "non-constructor" areas adjacent to proposed roadways, buildings, parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized. • During Grading: Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing. • Post-Grading: All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped. • Landscape and irrigation shall be installed per future plan submittals. 	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Department of Public Works</p>		<p>Less than Significant</p>	



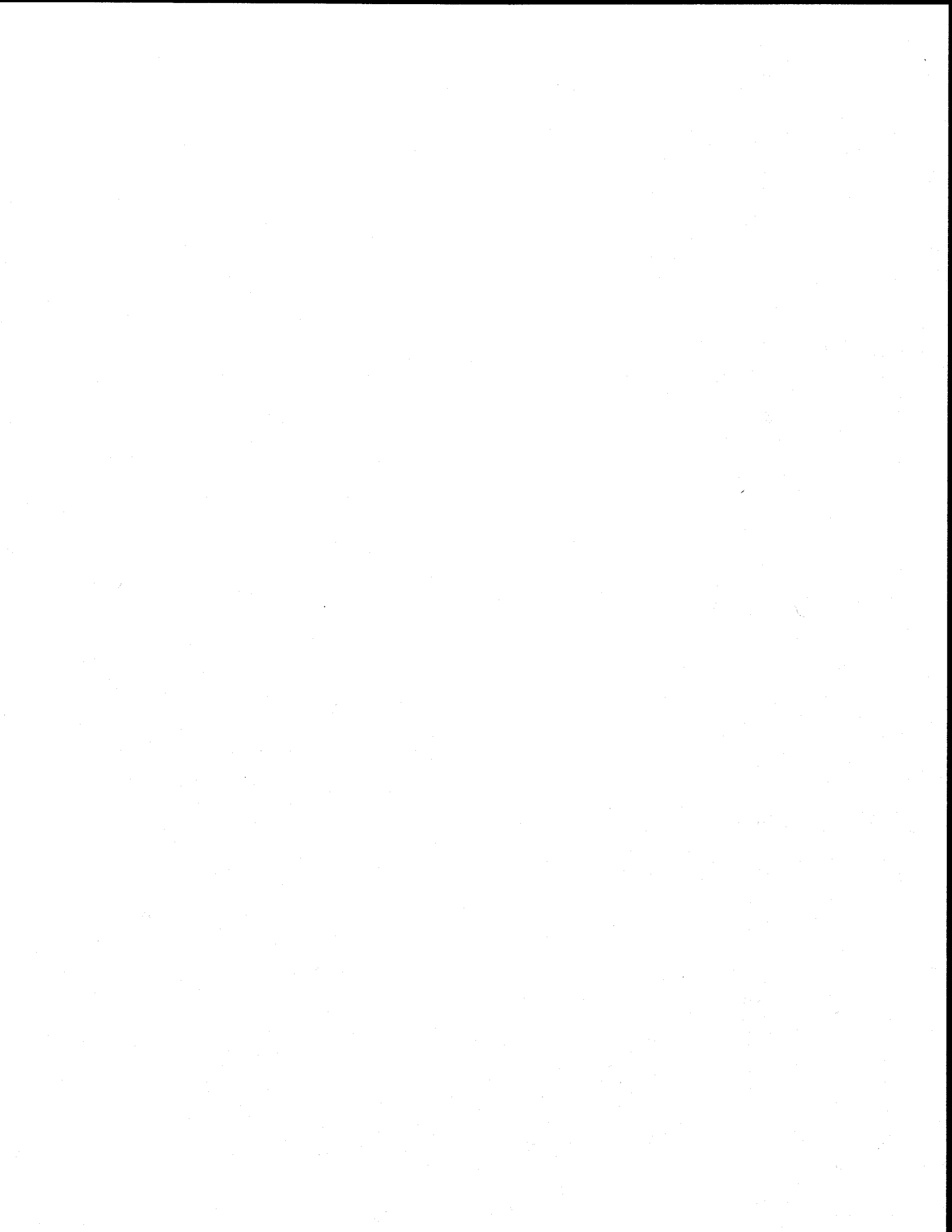
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.6-6: Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Department of Public Works/County Planning Department</p>		<p>Less than Significant</p>	
<p>6.6-7: Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department—Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Department of Public Works/County Planning Department</p>		<p>Less than Significant</p>	
<p>6.6-8: Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County Planning Department—Geology or the Imperial County Department of Public Works, as appropriate, to identify potential impacts related to subsidence. The geotechnical studies shall identify appropriate construction techniques to be used during grading and building design such as the compaction of soils, modified grading techniques, use of spread footings, the use of post-tensioned slabs, and other methods.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Department of Public Works/County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Geology and Soils (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact Avoidance/Mitigation	Comments/Completion Date
6.6-9: Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific soil conditions, including the potential for collapsible soils, shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval. Recommended mitigations may include over excavation of the subject soils and recompaction on new engineered fill material, possibly pre-saturating the subject soils, and provision of proper surface drainage away from structures and building foundations.	Significant	Prior to implementing project approval	County Department of Public Works/County Planning Department		Less than Significant	
6.6-10: Prior to implementing project approval, site-specific geotechnical studies, including soil expansion tests, shall be prepared and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works, as appropriate, and shall include appropriate construction methods to reduce impacts from expansive soils.	Significant	Prior to implementing project approval	County Department of Public Works/County Planning Department		Less than Significant	
Hazards and Hazardous Materials:						
6.7-1: Proposed school sites shall undergo subsequent environmental review prior to construction as required by the Coachella Valley Unified School District (CVUSD). Final locations shall be subject to the review and approval of the CVUSD subject to the requirements of the California Department of Education (CDE) and the Department of Toxic Substances Control (DTSC).	Significant	Prior to construction	County Planning Department/DTSC/CDE/DTSC		Less than Significant	
6.7-2: Prior to implementing project approval and grading final, future applicants for implementing projects and grading permits on the project site shall conduct a site survey by a County-approved licensed professional to identify and remediate all contaminated soils on the project site. All pesticide residue measured in on-site soils shall not exceed the applicable Preliminary Remediation Goals and the survey report shall be approved and documented by the Riverside County Department of Environmental Health or the Imperial County Public Health Department.	Significant	Prior to implementing project approval and grading permit	Riverside County Planning Department		Less than Significant	
6.7-3: Prior to implementing project approval, the applicant shall submit plans to the CVMVCD which identify potential breeding sources for mosquitoes (such as standing water in street catch basins, subdivision drains, roadside ditches, flood channels, ravines, and similar places on public right-of-way and parks) that demonstrate designs that would minimize such breeding sources.	Significant	Prior to implementing project approval	CVMVCD		Less than Significant	
6.7-4: Prior to building final inspection for each development phase, the homeowner's associations (HOAs) shall coordinate with the CVMVCD to provide public pamphlets that provide information to minimize mosquito breeding grounds and the HOAs shall work with the CVMVCD to control the mosquito population.	Significant	Prior to building final inspection	County Building and Safety Department		Less than Significant	



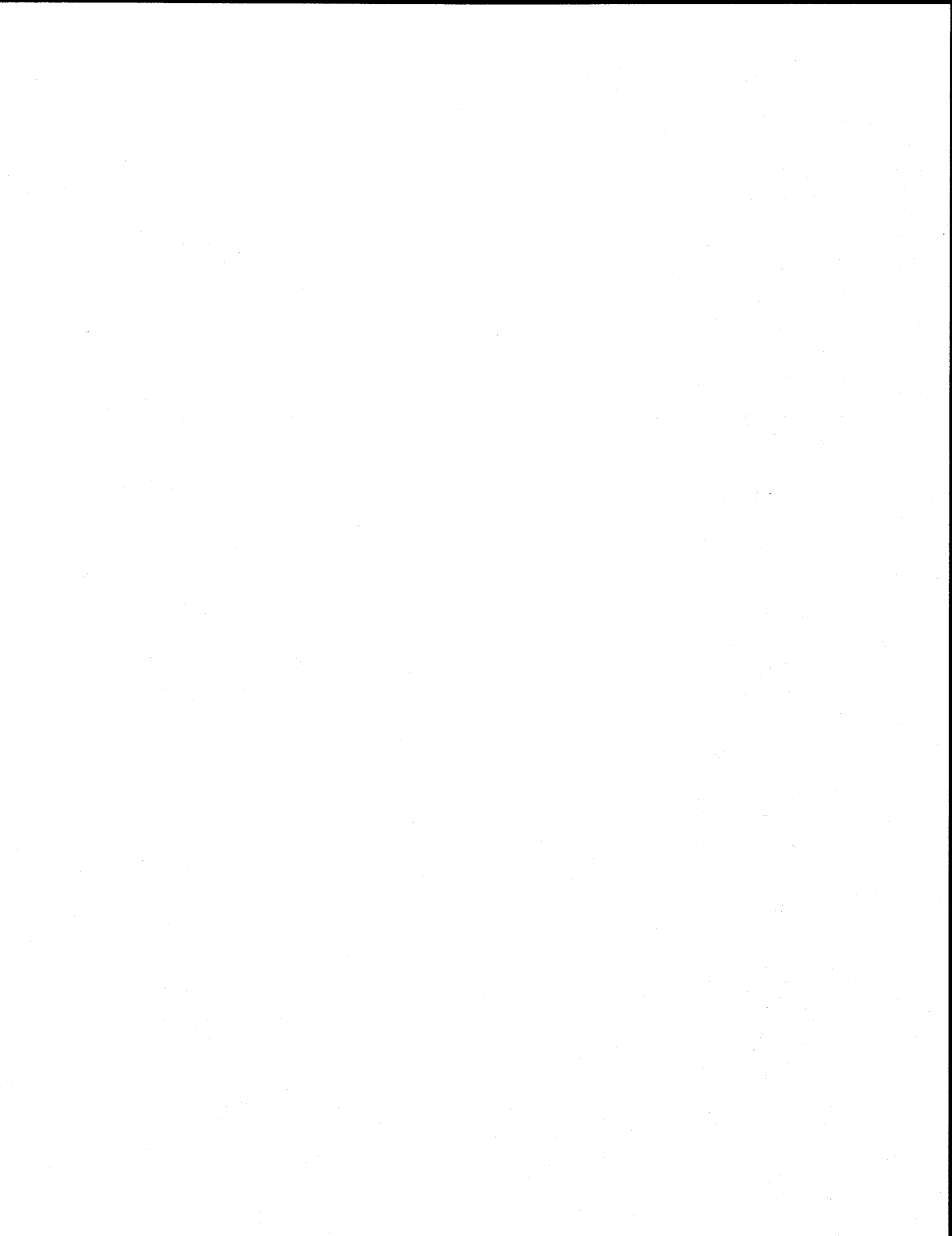
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Hazardous and Hazardous Materials (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.7-5: Work crews shall use respirators during project clearing, grading, and excavation operations, in accordance with California Division of Occupational Safety and Health regulations. The cabs of grading and construction equipment shall be air conditioned.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.7-6: Construction roads shall be paved, when possible, to reduce fugitive dust and potential exposure to the fungus; or the access road into the project site shall be paved or treated with environmentally safe dust control agents, and where unpaved shall be wetted two times per day to minimize dust.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.7-7: Prior to building final inspection for each planning area, the HOA, in coordination with government authorities (i.e., California Fish and Game), shall prepare public outreach programs and information pamphlets regarding the potential danger of digesting fish and waterfowl tissue that would be contaminated with selenium.	Significant	Prior to building final inspection	County Building and Safety Department		Less than Significant	
Hydrology and Water Quality						
6.8-1: Prior to grading final for each implementing project, a project-specific water quality management plan (WQMP) shall be submitted to Riverside County and/or Imperial County Public Works Department for review and approval.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.8-2: Prior to grading final for each implementing project, a detailed operation and maintenance plan shall be submitted to the Riverside County or Imperial County Public Works Department, and Coachella Valley Water District, for review and approval for the as-built project conditions.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.8-3: Pollution Prevention Plan (SWPPP) shall be developed and submitted to the Regional Water Quality Control Board for review approval. The SWPPP shall identify potential sources of pollution and specify runoff controls or BMPs during construction for the purpose of minimizing the discharge of pollutants in stormwater from the construction area. In addition, the SWPPP must identify post-construction control measures and a monitoring plan.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.8-4: Periodic inspection of the conditions of the channels will need to be performed year round and after significant precipitation events will be required to be performed by each homeowner-owner association (HOA). Annual inspection reports shall be prepared by each HOA, and submitted to and filed with the Coachella Valley Water District by June 30th of each calendar year.	Significant	Periodically and following precipitation events throughout operation	County Planning Department/Public Works Department/ HOA		Less than Significant	
6.8-5: Prior to grading final for each implementing project, the applicant shall provide a plan for re-routing or connecting to existing irrigation and drainage facilities. This may include use of or alternation to facilities operated by or within the rights-of-way of other entities/The plan shall be submitted to the appropriate agency (US Bureau of Reclamation, Caltrans, or Coachella Valley Water District) for review and approval.	Significant	Prior to grading final	County Planning Department/County Public Works/US Bureau of Reclamation or Coachella Valley Water District		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Hydrology and Water Quality (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.8-6: During grading, the existing under-drainage system (tile drains), shall be preserved, where possible, to reduce potential adverse effects due to groundwater. Light weight excavation equipment shall be used where excavations come near the existing tile drains to prevent damage to the under-drainage system. Where the tile drains are to be disrupted or exposed during grading, a replacement set of drains will be needed. The grading and construction aspects of the under-drainage system shall be performed under the guidance, observation/documentation, and recommendations of the Project Geologist. A formal evaluation of the installed subdrainage system, including the remaining tile drains, shall be evaluated for operation and flow once grading activities are completed. This report shall be prepared by the Project Geologist, the Project Civil Engineer, or the Project Agricultural/Civil Engineer and submitted to Riverside County for review.</p>	<p>Significant</p>	<p>During construction</p>	<p>County Planning Department/County Public Works</p>		<p>Less than Significant</p>	
<p>6.8-7: The location, nature, and importance of the subdrainage system shall be disclosed to the ultimate owners of the property, so that the property owners can avoid damage to the drains' or negatively affect the drains' performance. In addition to disclosure to potential homeowners, tile drains that cross onto private lots shall be protected by one or more of the following mechanisms: the creation of easements, CC&R protocols, identification through flagging or risers, or other suitable mechanisms.</p>	<p>Significant</p>	<p>Prior to occupancy final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.8-8: Prior to implementing project approval, the applicant shall submit to CVWD for review and approval a hydrologic study that evaluates the potential flows from Un-Named Canyon-Fan 6 and Barton Canyon-Fan 5. This study will identify facilities to be constructed to collect, route and discharge flows in a manner compatible with pre-project/existing conditions across the project site.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/Coachella Valley Water District</p>		<p>Less than Significant</p>	
<p>6.8-9: Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to further define flow conditions related to Channel 4 at SR-86S and for all channels east of SR 86S, and provide for the design of such facilities such that discharge is released in a manner consistent with pre-project/existing conditions, or alternatively, provide for storage or discharge flows within the boundaries of the northern portion of the proposed project or off-site with approval and easements from adjacent property owners.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/Coachella Valley Water District</p>		<p>Less than Significant</p>	
<p>6.8-10: Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential erosion issues within the proposed channels to demonstrate that the channels remain stable, maintain their flood conveyance capacity, and do not alter properties upstream of the proposed project.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	

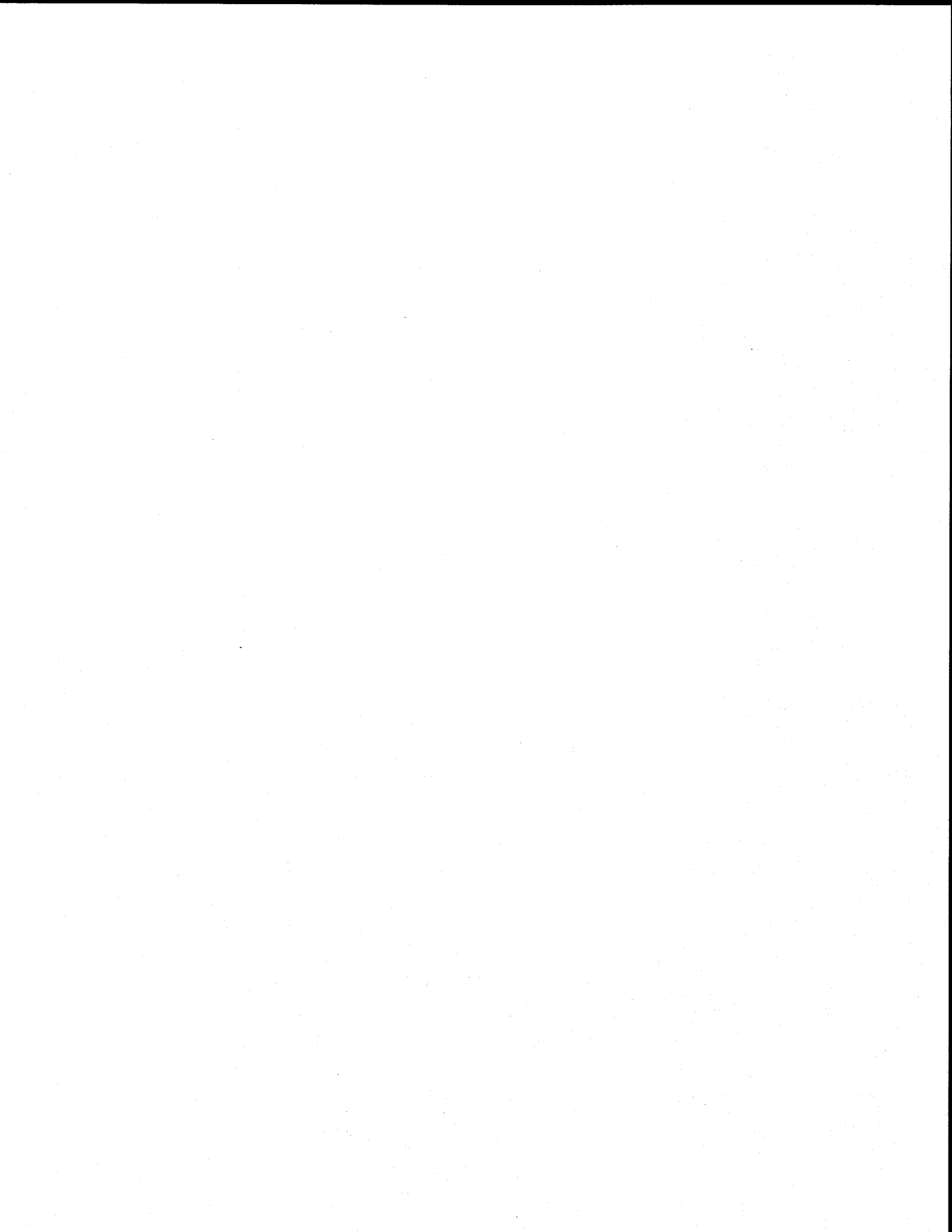


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.8-11: Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential sediment depositions in the Salton Sea and downstream properties. The report shall provide for design considerations to be implemented in proposed Channels 1, 2 and 3, as appropriate.	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
6.8-12: Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a plan for the management, operation and maintenance of the flood control system.	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
Noise						
6.11-1: Where feasible and consistent with the Riverside County or Imperial County standards, any paving or repaving of off-site roadways that must be conducted in conjunction with implementation of the specific plan should utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by as much as 3 to 5 dB(A).	Significant	Prior to implementing project approval	County Transportation Department		Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings	
6.11-2: With permission from the Riverside County and/or Imperial County Transportation Departments, speed limits on arterials experiencing significant noise impacts off-site should be reduced from existing speed limits. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).	Significant	Prior to implementing project approval	County Transportation Department		Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings	
6.11-3: Prior to implementing project approval for each implementing project, for residential lots located within the 60 dB(A) CNEL or greater noise contour in Imperial County; or 65 dB(A) CNEL or greater noise contour or adjacent to a road that is classified as a secondary or larger in Riverside County, an acoustic analysis shall be required to address requirements for determining and mitigating traffic noise impacts to residential structures. The acoustical analysis must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department). Methods that may be implemented to meet the standards include, but are not limited to, providing noise walls of sufficient size to break the line of sight between roadways and residential areas, providing open-space buffers, providing natural barriers such as hills, berms, boulders, and dense vegetation, or a combination of these methods.	Significant	Prior to implementing project approval	Riverside County Office of Industrial Hygiene/Imperial County Department of Public Health		Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.11-4: Prior to implementing project approval for each implementing project a future noise study is required to address the stationary commercial noise standard as it relates to parking lot noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) - 10-minute noise equivalent level (Leq) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) - 10-minute Leq, between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene). Methods that may be employed to reduce parking lot noise may include a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within residential uses where these uses interface.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Office of Industrial Hygiene</p>		<p>Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings</p>	
<p>6.11-5: Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to loading dock noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) - 10-minute noise equivalent level (Leq) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) - 10-minute Leq, between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce parking lot noise may include designing loading docks to have either a depressed (i.e., below grade) loading dock area, an internal bay, or a wall to break the line of sight between residential land uses and loading operations.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Office of Industrial Hygiene</p>		<p>Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings</p>	



4.0 Mitigation Monitoring Program

Noise (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.11-6: Prior to implementing project approval, a future noise study is required to address the stationary commercial noise standard as it relates to mechanical, electrical, or other related commercial type noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) - 10-minute noise equivalent level (Leq) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) - 10-minute Leq, between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Method that may be employed to reduce mechanical, electrical, or other commercial type noise may include locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into building design.</p>	<p>Prior to implementing project approval</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Office of Industrial Hygiene</p>		<p>Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings</p>	
<p>6.11-7: Prior to grading, final for each implementing project, the construction contractors shall use best management practices (BMPs) to reduce vibration due to specific plan construction activities by implementing the following:</p> <ul style="list-style-type: none"> • identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment; • installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment; • adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would affect structures; the sensitivity of vibration sensitive equipment, and/or human tolerance; • utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving; • providing notification to the residential land uses directly adjacent to the project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds; • conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the project site at the same time; 	<p>Prior to grading final</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Compliance/Completion Date
<p>6.11-7 (continued):</p> <ul style="list-style-type: none"> selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites; using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible. <p>The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor the conditions to determine that these BMPs are being utilized correctly and efficiently in order to reduce vibration impacts throughout the proposed project.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	
<p>6.11-8: The project applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 1,000 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period. Ensure that construction equipment is properly muffled according to industry standards and in good working condition. Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. Schedule high noise-producing activities between the hours of 8:00 AM and 5:00 PM to minimize disruption to sensitive uses. Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. Use electric air compressors and similar power tools rather than diesel equipment, where feasible. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. 						

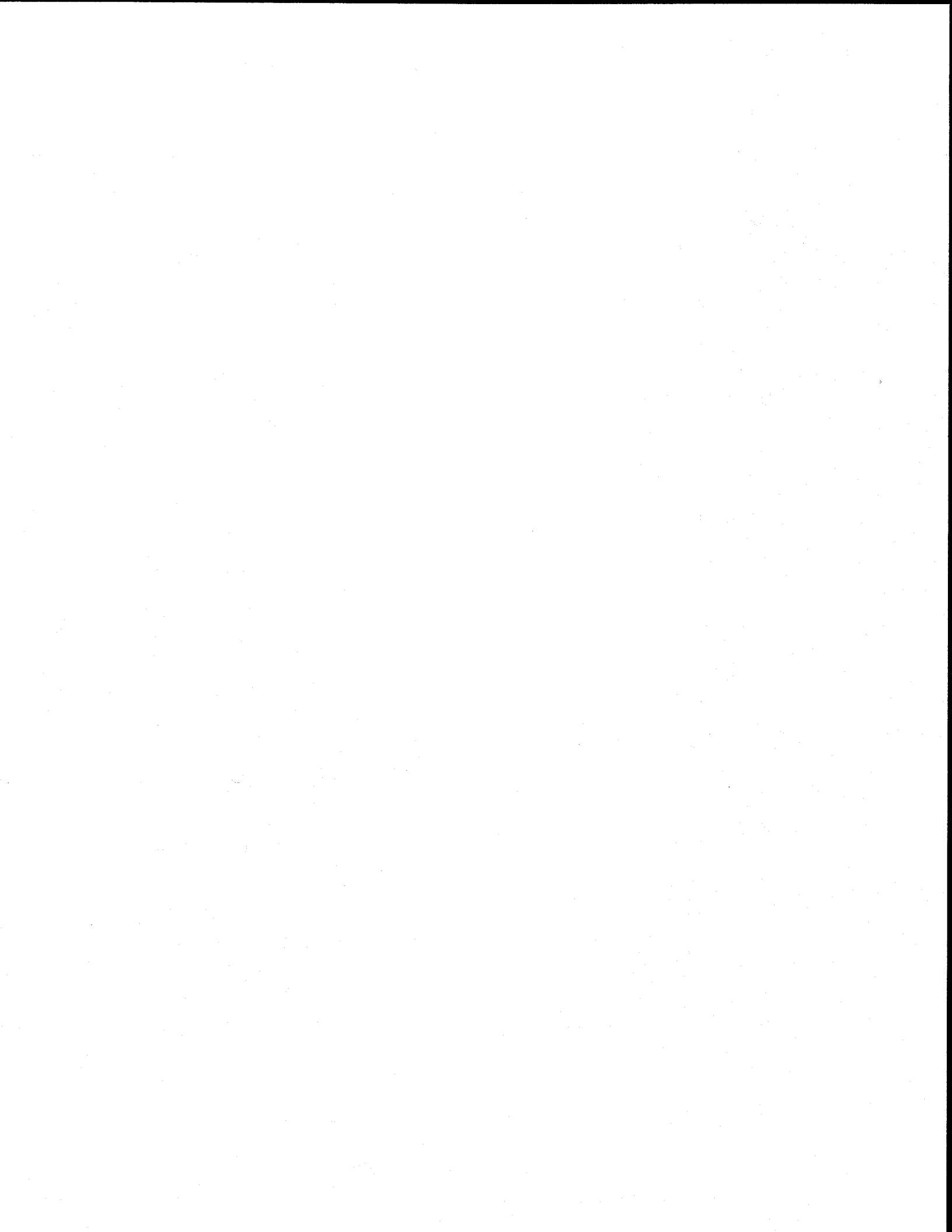


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Notes (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact/After Mitigation	Comments/Completion Date
<p>6.11-8 (continued):</p> <ul style="list-style-type: none"> Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the Riverside County or Imperial County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by Riverside County or Imperial County prior to grading final. <p>The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor and oversee the BMP's to verify that they are implemented correctly by the construction contractors.</p>	Significant	Prior to grading final	County Building and Safety Department		Significant and Unavoidable	
<p>6.11-9: Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County Building and Safety Department or Imperial County Planning and Development Services Department, as appropriate, indicating that construction staging areas along with the operation of earthmoving equipment within the project area is located as far away from vibration- and noise-sensitive sites as possible.</p>	Significant	Prior to grading final	County Building and Safety Department		Significant and Unavoidable	
<p>6.11-10: Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County or Imperial County Planning and Development Services Department, as appropriate, indicating that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible.</p>	Significant	Prior to building final inspection	County Planning Department		Significant and Unavoidable	
<p>6.11-11: Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is subject to overflight from military aircraft. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.</p>	Significant	Prior to building final inspection	County Planning Department		Significant and Unavoidable	

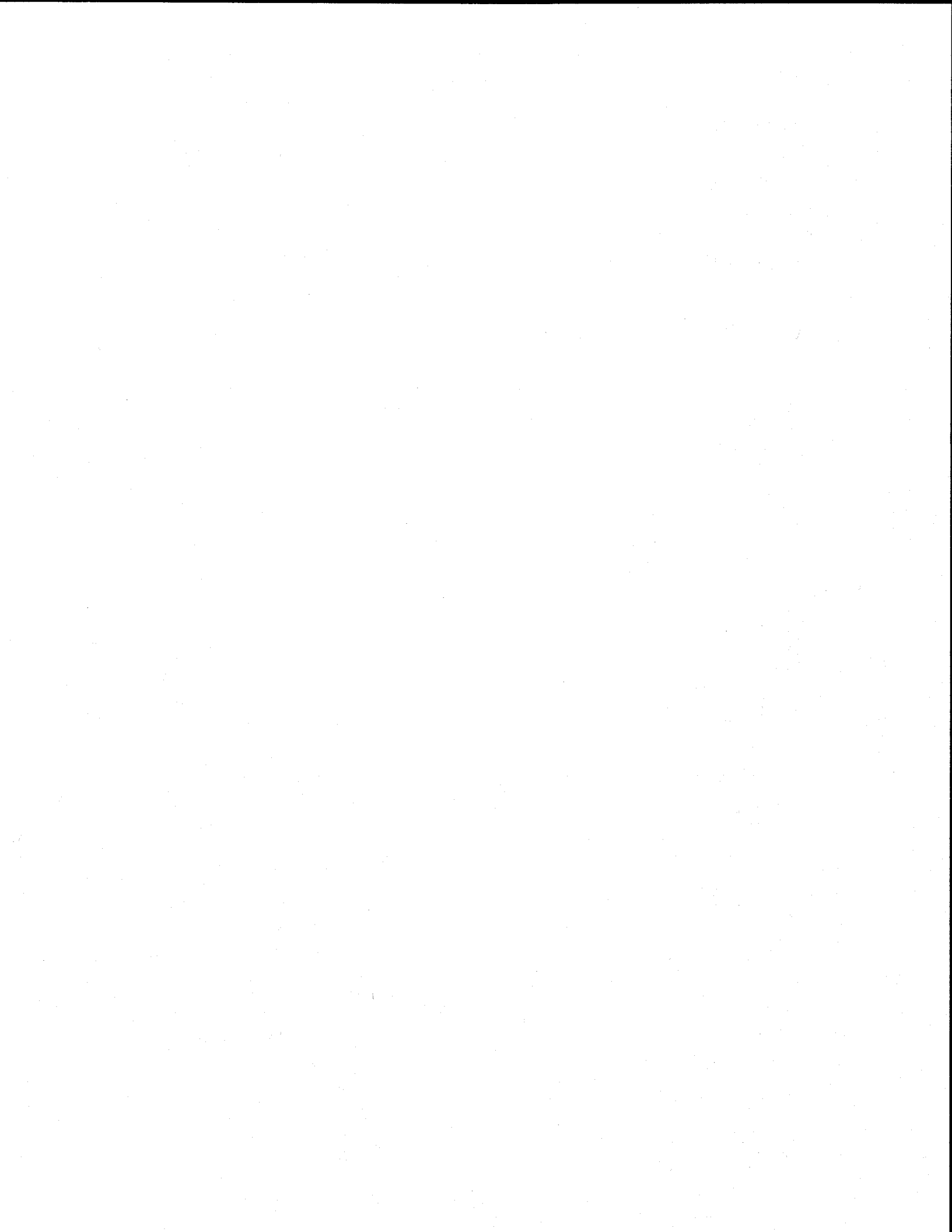


Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Compliance Completion Date
<p>6.12-1: Population and Housing The specific plan's implementation measures shall be modified as follows:</p> <ul style="list-style-type: none"> • Prior to the issuance of building permit for the 3,133rd residential unit, 117 affordable housing units or credits shall be available. • Prior to issuance of building permit for the 6,658th residential unit, 200 (317 cumulative) affordable housing units or credits shall be available. • Prior to the issuance of building permit for the 9,628th residential unit, 516 (833 cumulative) affordable housing units or credits shall be available. • Prior to the issuance of building permit for the 15,160th residential unit, 583 (1,416 cumulative) affordable housing units or credits shall be available. • Prior to the issuance of building permit for the 16,405th residential unit, 250 (1,666 cumulative) affordable housing units or credits shall be available. 	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.12-2: The specific plan's implementation measures shall be modified as follows:</p> <ul style="list-style-type: none"> • Prior to the issuance of building permit for the 3,250th residential unit, 89,000 square feet of nonresidential development is required to be built and occupied. • Prior to issuance of building permit for the 6,500th residential unit, 440,500 square feet (529,500 square feet cumulative) of non-residential development is required to be built and occupied. • Prior to issuance of building permit for the 9,500th residential unit, 1,100,000 square feet (1,629,500 square feet cumulative) of non-residential development is required to be built and occupied. • Prior to issuance of building permit for the 13,500th residential unit, 2,400,000 square feet (4,029,500 square feet cumulative) of non-residential development to be built and occupied. • Prior to the build out of 15,000th residential unit, 1,000,000 square feet (5,029,500 square feet cumulative) of non-residential development is required to be built and occupied. 	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	



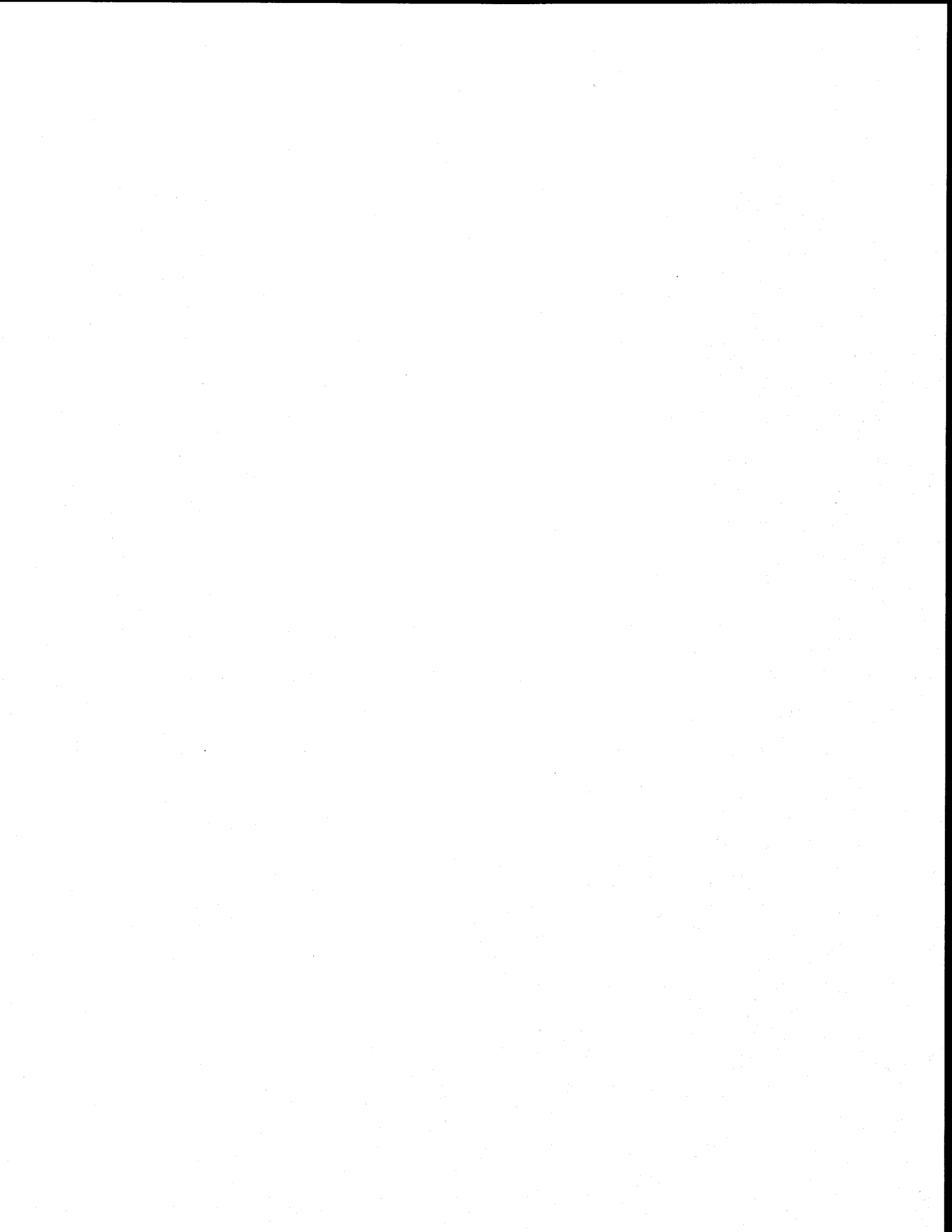
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Public Services - Fire Protection</p> <p>6.13-1: Prior to final building inspection for the 2,000⁺ residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.</p>	Significant	Prior to implementing project approval	County Fire Department		Less than Significant	
<p>6.13-2: Prior to final building inspection for the 4,000⁺ residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.</p>	Significant	Prior to implementing project approval	County Fire Department		Less than Significant	
<p>6.13-3: Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide fire protection services to the portion of the project site within the Salton Community Services District service area. This agreement shall address the timing of the construction of the fire station to be provided to the Salton City Community Services District</p>	Significant	Prior to implementing project approval	County Fire Department		Less than Significant	
<p>6.13-4: Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire-flow plans to the RCFD and SCSD, as appropriate, which include fire-flow requirements within commercial projects to be based on square footages and type of construction associated with development of the structures.</p>	Significant	Prior to building final inspection	County Fire Department		Less than Significant	
<p>6.13-5: Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire flow plans to the RCFD ensuring that all water mains and fire hydrants providing required fire flows would be constructed in accordance with the appropriate development schedule sections of Riverside County Ordinance No. 460 and/or Ordinance No. 787. Each fire flow plan that is submitted would be reviewed and approved by the RCFD prior to final building inspection.</p>	Significant	Prior to building final inspection	County Fire Department		Less than Significant	
<p>6.13-6: Prior to final building inspection for each implementing project within the Imperial County portion of the specific plan, applicants for implementing projects shall submit plans for review for the installation of fire hydrants in residential, commercial, and industrial areas and for the installation of fire protection systems in residential, commercial, and industrial buildings to plan and specifications. These plans shall be submitted to and reviewed by the appropriate water utility agency serving the Imperial County portion of the specific plan, the Imperial County Public Works Department, the Imperial County Fire Department, and the Uniform Fire Code and the SCSD.</p>	Significant	Prior to building final inspection	County Fire Department		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Public Services - Fire Protection (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.13-7: Prior to grading final, the construction contractor shall provide a plan for review and approval by RCFD and/SCSD to demonstrate that during all grading and site clearance activities all earth-moving equipment shall be equipped with spark arrestors and at least two portable fire extinguishers per vehicle. All equipment used in the vegetation-clearance phase shall be equipped with spark arrestors and best available fire safety technology. The vegetation-clearance activities shall be coordinated with and approved by the RCFD or SCSD in advance.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	
<p>6.13-8: Prior to building final permit, the applicant shall submit proof that all structures adjacent to open space shall be designed to satisfy at least a 1-hour fire-resistant rating. Such structures shall incorporate fire retardant features such as boxed-in eaves, reduced overhangs, double-paned windows, convection resistant roof design, non-combustible roofing material, and related design features, as determined necessary by the RCFD and/or SCSD. Building permits shall not be issued until review of fire-retarding architectural features has been completed by the RCFD and/or SCSD. Design standards meeting RCFD and/or SCSD shall be included in the Fire Hazard Reduction Program and incorporated into the Fire Hazard Reduction Design Guidelines for the residential units.</p>	<p>Significant</p>	<p>Prior to building final permit</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	

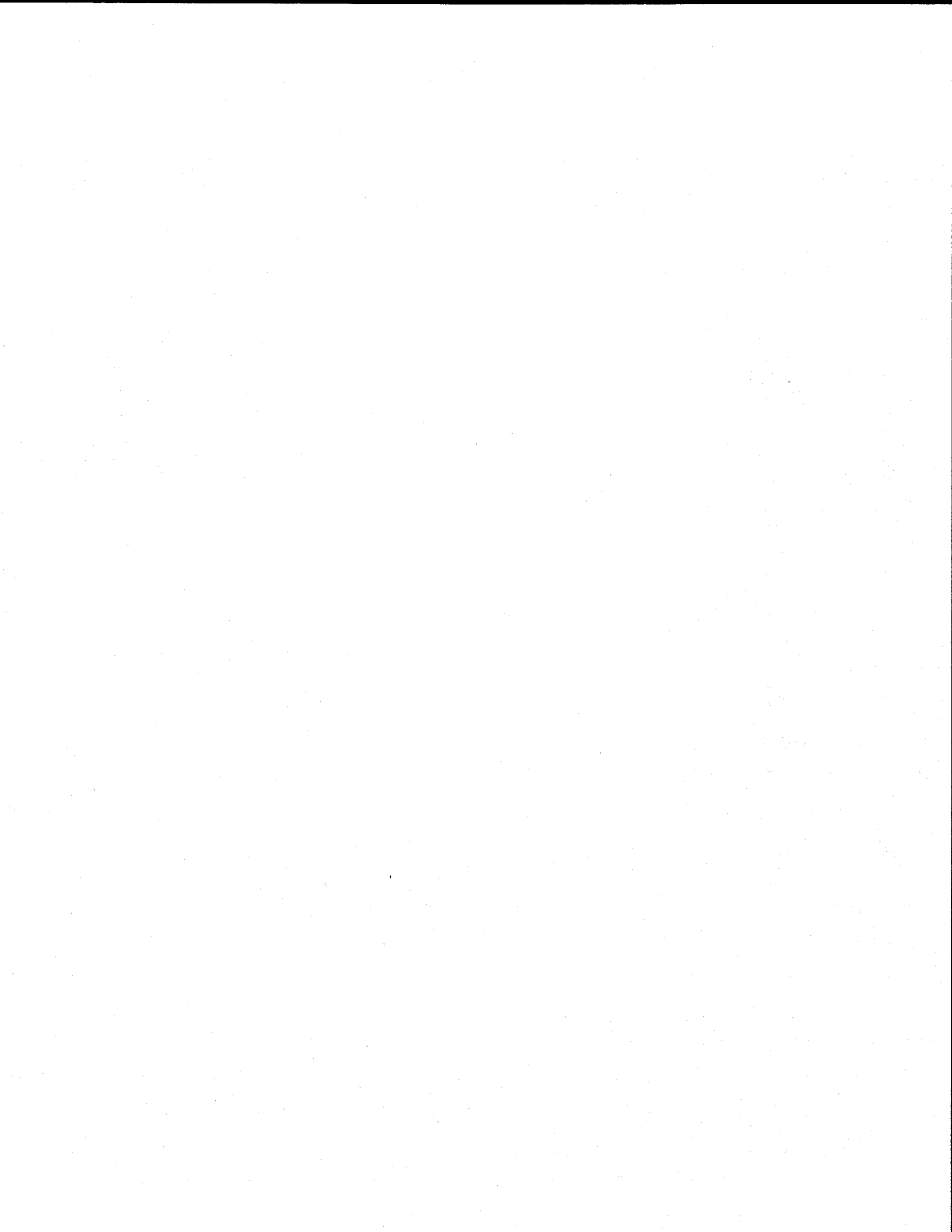


Impact Category/Mitigation Measures Public Services - Fire Protection (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.13-4: The specific plan shall incorporate provisions for fuel-modification zones to minimize the potential exposure of the developed areas to wildfire hazards consistent with the requirements of RCFD and SCSD. A landscaped/fuel-modification buffer shall be required surrounding each home site and structure in planning adjacent to open space areas. The following fuel-modification design guidelines shall be incorporated:</p> <ul style="list-style-type: none"> • The fuel-modification zone shall incorporate a program of brush clearance and thinning of combustible plant materials. • The fuel-modification zone shall be designated around all structures as measured from face of building. • Thinned native plants of high habitat value, may be located throughout this zone as a transition between open space and developed areas. • fuel-modification zones shall be maintained by the homeowner's association (HOA) in accordance with the RCFD and SCSD guidelines (except estate lots). <p>The exact location, dimension, and requirements for the fuel-modification zones would be determined and refined in agreements established between RCFD, SCSD and County staff, and ultimately during the processing of tentative tract maps. The following descriptions provide a conceptual fuel-modification plan with the minimum treatment for the zones:</p> <p>Zone A - Setback zone from the structure to the property line Most vegetation in this zone is limited to ground covers, green lawns, and a limited number of selected ornamental plants. This zone provides defensible space for fire suppression that will be maintained by homeowners.</p>	<p>Significant</p>	<p>During processing of tentative tract maps</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Public Services - Fire Protection (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.13-9 (continued):</p> <p>Zone B - Irrigated zone includes manufactured slopes This 20-foot-wide zone would augment irrigation and planting required, relating to manufactured slopes and landscape requirements. The 20-foot band of irrigation outside the fence line provides defensible space for fire suppression and will be HOA-maintained. This space would adjoin manufactured slope along the property line to provide a band of irrigation prior to Zone A. Special consideration would be given for Rare and Endangered plant species, geologic hazards, tree ordinances, or other conflicting restrictions.</p> <p>Zone C - Thinning zone This 80-foot-wide zone would be the beginning of the thinning zone and would be designed to eliminate the spread of fire from one plant to another via ladder fuels and eliminate horizontal continuity by properly spacing remaining vegetation and limiting large masses of unbroken vegetation. Thinning would reduce existing vegetation with removal of the majority of undesirable tall flammable plants species, including trees and tree form shrubs, and would be HOA maintained. Reduction of fuel loading is accomplished by reducing shrubs or trees without substantial decrease in the canopy cover or removal of soil-holding root systems. Natural vegetation is thinned in reduced amounts as the zone moves away from development.</p> <p>Zone D - Interface Thinning zone This 100-foot-wide area would be the initial interface between wildland areas and fuel-modification zones. It would consist of native vegetation individually thinned to reduce foliage or fuel loading. This zone does not necessarily require the removal of plants but thinning those that exist. Proper thinning and spacing of remaining tree and tree form native shrubs will reduce fuel load without overly exposing the soil to threat of erosion. Native vegetation is thinned by reduced amounts as the zone moves away from development, depending on fuel type in this area. Typical tree and shrub maintenance is required every 3 to 5 years depending on growth and native grasses; this zone would be maintained as needed annually by the HOA.</p>	<p>Significant</p>	<p>Prior to building final permit</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	
<p>6.13-10: Prior to building final inspection, the applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to Open Space-Conservation and other off-site undeveloped or natural areas to be notified as to the requirements and maintenance of a brush-clearance radius of 100 feet around all buildings pursuant to Riverside County Ordinance No. 787 and the Imperial County Prevention and Explosives Ordinance as appropriate.</p>						



Impact Category/Mitigation Measures Public Services - Law Enforcement	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.14-1: Prior to grading final for each implementing project, a designated parking area with a security officer shall be provided for the construction workers during grading and construction operations. A site security plan shall be prepared and submitted to the Riverside County Sheriff's Department by the contractor indicating security features that shall be incorporated on the construction site(s), such as fencing and locked entrances, and construction equipment, tools, and material shall be secured by locking or placing them within sheds and/or other inaccessible areas while not in use.</p>	Significant	Prior to grading final	County Sheriff Department		Less than Significant	
<p>6.14-2: Prior to building final inspection for each tract within Imperial County, the applicant(s) to the tentative tract map shall pay the current Imperial County Sheriff Development Impact Fee.</p>	Significant	Prior to building final permit	County Sheriff Department		Less than Significant	
<p>6.14-3: The specific plan shall be modified to include implementation measures that require the construction and operation of at least two sheriff's substations in Riverside County and one in Imperial County, or to the satisfaction of Riverside County Sheriff Depart or Imperial County Sheriff's Department as applicable, as follows:</p> <ul style="list-style-type: none"> • Prior to the issuance of building final permits for the 3,249th residential unit in Riverside County, a sheriff's substation shall be constructed and be operational; • Prior to the issuance of building final permits for the 6,857th residential unit in Riverside County, a sheriff's substation shall be constructed and be operational; • Prior to the issuance of building final permits for the 750th residential unit in Imperial County, a sheriff's substation, or expansion of the Salton City Substation, to service the project site shall be constructed and be operational. 	Significant	Prior to implementing project approval	County Sheriff Department		Less than Significant	
Public Services - Education						
<p>6.15-1: Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square-footage of development per single-family residential unit, multi-family residential unit, commercial unit, and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.</p>	Significant	Prior to implementing project approval	Coachella Valley Unified School District		Short term: Significant and Unavoidable/ Long term: Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Public Services - Parks and Recreation	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact Area - Mitigation	Comments/Completion Date
<p>6.16-1 Prior to the implementing project approval, a final bidding Memorandum of Understanding (MOU) shall be executed between the applicant and Desert Recreation District (DRD) for the maintenance and operation of parks, including regional parks, within Riverside County. For the open space areas and other public parks areas within Riverside County not included as part of the final binding MOU between the applicant and DRD, the applicant shall annex into Community Service Area (CSA) 125, or other appropriate CSA, to provide for the maintenance and operation of such areas.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-2 The specific plan's implementation measures shall be modified as follows:</p> <ul style="list-style-type: none"> • A minimum of 6.6 acres of neighborhood parks shall be developed in conjunction for every 500 residential dwelling units. • Prior to the issuance of building permit for the 3,250th residential unit, 43 acres of park or credits shall be available; • Prior to the issuance of building permit for the 6,500th residential unit, 48 acres (91 cumulative) of park or credits shall be available; • Prior to the issuance of building permit for the 10,000th residential unit, 47 acres (138 cumulative) of park or credits shall be available; • Prior to the issuance of building permit for the 13,500th residential unit, 68 acres (206 cumulative) of park or credits shall be available 	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-3 The specific plans park development standards shall be modified to provide that one out of every four public parks be a sports field and that sports fields be at least 5 acres in size.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-4 The specific plan shall be modified such that development of the trail system within the proposed project shall not allow for the use of motorized vehicles on existing or planned trails/trailheads within or that connect to the Anza-Borrego Desert State Park or the Santa Rosa and San Jacinto Mountains National Monument.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-5 The specific plan shall be modified to restrict trails that are developed adjacent to the Anza-Borrego Desert State Park and the Santa Rosa and San Jacinto Mountains National Monument and shall terminate no closer than 500 feet from the project boundary and include signage discouraging off-trail access.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	



Impact Category/Mitigation Measure Public Services - Parks and Recreation (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact Area Mitigation	Comments/Completion Date
<p>6.16-6 The proposed specific plan shall be modified to remove references to connections of on-site trails to off-site trails and add language stating that access to off-site trails from the project site shall be prohibited.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-7 Prior to approval of any subsequent actions to implement the project in planning areas as defined in the specific plan located adjacent to western boundary of the site, a landscaping plan shall be developed and submitted for drainage channels along the western perimeter of the project site. The landscaping plan shall require the planting of native plant species with thorns, such as cat-claw acacia and mesquite shrubs, adjacent to walls and trails on the western boundary of the site. This plan must be reviewed and approved by the Riverside or Imperial County Planning Director for the portions of the project located in each county.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>Public Services - Library Services</p>	Significant	Prior to issuance of a building permit	County Library		Less than Significant	
<p>6.17-1: The specific plan shall be modified to adjust the implementation measures to assure that libraries are developed in the following manner:</p> <ul style="list-style-type: none"> Phase I - Prior to issuance of a building permit for the 3,500^{sq} dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System. Phase II - Prior to issuance of a building permit for the 7,000^{sq} dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System. Phase III - Prior to issuance of a building permit for the 10,500^{sq} dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System. Phase V - Prior to issuance of a building permit for the 14,000^{sq} dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System and/or the Imperial County Free Library System. The applicant shall execute a Joint Memorandum of Understanding with both the Riverside County Library System and Imperial County Free Library System that provides for the location of this library site in either Riverside or Imperial County and that this library will provide services to both systems. Regardless of the location of this library, the applicant shall participate in development fees for library services as required by each County. 	Significant	Prior to issuance of a building permit	County Library		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
Public Services - Medical Services 6.18-1: For grading final for each implementing project, the contractors shall prepare a construction safety plan and submit it to the appropriate County Planning Department and Fire Department for review and approval. The plan shall include provisions for safety activities, including prevention, work-related injuries, on-site safety equipment, notification procedures, and other activities to prevent, reduce, and respond to injuries during construction. The specific plan shall be revised to include the following implementation measures: 6.18-2 Prior to building final inspection for the 2,500+ residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational. The specific plan shall be revised to include the following implementation measures: 6.18-3 Prior to building final inspection for the 5,000+ residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.	Significant	Prior to grading final	County Planning Department/Fire Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic 6.19-1: All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan. 6.19-2: The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.	Significant	Prior to building final inspection	County Planning Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic 6.19-1: All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan. 6.19-2: The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.	Significant	Prior to building final inspection	County Planning Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic 6.19-1: All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan. 6.19-2: The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic 6.19-1: All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan. 6.19-2: The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



4.0 Mitigation Monitoring Program

Transportation and Traffic (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-3: During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA). In accordance with Riverside County guidelines, for each "Development District" within the SP. The district-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project. Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project. Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant		
6.19-4: All intersection spacing for individual tracts, parcel maps, CUP's, or plot plans shall conform to the minimum County intersection spacing standards. All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.	Significant	Prior to building final inspection.	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant		
6.19-5: Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81 st Avenue.	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/ Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant		
6.19-6: Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83 rd Avenue and 84 th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/ Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant		
6.19-7: Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81 st Avenue, and shall construct eastbound and westbound left turn lanes.	Significant	Prior to issuance of 659 th occupancy permit	County Planning Department/County Transportation Department/ Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant		



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure (Transportation and Traffic (continued))	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-8: Prior to the issuance of the 65th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.</p>	Significant	Prior to issuance of 65 th occupancy permit	County Planning Department/County Transportation Department/ Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-9: After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).</p>	Significant	Prior to issuance of 8,140 th occupancy permit	County Planning Department/County Transportation Department/ Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-10: Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86/SR-86 (between 62nd Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.</p>	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-11: The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation, and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-8 through 6.2-17 of the TSS dated August 5, 2010.</p>	Significant	Prior to building final inspection	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-12: Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-13: Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SF00375, the following signals shall be installed and operational: SR-86S (NS) at: 81st Avenue (EW) SR-86 (NS) at: Lincoln Street (EW) with no credit given for Traffic Signal Mitigation Fees.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy permits</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-14: Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SF00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational: 81st Avenue (EW) at: Paseo Street (NS)</p>	<p>Significant</p>	<p>Prior to issuance of occupancy permits</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-15: Prior to the issuance of any certificates of occupancy that would result in more than 2,618 dwelling units in SF00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation: Harrison Street (NS) at: 62nd Avenue (EW) Harrison Street (NS) at: 66th Avenue (EW) Harrison Street (NS) at: 70th Avenue (EW) Harrison Street (NS) at: 74th Avenue (EW) Harrison Street (NS) at: Pierce Street (EW) unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy permits</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



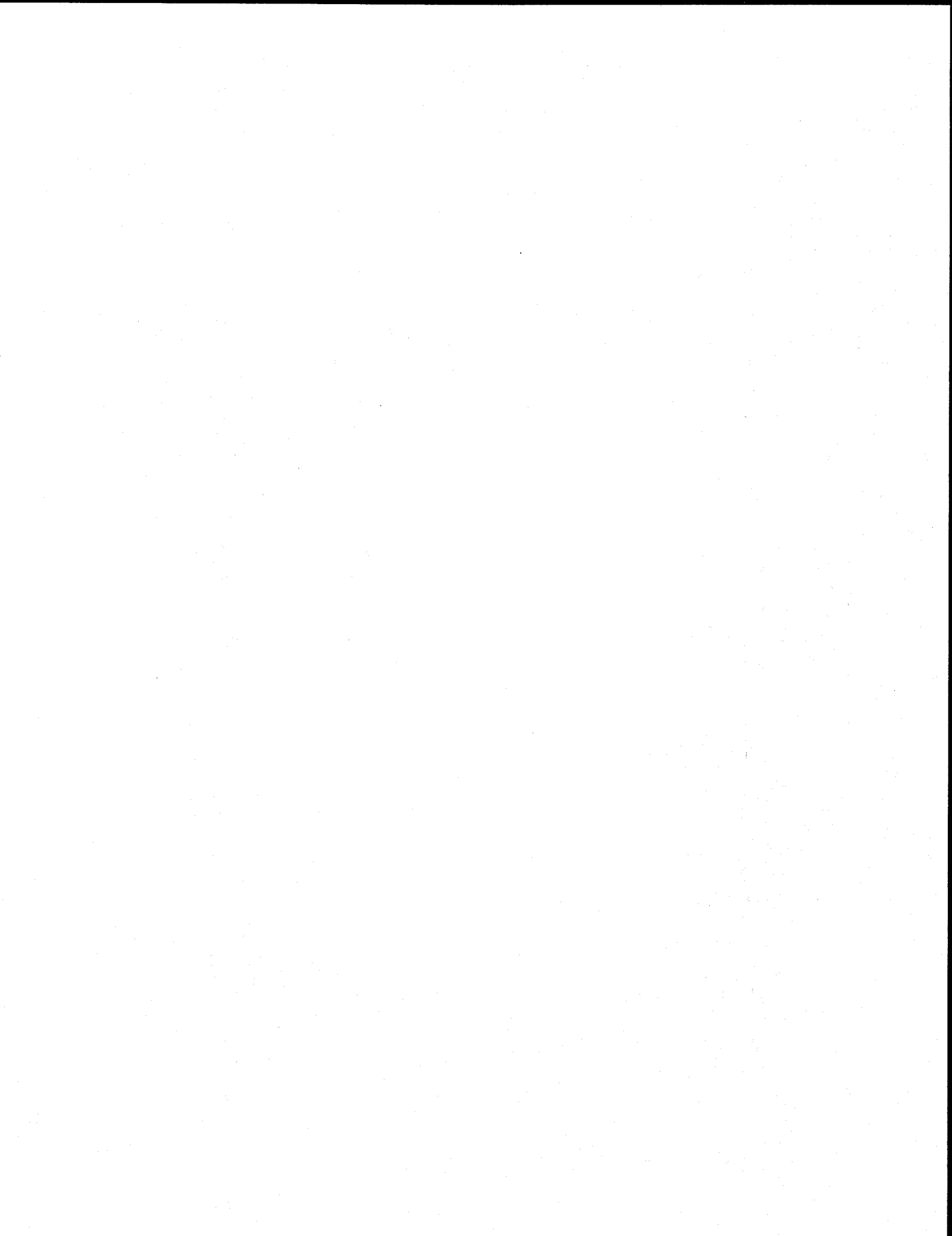
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-16: Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational: 81st Avenue (EW) at: Harrison Street/SR-86 (NS) with no credit given for Traffic Signal Mitigation Fees.</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-17: Prior to the issuance of any certificates of occupancy that would result in more than 3,475 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational: SR-86 (NS) at: Town Center Way (EW) with no credit given for Traffic Signal Mitigation Fees.</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-18: Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit toward signal mitigation fees if the signal is included in the DJF needs list at the time of installation. Harrison Street (NS) at: 72nd Avenue (EW) Harrison Street (NS) at: 78th Avenue (EW) SR-86S (NS) at: 70th Avenue (EW) SR-86S (NS) at: 74th Avenue (EW) SR-86 (NS) at: Desert Shores Drive (EW) SR-86 (NS) at: Brawley Avenue (EW) SR-86 (NS) at: Sea Oasis Boulevard (EW) SR-86 (NS) at: Marina Drive (EW) unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	

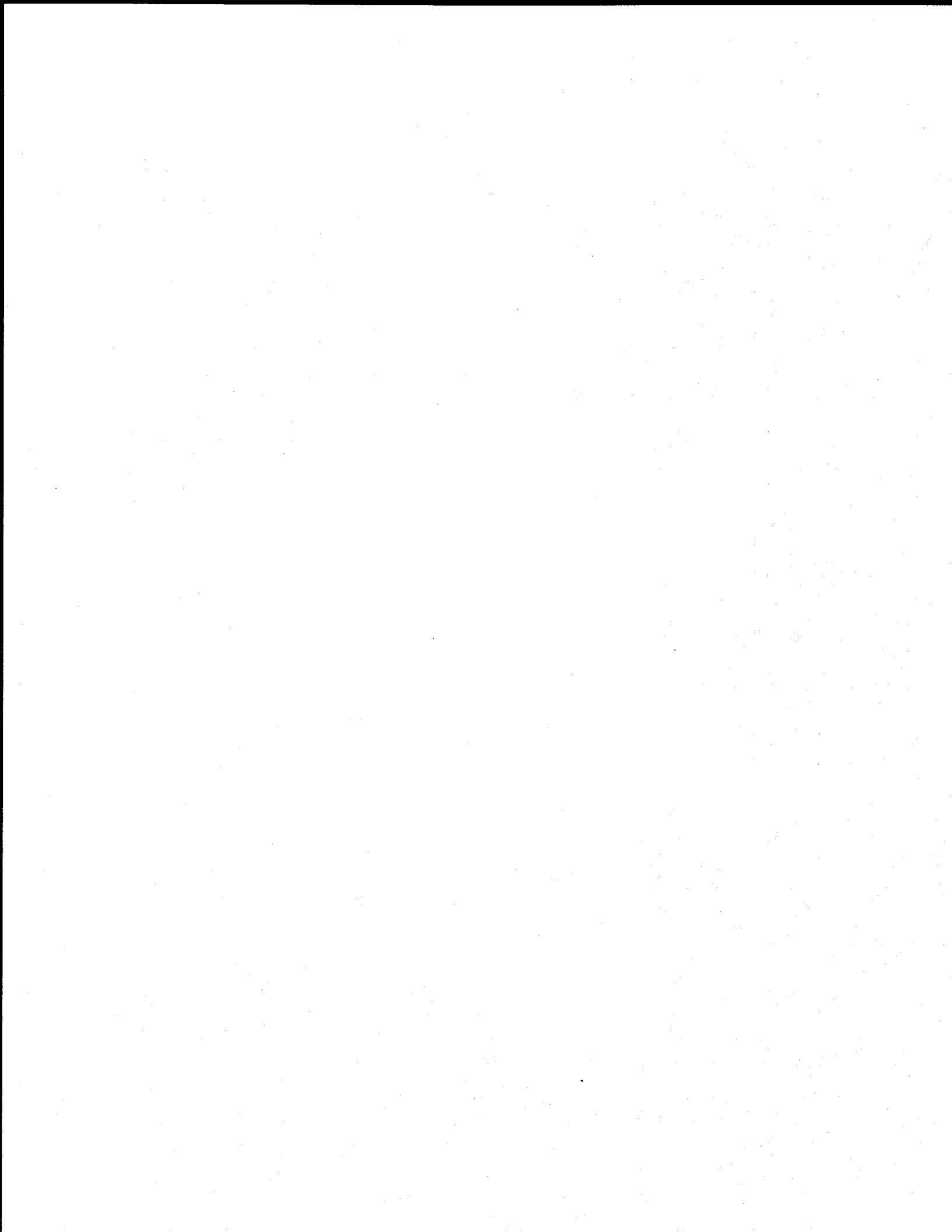


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact Assessment Mitigation	Comments/Completion Date
<p>6.19-19: Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-8 through 6.2-T of the TSS dated August 5, 2010 with no credit given for Traffic Signal Mitigation Fees</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-20: The modification of traffic signals to accommodate the phased improvements shall be the responsibility of the SP00375 proponent or the implementing projects.</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-21: Roadways internal to the project shall be developed as needed for development and as determined based on the recommendations presented in Exhibits 6.2-8 through 6.2-T of the TSS dated August 5, 2010.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-22: Prior to the issuance of any building permits within SP00375, the project proponent shall construct Lincoln Street between the northern project boundary and 81st Avenue and 81st Avenue between SR-86 and Lincoln Street as two-lane interim roadways (34 feet traveled way).</p>	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-23: Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall construct 81st Avenue between the western boundary of Planning Area 1-1 and SR-86S as a Secondary (64 foot curb-to-curb, 100 ft right-of-way). At the discretion of the Director of Transportation, the right-of-way requirement in the off-site portion of the facility may be reduced, so long as four through travel lanes and necessary turn lanes at intersections are provided.</p>	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-24: Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall realign, as necessary, the portion of SR-86/Harrison Street north of 81st Avenue to form the four-legged intersection at 81st Avenue/SR-86/Village Way and shall get Caltrans concurrence for the relinquishment of the portion of SR-86 between 81st Avenue and SR-86S.</p>	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-25: Prior to the issuance of any certificates of occupancy that would result in more than 7,078 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the project proponent or implementing projects within SP00375, shall construct 81st Avenue between SR-86S and Paseo Street as a Major. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Completion Date
<p>6.19-26: The project proponent, or the implementing projects within the SP, shall be responsible for the necessary improvements or modifications at all on-site intersections. The improvements shall be made at the locations indicated and with the number of lanes as specified in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-27: Where the need is indicated in DRP-level or project-level TIAs and unless the improvements are made by others prior to the time they are needed, the project proponent, or the implementing projects within the SP, shall also be responsible for the improvements at the off-site intersections listed below. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits. Any on-site intersections on SR-96 and SR-96S are included in the "off-site" list, since they will help accommodate external traffic.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-28: While the intersection improvements, both on site and off site, may be made in phases as the need arises, all improvements shall be designed and constructed to be consistent with the ultimate configuration of the intersection. All improvements listed below can be deferred to a later stage, or accelerated to an earlier stage of development, subject to the approval of the Director of Transportation based on subsequent traffic studies. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-29: Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-96S (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes, one right turn lane Southbound: One left turn lane, two through lanes, one right turn lane Eastbound: One left turn lane, one shared through/right turn lane Westbound: One left turn lane, one shared through/right turn lane</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	



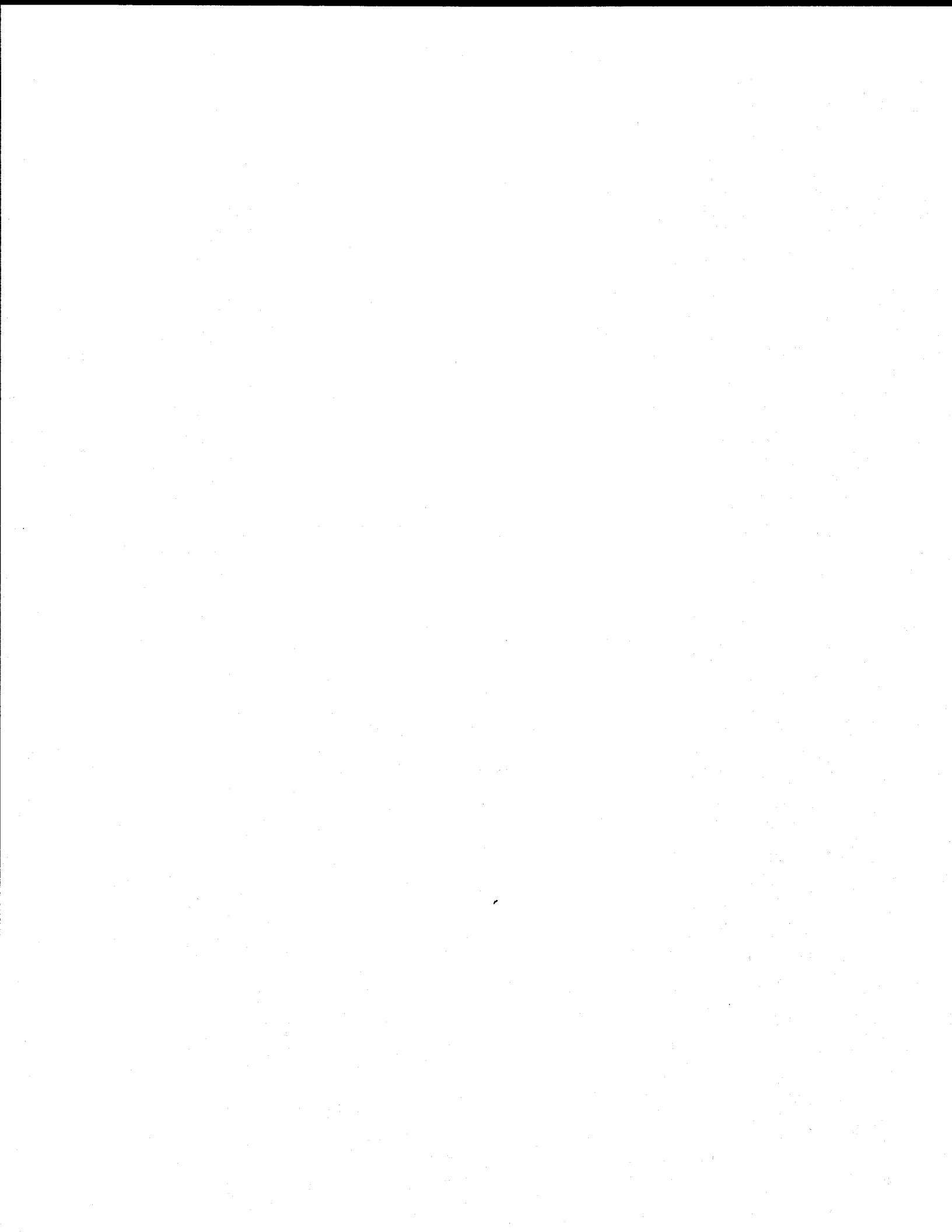
4.0 Mitigation Monitoring Program

Transportation and Traffic Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-29 (continued): The intersection of SR-86S (N/S) and Lincoln Street (E/W) shall provide the following geometrics: Northbound: Two through lanes, one right turn lane Southbound: One left turn lane, two through lanes Eastbound: N/A Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of Passo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One shared left turn/right turn lane - stop control Southbound: NA Eastbound: One shared through/right turn lane Westbound: One shared left turn/through lane</p> <p>The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane Southbound: NA Eastbound: One right turn lane Westbound: NA</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-30: Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SR00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits.</p> <p>The intersection of Harrison Street (N/S) and 62nd Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one through lane, one right turn lane Southbound: One left turn lane, one through lane, one right turn lane Eastbound: One left turn lane, one shared through/right turn lane Westbound: One left turn lane, one shared through/right turn lane</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Compliance Completion Date
<p>6.19-30 (continued):</p> <p>The intersection of Harrison Street (N/S) and 66th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one right turn lane</p> <p>Southbound: One left turn lane, one through lane, one right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of Harrison Street (N/S) and 70th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one right turn lane</p> <p>Southbound: One left turn lane, one through lane, one right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of Harrison Street (N/S) and Pierce Street (E/W) shall provide the following geometrics:</p> <p>Northbound: One through lane, one right turn lane</p> <p>Southbound: One left turn lane, one through lane</p> <p>Eastbound: N/A</p> <p>Westbound: One left turn lane, one right turn lane</p>						



Impact Category/Mitigation Measure Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-30 (continued): The intersection of SR-86S (NS) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes, one right turn lane Southbound: Two left turn lanes, two through lanes, one right turn lane Eastbound: One left turn lane, one through lane, one right turn lane Westbound: One left turn lane, one through lane, one right turn lane with overlap phasing NOTE: Signal modification will be necessary to accommodate a second southbound left turn lane, an eastbound right turn lane and a westbound right turn lane with overlap phasing. The intersection of Paseo Street (NS) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one right turn lane Southbound: N/A Eastbound: One through lane, one right turn lane Westbound: One left turn lane, one through lane unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-31: Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of Harrison Street/Village Way (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one through lane, one right turn lane Southbound: Two left turn lanes, one shared through/right turn lane Eastbound: One shared left turn/through lane, one right turn lane Westbound: Two left turn lanes, one shared through/right turn lane unless DRP-level or project-level TIAs indicate improvements at this intersection are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation/Training	Responsible Party	Monitoring/Reporting Method	Impact/Significance Mitigation	Compliance/Completion Date
<p>Transportation and Traffic (continued)</p> <p>6.19-32: Prior to the issuance of any certificates of occupancy that would result in more than 3,278 dwelling units in SF00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-86 (N/S) and Town Center Way North (E/W) shall provide the following geometrics: Northbound: One left turn lane, one through lane, one shared through/right turn lane Southbound: One left turn lane, two through lanes, one right turn lane with overlap Eastbound: Two left turn lanes, two through lanes, one right turn lane Westbound: One left turn lane, two through lanes, one right turn lane unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-33: Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SF00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following on-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits. The intersection of Harrison Street (N/S) and 64th Avenue (E/W) shall provide the following geometrics: Northbound: One shared through/right turn lane Southbound: One shared left turn/through lane Eastbound: N/A Westbound: One shared left turn/right turn lane - stop control The intersection of Harrison Street (N/S) and 72nd Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one shared through/right turn lane Southbound: One left turn lane, one shared through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



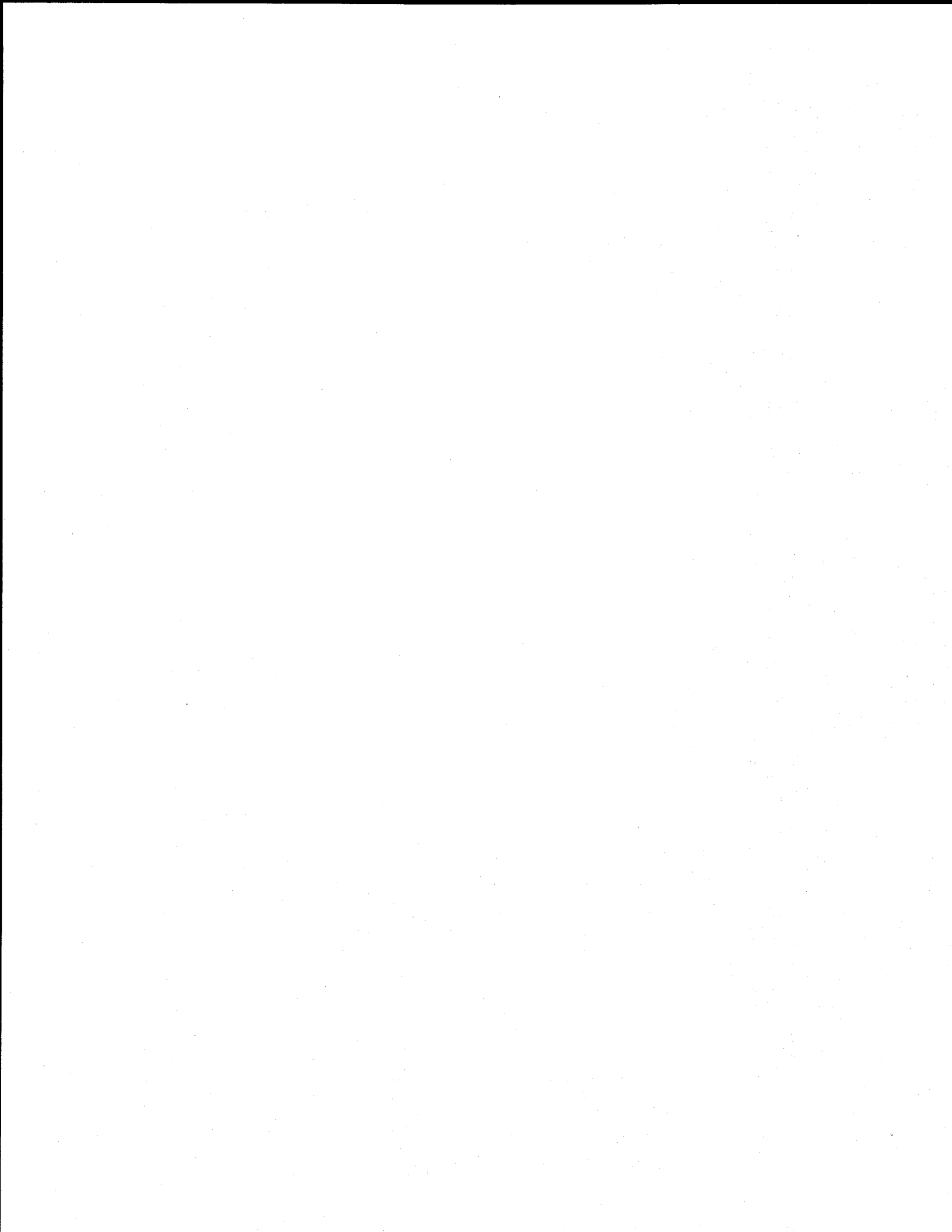
4.0 Mitigation Monitoring Program

Transportation and Traffic (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Complete Completion Date
<p>6.19-33 (continued):</p> <p>The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one right turn lane</p> <p>Southbound: One left turn lane, one through lane, one right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>NOTE: Signal modification will be necessary to accommodate an eastbound left turn lane and a westbound left turn lane.</p> <p>The intersection of Polk Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: NA</p> <p>Southbound: One shared left turn/right turn lane - stop control</p> <p>Eastbound: One shared left turn/through lane</p> <p>Westbound: One shared through/right turn lane</p> <p>The intersection of Fillmore Street (N/S) and 78th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/right turn lane - stop control</p> <p>Southbound: NA</p> <p>Eastbound: One shared through/right turn lane</p> <p>Westbound: One shared left turn/through lane</p> <p>The intersection of SR-96S (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and a westbound left turn lane.</p>							



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-93: (continued)</p> <p>The intersection of SR-86S (N/S) and 66th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: Two left turn lanes, one shared through/right turn lane</p> <p>NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and two westbound left turn lanes.</p> <p>The intersection of SR-86S (N/S) and 70th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of SR-86S (N/S) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One shared left turn/through lane, one through lane, one shared through/right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of SR-86 (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p>						



Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.10-33: (continue d)</p> <p>The intersection of SR-86 (N/S) and Brawley Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of SR-86 (N/S) and Sea Oasis Boulevard (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of SR-86 (N/S) and Marina Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of Village Way (N/S) and 82nd Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes</p> <p>Southbound: Two through lanes, one right turn lane</p> <p>Eastbound: One left turn lane, one right turn lane</p> <p>Westbound: NA</p> <p>The intersection of Travertine Estates (N/S) and Paseo Street (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through/right turn lane</p> <p>Southbound: One shared left turn/through/right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p>						



Impact Category/Mitigation Measure Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-33: (continued)</p> <p>The intersection of A Street (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through/right turn lane Southbound: One shared left turn/through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of Sea Oasis Drive (N/S) and Travertine Estates (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through lane Southbound: One shared through/right turn lane Eastbound: One shared left turn/right turn lane Westbound: NA</p> <p>The intersection of Sea Oasis Drive (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through/right turn lane Southbound: One shared left turn/through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p> <p>unless otherwise approved by Imperial County, or unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-34: Prior to the issuance of any certificates of occupancy that would result in more than 5,464 dwelling units in SF00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:</p> <p>The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one shared through/right turn lane Southbound: One shared left turn/through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p> <p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



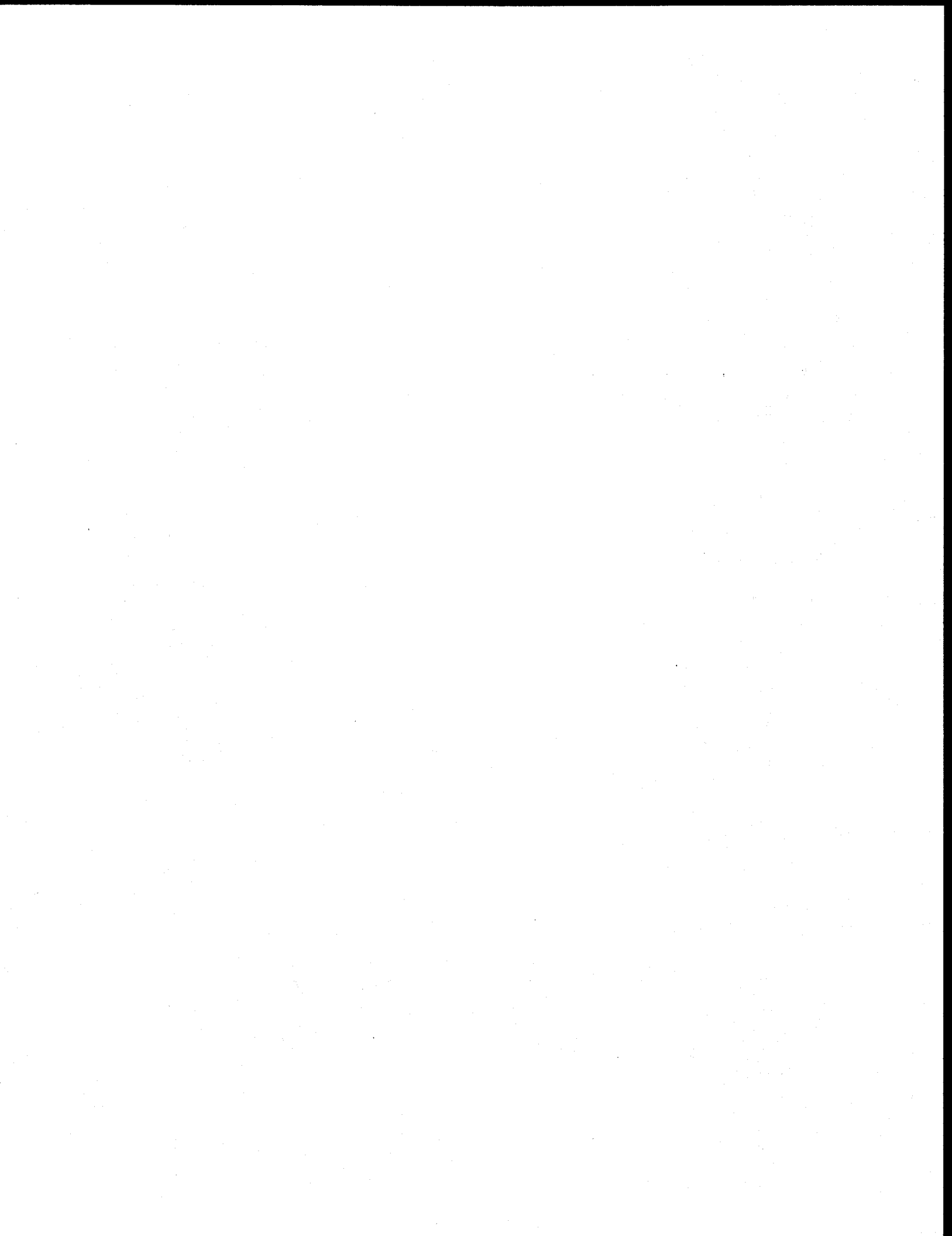
4.0 Mitigation Monitoring Program

Transportation and Traffic (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-35: Prior to the issuance of any certificates of occupancy that would result in more than 5,718 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-66 (N/S) and Town Center Way North (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes Southbound: One left turn lane, two through lanes, one right turn lane with overlap Eastbound: Two left turn lanes, one through lane, one right turn lane Westbound: One left turn lane, one through lane, one right turn lane</p> <p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>			<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-36: Prior to the issuance of any certificates of occupancy that would result in more than 5,770 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-66S (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes, one shared through/right turn lane Southbound: Two left turn lanes, three through lanes, one right turn lane Eastbound: Two left turn lanes, two through lanes, one right turn lane Westbound: One left turn lane, two through lanes, one right turn lane with overlap phasing</p> <p>NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, two eastbound left turn lanes, two eastbound through lanes, and two westbound through lanes.</p> <p>unless DRP-level or project-level TIAs indicate improvements at this intersection are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>			<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



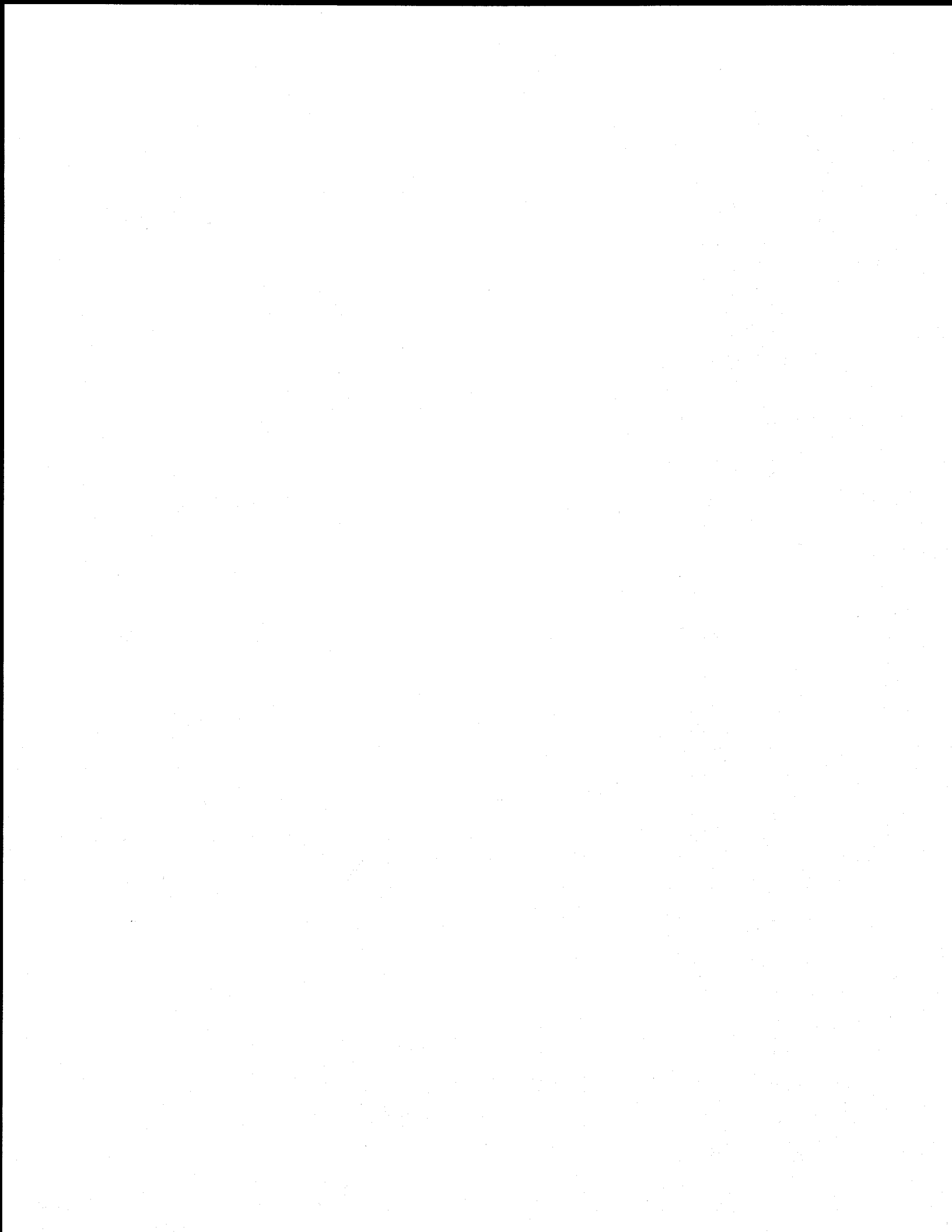
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure (Transpiration and Traffic) (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-37: Prior to the issuance of any certificates of occupancy that would result in more than 8,130 dwelling units in SR00373, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:</p> <p>The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one shared left turn/through/right turn lane</p> <p>Southbound: One left turn lane, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one through lane, one right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p> <p>NOTE: Signal modification will be necessary to accommodate a northbound left turn lane, the southbound approach, eastbound left turn and right turn lanes, and the westbound left turn lane.</p> <p>The intersection of SR-86 Southbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics:</p> <p>Northbound: NA</p> <p>Southbound: Two left turn lanes, two right turn lanes</p> <p>Eastbound: Two through lanes, two right turn lanes</p> <p>Westbound: Two through lanes, one right turn lane</p> <p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p> <p>The intersection of SR-86 Northbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics:</p> <p>Northbound: Two left turn lanes, one right turn lane</p> <p>Southbound: NA</p> <p>Eastbound: Two through lanes, two right turn lanes</p> <p>Westbound: Two through lanes, two right turn lanes</p> <p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-38: All improvements on Caltrans facilities shall conform to Caltrans design guidelines and shall be subject to Caltrans approval.	Significant	Prior to implementing project approval	Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic (continued)						
6.19-39: All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the SR00375 property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-40: All implementing projects within the SR00375 shall be subject to a condition of approval providing that: Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer, consistent with Riverside County Ordinance 460 Section 3.2J.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-41: Drainage studies will be required for all subsequent development proposals within the boundaries of Specific Plan No. 375 as approved by the Transportation Department.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-42: Prior to the issuance of any building permit for any implementing projects within SR00375, Riverside County shall prepare a financial plan to make mainline improvements to add one lane in each direction on SR-86/SR-86 between 62nd Avenue and Marina Drive in Imperial County and to construct interchanges at SR-86/SR-62nd Avenue, SR-86/SR-66th Avenue, SR-86/70th Avenue, SR-86/SR-74th Avenue, SR-86/SR-81st Avenue, SR-86/Town Center Way North, SR-86/Desert Shores Drive, SR-86/Brawley Avenue, SR-86/Sea Oasis Boulevard, and SR-86/Marina Drive. The financial plan shall identify the cost of the improvements based on a Preliminary Engineering study. In addition to fair share developer contributions, the financial plan shall consider funding that may be available through CVAG, RCTC, or other agencies. The County will assist in obtaining available funding that is, or may become available, through CVAG, RCTC, and other agencies, as appropriate.	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-43: Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall conduct a Nexus Study, based on the financial plan, and establish an RBRD or other funding mechanism in accordance with the Nexus Study recommendations.</p> <p>If the County has not formed an RBRD or other area-wide funding mechanism for SR-86/SR-66S improvements at the time the proponent of SP00375 or any subsequent implementing agencies are ready to request building permits, the project proponent shall establish a Community Facilities District (CFD) or other funding mechanism, prior to the issuance of any building permit within SP00375, to help fund its share of the cost of SR-86/SR-86 mainline improvements (SP00375's fair share is estimated preliminarily as 37% of the total cost of the SR86 additional lane improvements) and its share of interchange construction at SR-66S/81st Avenue and at SR-86/Town Center Way North (SP00375's share is estimated preliminarily as 95 to 100% of the total cost).</p>	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic (continued)						
<p>6.19-44: Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall deposit with Riverside County the funds necessary for the County to prepare the Preliminary Engineering Study, the Financial Plan, and the Nexus Study (the studies). The project proponent shall be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBRD or other corridor-wide funding mechanism.</p>	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-45: After building permits for 1,608 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the project proponent, or implementing projects within SP00375, have deposited funds for Riverside County to prepare an environmental document for adding one lane in each direction along SR-86/SR-86 between 62nd Avenue and Marina Drive in Imperial County. The project proponent, or the implementing projects, will be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBRD or other area-wide funding mechanism. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.</p>	Significant	Prior to issuance of 1,609th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-46: After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until Riverside County obtains environmental clearance to add one lane in each direction along SR-86/SR-86 between 62nd Avenue and Marina Drive in Imperial County. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted. TIME credit, where eligible, shall be provided in accordance with CVAG's policies and approvals.</p>	Significant	Prior to issuance of 5,719th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



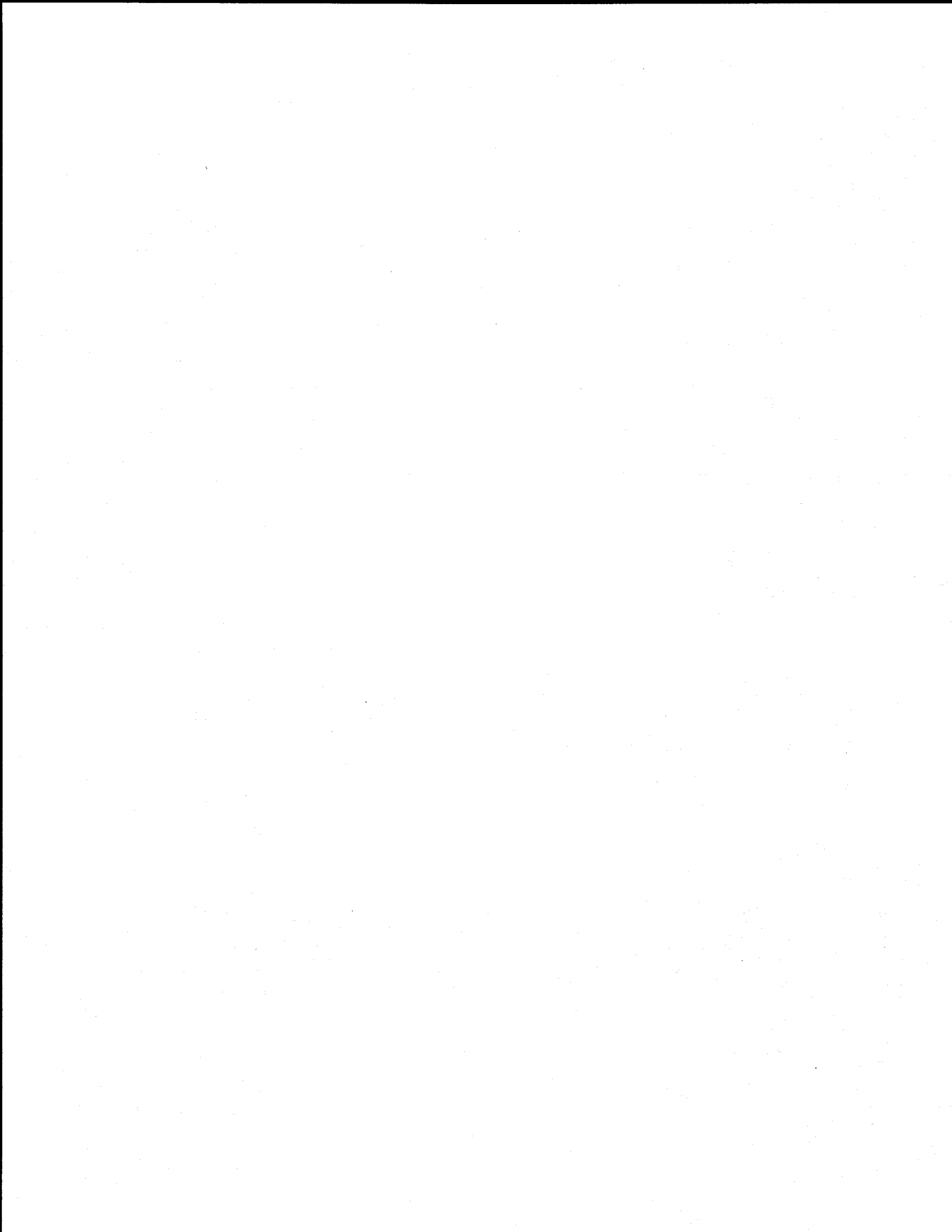
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-47: After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86 has been improved to add one lane in each direction between the northern boundary of SP00375 and Town Center Way North. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.	Significant	Prior to issuance of 5,718 th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-48: After building permits for 11,865 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until a construction contract, or contracts shall have been let to improve SR-86/SR-86 to add one lane in each direction between 62nd Avenue and Marina Drive in Imperial County.	Significant	Prior to issuance of 11,865 th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic (Continued)						
6.19-49: After building permits for 12,788 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86/SR-86 shall have been constructed to provide three lanes in each direction between 62nd Avenue and Marina Drive in Imperial County. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.	Significant	Prior to issuance of 12,788 th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-50: The project proponent and individual implementing projects within SP00375 shall implement the system of Travertine Point Walkways/Pedestrian Paths as illustrated in Exhibits 3.1-A and 3.1-B of the TSS.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
6.19-51: The project proponent and individual implementing projects within SP00375 shall implement the system of Travertine Point Bikeways Plan as illustrated in Exhibits 3.2-A and 3.2-B of the TSS.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
6.19-52: The project proponent and individual implementing projects within SP00375 shall implement the Travertine Point Transit Features as illustrated in Exhibits 4.1-A and 4.1-B of the TSS.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
6.19-53: The project proponent and individual implementing projects within SP00375 shall implement the Travertine Point Neighborhood Electrical Vehicle Accommodations as illustrated in Exhibit 6.1-J of the TIA. State legislation will be required to allow NEVs to use roadways that have a speed limit higher than 30 mph. The applicant shall assist the County in obtaining legislative approval.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
Utilities - Water						
6.20-1: Prior to implementing project approval, future applicants for development permits must submit plans for water delivery systems to CVWD for review and approval.	Significant	Prior to implementing project approval	CVWD		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Commencement/Completion Date
<p>6.20-2: Prior to implementing project approval, water quality testing for irrigation and fire suppression that uses nonpotable water shall submit documentation to CVWD indicating that the water quality meets the requirements of the California Department of Public Health and fire flow requirements for the Fire Department.</p>	Significant	Prior to implementing project approval	CVWD/County Fire Department		Less than Significant	
<p>Utilities - Wastewater</p>						
<p>6.21-1: The applicant shall prepare and submit to CVWD, SCSD, the County of Riverside and/or the Imperial County Public Works Department, as appropriate, a Wastewater Management Plan (WMP) that provides for the final location, development, and funding mechanisms of the wastewater conveyance infrastructure system and wastewater treatment system associated with development of the entire project. This WMP shall describe and finalize the design parameters and locations of piping necessary to convey wastewater originating within the project site for the specified tract. Each WMP shall also be submitted to the Regional Water Quality Control Board for approval and to ensure that the wastewater infrastructure conveyance system meets their requirements for collection and treatment of wastewater. The Wastewater Management Plan shall be reviewed and approved by CVWD and Riverside County for the portion of the project in Riverside County prior to the recordation of any final subdivision map in Riverside County and by SCSD and Imperial County prior to the recordation of any final subdivision map in Imperial County.</p>	Less than Significant	Prior to implementing project approval	CVWD/SCSD/County of Riverside Planning Department/Imperial County Public Works Department		Less than Significant	
<p>6.21-2 Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide wastewater collection and treatment services for the portion of the project site within the Salton Community Service District service area, consistent with the approved Wastewater Management Plan.</p>	Less than Significant	Prior to implementing project approval	SCSD		Less than Significant	
<p>6.21-3: Prior to building final inspection for the first residential unit and/or commercial unit within the Riverside County portion of the proposed project, the applicant shall execute a Special Agreement with CVWD to design, permit, construct, operate, and maintain an expandable wastewater treatment plant and nonpotable water storage and distribution system. The agreement shall provide for the initial size of the treatment plant to meet the initial development requirements of the project. The agreement shall provide for the plant to be expanded as the project proceeds to meet the project's full wastewater flow requirements within Riverside County and CVWD jurisdiction (estimated to be 3.0 mgd). Wastewater treatment and reuse facilities are provided for in Planning Area 4-3 or alternately an off-site location as provided for in the Wastewater Master Plan (see Figure 3.0-21). The project applicant shall provide necessary funding for the construction of this facility.</p>	Significant	Prior to building final inspection	CVWD/County Planning Department		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Consent/Completion Date
<p>Utilities - Wastewater (continued)</p> <p>6.21-4: The proposed specific plan shall be modified so that a land use overlay designation for a wastewater treatment plant can be located in a planning area within the Imperial County portion of the proposed project. If it is found that an appropriate location cannot be determined for the development of an expandable wastewater treatment plant on the project site, the applicant through a Special Agreement with SCSD, shall establish an area off site where a modular wastewater treatment plant could be located and be within the service boundaries of the SCSD. This may require additional CEQA review in the future.</p>	Significant	Prior to project approval	SCSD/County Planning Department		Less than Significant	
<p>6.21-5: The proposed specific plan shall be modified so that prior to building final inspection for the first residential unit and/or commercial unit within the Imperial County portion of the proposed project, the applicant shall execute a Special Agreement providing for SCSD to design, permit, construct, operate, and maintain a modular wastewater treatment plant and nonpotable water storage and distribution system. Such system shall be sized according to the Wastewater Management Master Plan for the portion of the proposed project within Imperial County. The project applicant shall provide necessary funding for the construction of this plant.</p> <p>All wastewater treatment facilities will be creditable toward the facilities component of SCSD's Sanitation Capacity charge for all residential, commercial, and industrial structures within the SCSD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project's and its associated effluent.</p>	Significant	Prior to project approval	SCSD		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Utilities - Solid Waste	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.22-1: Prior to implementing project approval, a Waste Recycling Plan (WRP) shall be submitted to the appropriate County Waste Management Department or Planning Department for approval. At a minimum the WRP shall identify the materials (e.g., concrete, asphalt, wood, etc.) that would be generated by construction and development, the project amounts, measures/methods that would be implemented to recycle, reuse, and/or reduce the amount of materials, the facilities and haulers that would be utilized, and the targeted recycling or reduction rates to be achieved.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Waste Management Department</p>		<p>Less than Significant</p>	
<p>6.22-2: The project proponent shall make every effort feasible to recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete the Riverside County Waste Management Department Construction and Demolition Waste Diversion Program Form B or and Form C process as evidence to ensure compliance. Form B (Recycling Plan) must be submitted and approved by the Riverside County Waste Management Department and provided to the Department of Building and Safety prior to the issuance of building permits. Form C (Reporting Form) must be approved by the Riverside County Waste Management Department and submitted to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection.</p>	<p>Significant</p>	<p>Prior to issuance of building permits</p>	<p>County Waste Management Department/ Department of Building and Safety</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Utilities - Solid Waste (continued) 6.22-3: Applicant(s) shall dispose of any hazardous wastes, including paint, used during construction and grading at a licensed facility in accordance with local, state, and federal guidelines.</p>	Significant	During construction and grading	County Waste Management Department/County Planning Department		Less than Significant	
<p>6.22-4: All commercial and residential refuse generated from the proposed project within Riverside County portion of the proposed project shall be delivered to the Coachella Valley Transfer Station or the Edom Hill Transfer Station; any residual waste that these transfer stations could not accept shall be disposed of at the Lamb Canyon Landfill or Badlands Landfill or other locations as determined by the Riverside County Waste Management Department. All commercial and residential refuse generated from the proposed project within the Imperial County portion of the proposed project shall be delivered to Salton City Landfill or other locations as determined by the Imperial County Waste Management Department.</p>	Significant	During project operation	County Waste Management Department/County Planning Department		Less than Significant	
<p>6.22-5: The Homeowners Association established for the proposed development shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the HOA shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CCRs.</p>	Significant	Prior to implementing project approval	County Waste Management Department/County Planning Department/HOA		Less than Significant	
<p>6.22-6: Prior to issuance of Building Permits for any multi-unit residential, commercial or industrial facilities, clearance from the Riverside County Waste Management Department is needed to verify compliance with California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials.</p>	Significant	Prior to issuance of building permits	County Waste Management Department		Less than Significant	
<p>6.22-7: Prior to implementing project approval, applicant(s) shall submit for review and approval landscape plans that provide for the use of xeriscape landscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.</p>	Significant	Prior to implementing project approval	County Waste Management Department/County Planning Department		Less than Significant	
<p>6.22-8: Prior to implementing project approval for Planning Areas 2-17, 2-21, 2-19, and 2-20, the applicant(s) shall provide for a buffer and restrict development adjacent to the active or closed landfill from the Oasis Landfill property line for a distance of a minimum of 1,000 feet and a maximum of 1,320 feet originating at the Oasis Landfill disposal footprint, until the landfill is closed to provide adequate spacing for monitoring probes, as recommended by the RCWMD and in accordance with the Southern California Air Quality Management District's Rule 1150.1.</p>	Significant	Prior to implementing project approval	County Waste Management Department		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>UTILITIES - Solid Waste (continued)</p> <p>6.22-9: Prior to implementing project approval for Planning Areas 2-18 and 2-19, the Oasis landfill shall be closed by the RCWMD in accordance with CalRecycle guidelines for closure with waste in place.</p>	Significant	Prior to implementing project approval	County Waste Management Department		Less than Significant	
<p>6.22-10: Prior to implementing project approval in Planning Area 2-18, the applicant shall consult with officials from RCWMD and agree on a circulation plan for roads that would be developed around and adjacent to the Oasis Landfill site. Best Management Practices (BMPs) shall be developed and implemented within the circulation plan for Planning Areas 2-18 and 2-19 to avoid the restructuring of roadways around and adjacent to the Oasis Landfill.</p>	Significant	Prior to implementing project approval	County Planning Department/RCWMD		Less than Significant	
<p>UTILITIES - Energy</p>						
<p>6.23-1: Prior to building final, residential and commercial buildings shall be conditioned to participate in any future programs, such as green pricing programs, which allow customers to support the development of renewable energy sources by paying a small premium on their electric bills, established by the Imperial Irrigation District. If the district establishes a green pricing program whereby energy generated from renewable resources either exclusively or at a higher proportion may be purchased, the proposed project shall participate in the program. Proof of participation (enrollment) shall be submitted to the Planning Department within 30 days of occupancy.</p>	Less than Significant	Prior to building final	Imperial Irrigation District		Less than Significant	
<p>6.23-2: Prior to implementing project approval, the applicant shall submit plans showing the proposed locations of electricity transmission and distribution infrastructure to the Imperial Irrigation District for review and approval.</p>	Less than Significant	Prior to project approval	Imperial Irrigation District/County Planning Department		Less than Significant	
<p>6.23-3: The Travertine Point Specific Plan shall be modified to require the installation, prior to initial building construction, of rooftop solar power generation equipment on all new development when economically feasible and cost competitive. Should more efficient technology become available and economically feasible, that technology may be used in place of rooftop solar power generation equipment. The installation of solar equipment shall be considered feasible and cost competitive when the addition of rooftop solar increases the cost of construction by no more than 5 percent.</p>	Less than Significant	Prior to project approval	County Planning Department		Less than Significant	
<p>6.23-4: Prior to the first implementing project approval for each development phase, the project applicant shall submit a plan for providing local transit services within the project site to the Riverside County Planning Department for review and approval.</p>	Significant	Prior to building final	Riverside County Planning Department		Less than Significant	



4.0 Mitigation Monitoring Program

Greenhouse Gases	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Compliance Completion Date
<p>6.24-1: Prior to the issuance of each building permit, the applicant shall provide a listing of the green building practices and design elements used in the building that reduce GHG emissions to the appropriate Planning Department. The green building practices and design elements shall be consistent with the CAP and any other green building standards adopted by either Riverside County or Imperial County. (See, e.g., California Department of Housing and Community Development's Green Building & Sustainability Resources handbook at www.hcd.ca.gov/hpd/green_build.pdf; e.g., the American Institute of Architects at http://www.wiki.aia.org/Wiki%20Pages/Home.aspx)</p>	<p>Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible to the extent that it is feasible to do so based on the technological and financial feasibility factors at the time of permit application.</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	
<p>6.24-2: Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible to the extent that it is feasible to do so based on the technological and financial feasibility factors at the time of permit application.</p>	<p>Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible to the extent that it is feasible to do so based on the technological and financial feasibility factors at the time of permit application.</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	
<p>6.24-3: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energy/star.gov/index.cfm?fuseaction=find_a_product; see also the California Energy Commission's database of appliances meeting federal or state energy standards at http://www.appliances-energy.ca.gov; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at http://www.epaat.net/AboutEPAA.aspx; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aceee.org/ogeece/ctl_index.htm)</p>	<p>Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energy/star.gov/index.cfm?fuseaction=find_a_product; see also the California Energy Commission's database of appliances meeting federal or state energy standards at http://www.appliances-energy.ca.gov; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at http://www.epaat.net/AboutEPAA.aspx; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aceee.org/ogeece/ctl_index.htm)</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	



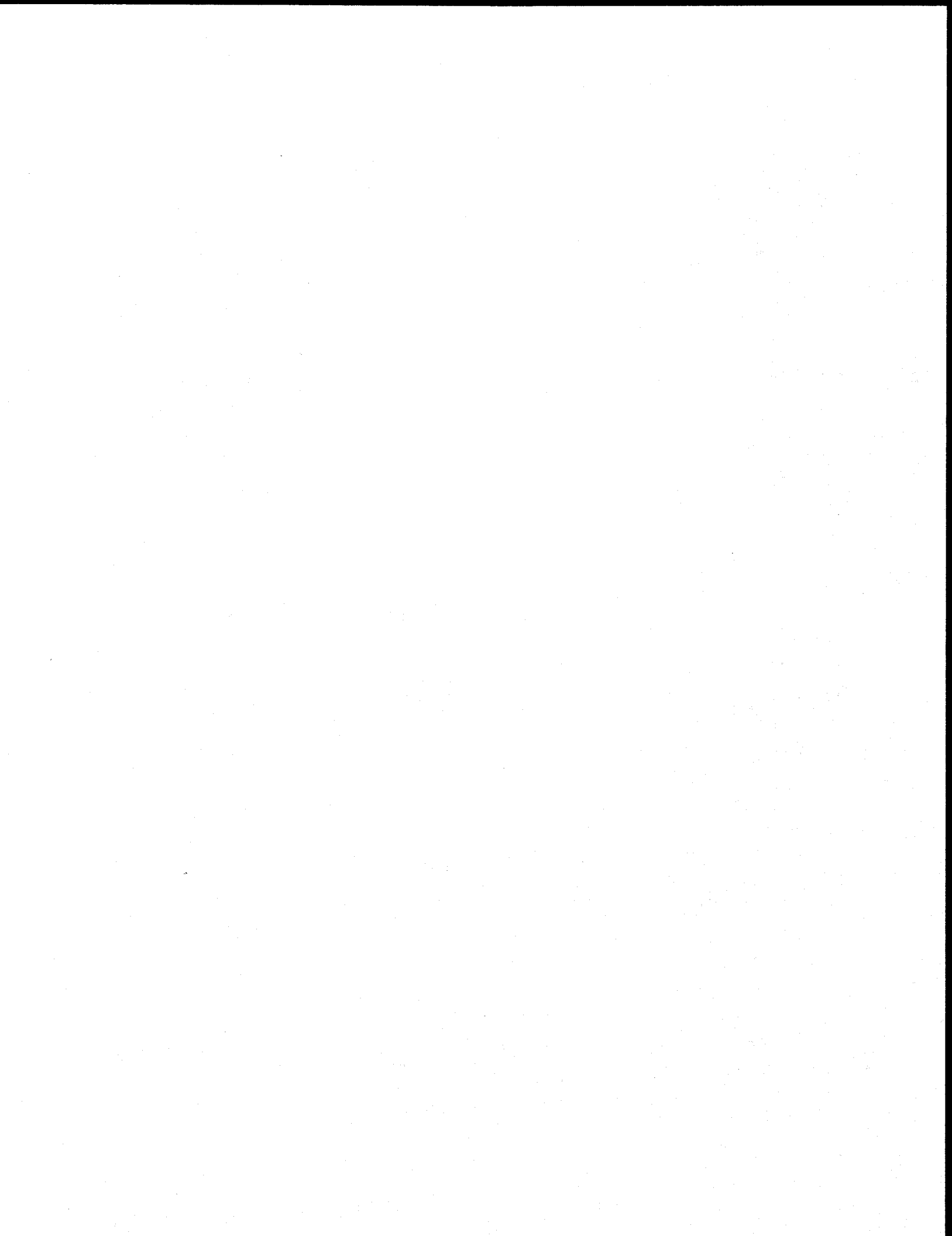
4.0 Mitigation Monitoring Program

Greenhouse Gases (Continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.24-4:	Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at http://www.consumerenergycenter.org/coolroof/)	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-5:	Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-6:	Prior to the issuance of each building permit, the applicant shall provide evidence that the building is consistent with and/or does not conflict with the following Specific Plan-wide renewable energy targets: <ul style="list-style-type: none"> • 80 percent of residential units shall meet 60 percent of their baseline demand power energy needs with renewable energy; and • 80 percent of commercial building square footage shall meet 40 percent of their baseline demand power energy needs with renewable energy. Should the individual structure not be able to demonstrate that power provided by IID does not comply with this standard, then the individual structure shall comply by providing renewable energy power from a source within the limits of the Specific Plan.	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	

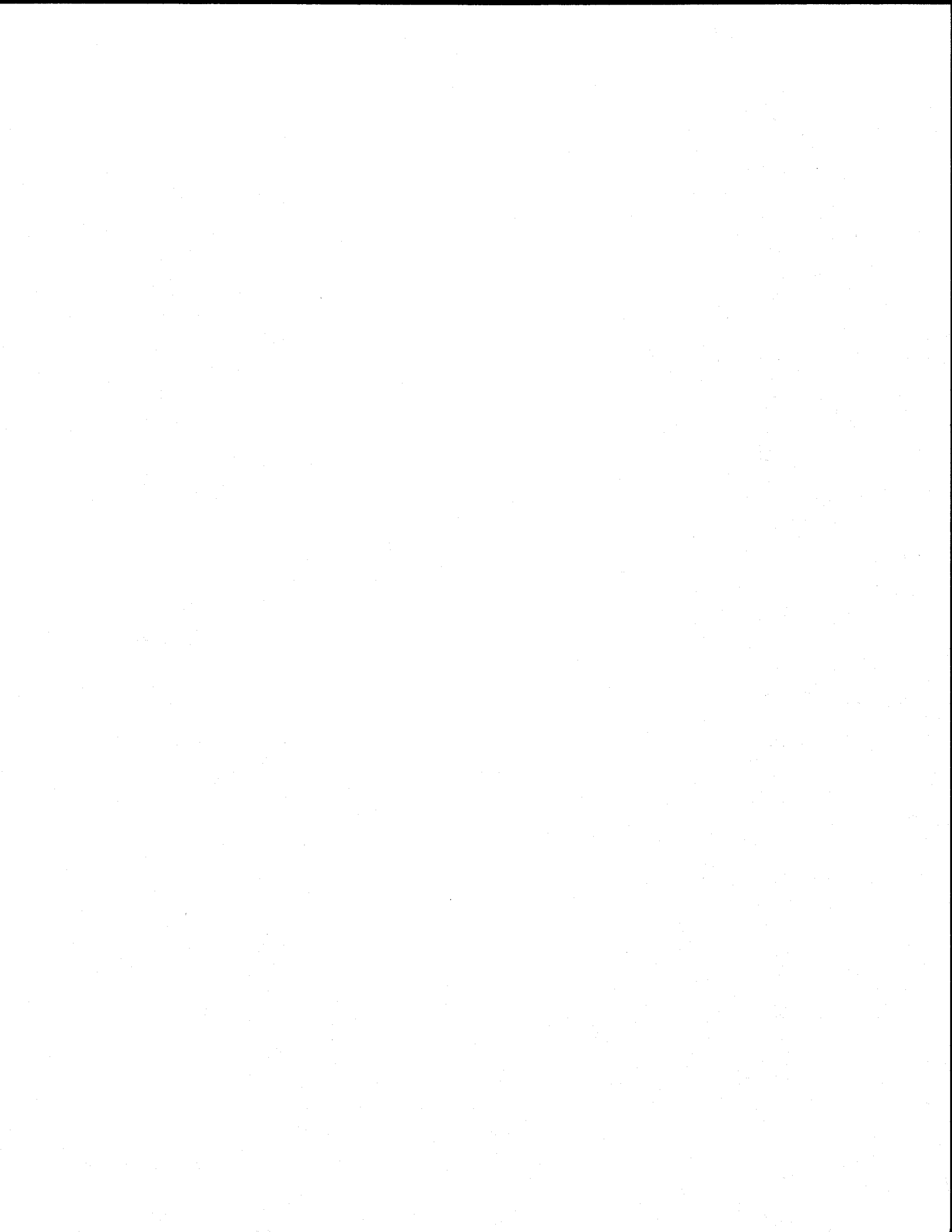


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Greenhouse Gases (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact/Significance Mitigation	Comments/Completion Date
<p>4.24-7: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of water efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide water conservation measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following water conservation measures:</p> <ul style="list-style-type: none"> • 90 percent of all builder-installed plumbing devices in each residential buildings will be low-flow and water-efficient; • 90 percent of all builder-installed plumbing devices in each non-residential buildings will be low-flow and water-efficient; • Turf will not exceed 20 percent of the total landscaped area of each Planning Area, with the exception of parks, recreation centers, and schools; • 80 percent of public and common landscape areas will use smart irrigation systems per project; and • 80 percent of public and common landscape areas will use drought-tolerant, native, and/or water-efficient plant materials per project. <p>(See http://www1.eere.energy.gov/emp/program/waterefficiency_bmp05.html; see also http://www.water.ca.gov/waterefficiency/landscapel/)</p>	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
<p>4.24-8: Prior to grading final for each implementing project, the applicant or their contractor shall submit to the appropriate Public Works Department for review and approval of a site construction management plan for the reuse and recycle construction and demolition waste (including soil, vegetation, concrete, lumber, metal, and cardboard). (See http://www.dwrmb.ca.gov/condemo/).</p>	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	

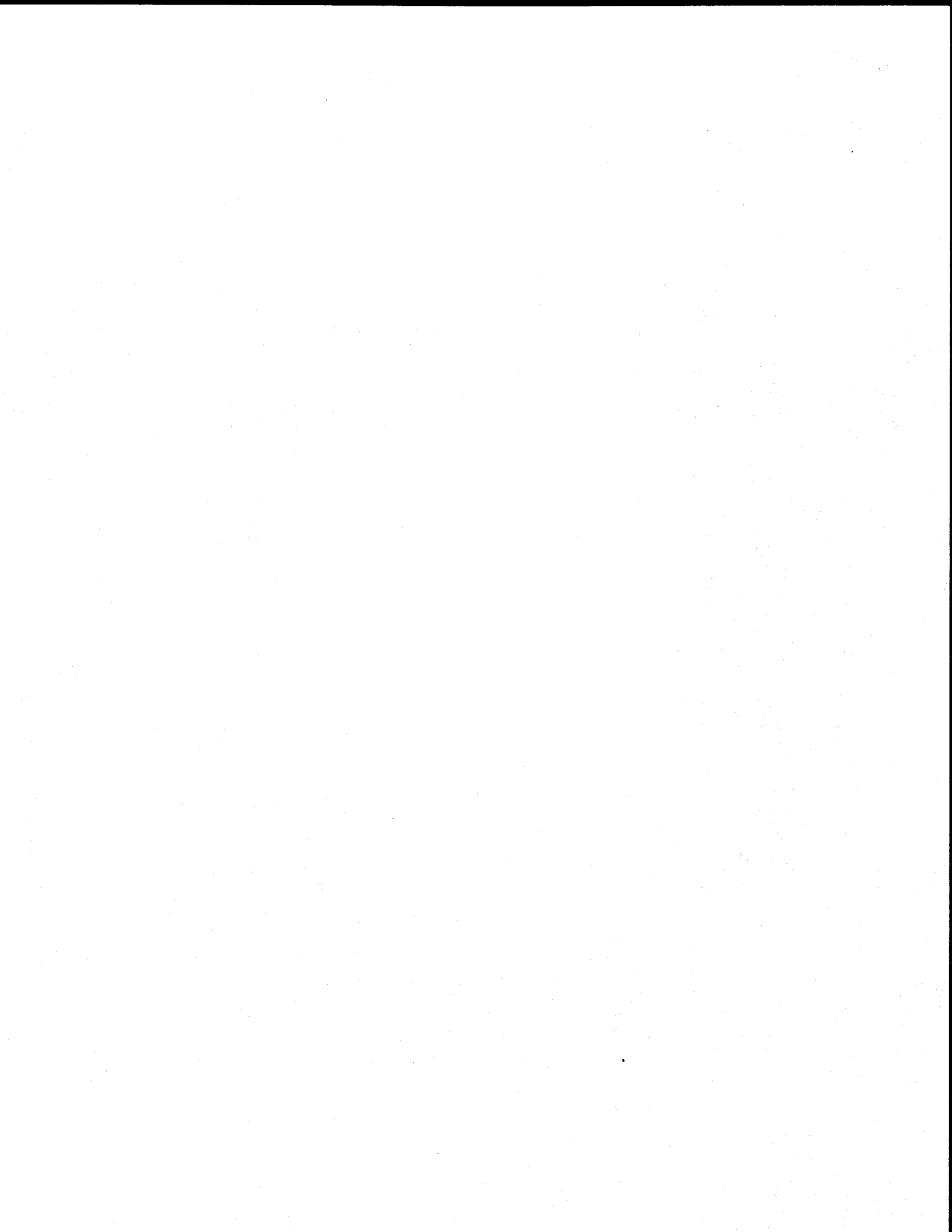


Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Conclusion Date
<p>6.24-9 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of reuse and recycling measures in residential, industrial, and commercial projects consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide recycling and waste reduction measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following recycling and waste reduction measures:</p> <ul style="list-style-type: none"> • Provide recycling containers within all multi-family residential communities; • Provide recycling containers within all commercial, office, and light industrial buildings; • Provide containers for community composting within all multi-family residential communities; and • Provide containers for community composting within all commercial, office, and light industrial buildings. <p>(See http://zerowaste.ca.gov; see also http://www.calig.org/wastereduction).</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	
<p>6.24-10: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "smart growth" principles to reduce GHG emissions (i.e., ensure mixed-use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services) consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide "smart growth" measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following "smart growth" measures:</p> <ul style="list-style-type: none"> • 60 percent of building frontages will have the principal functional entry facing a public space such as a street, square, park, paseo, or plaza, but not a parking lot based on type of project; • 75 percent of mixed-use streets shall have minimum 8-foot-wide sidewalks that front primarily commercial retail uses and all other areas will have minimum 4-foot-wide sidewalks; • 60 percent of all housing with a density of 7 dwelling units per acre or more will lie within 0.5 mile of a transit stop; <p>(See http://www.epa.gov/smartgrowth/index.htm.)</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Public Works Department</p>		<p>Significant and Unavoidable</p>	



4.0 Mitigation Monitoring Program

Greenhouse Gases (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Cumulative/Compaction Data
<p>6.24-11: Prior to implementing project approval for each tract map, the applicant shall preserve existing trees, to the extent feasible and encourage the planting of new trees consistent with the final landscape palette in the Specific Plan. Removed trees shall be replaced at a minimum 1:1 ratio in accordance with acceptable tree species defined in the final landscape palette. (See http://www.epa.gov/cend/brownfields.htm)</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	
<p>6.24-12: The Specific Plan shall be modified to include a comprehensive parking policy that disfavors private vehicle use and favors the use of alternative transportation. Comprehensive parking policy measures shall include but are not limited to the measures listed below:</p> <ul style="list-style-type: none"> • Seek approval from the appropriate County Department(s) to waive minimum parking requirements and reduce parking from the minimum standards by as much as 20 percent for projects within a quarter mile of a transit station; • Use shared and/or centralized parking facilities consistent with a "park once" approach; • Require that employers provide information on public transportation options to employees; • Require that large employers (250 or more employees at a single work-site location) and encourage small employers (less than 250 employees at a single work-site location) to provide bicycle parking facilities, employee break rooms with refrigerators and microwaves, and automated teller machines (ATMs); and/or <p>Require that large employers (250 or more employees at a single work-site location) provide a transportation demand management program, such as vanpools/carpools, ride-sharing/ride-matching, and/or "guaranteed ride home" services that allow employees who use public transit to get a free ride home if they need to stay at work late.</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	



RESOLUTION NO. 2012-040

CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514
AND ADOPTING SPECIFIC PLAN NO. 375 (TRAVERTINE POINT)

2 RESOLUTION NO. 2012-040

3 CERTIFYING ENVIRONMENTAL IMPACT REPORT NO. 514

4 AND ADOPTING SPECIFIC PLAN NO. 375

5 (TRAVERTINE POINT)

6 WHEREAS, pursuant to the provisions of *Government Code* Section 65450, *et seq.*, public
7 hearings were held before the Riverside County Board of Supervisors in Riverside, California, on
8 August 16, 2011 and December 13, 2011, and before the Riverside County Planning Commission in
9 La Quinta, California on May 25, 2011, and in Perris, California on June 15, 2011, to consider
10 Specific Plan No. 375 (Travertine Point); and

11 WHEREAS, all of the provisions of the California Environmental Quality Act ("CEQA") and
12 the Riverside County CEQA Implementing Procedures have been satisfied, and Environmental
13 Impact Report (EIR) No. 514, prepared in connection with Specific Plan No. 375 and related cases
14 (referred to alternatively herein as "the project"), is sufficiently detailed so that all the potential
15 significant effects of the project on the environment, and all feasible measures to avoid or
16 substantially lessen such effects have been evaluated in accordance with the above-referenced Act
17 and Implementing Procedures; and

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

20 BE IT RESOLVED, FOUND, DETERMINED, AND ORDERED by the Board of
21 Supervisors of the County of Riverside, in regular session assembled on February 7, 2012 that:

22 A. The above recitations are true and constitute findings of the Board of Supervisors with
23 respect to the project.

24 B. Specific Plan No. 375 (Travertine Point) is a 4,918 acre master planned community,
25 located along the east and west sides of California State Route (SR-86S), and spanning three different
26 jurisdictions, Riverside County, Imperial County and the sovereign Nation of the Torres Martinez
27 Desert Cahuilla Indians. 3,938 acres is within Riverside County and 980 acres is within Imperi
28 County. Approximately 1,410 acres of the total Specific Plan acreage consists of land located under

FORM APPROVED COUNTY COUNSEL
BY: TIFANY N. NORTH 2/11/12 DATE

1 the jurisdiction of the sovereign Nation of the Torres Martinez Desert Cahuilla Indians, 763 acres of
2 which is in Riverside County and 647 acres in Imperial County. While the project will include all
3 three jurisdictions, the total acreage under the direct jurisdiction of Riverside County and the subject
4 of this resolution is approximately 3,175 acres. The portion of the project within the Riverside
5 County extends from 81st Avenue to the Imperial County line. Overall, the entire project proposes
6 the construction of 16,655 residential units on approximately 2,853 acres, and 5,029,500 square feet
7 of non-residential development (retail, office, industrial, etc.) on approximately 668 acres (including
8 mixed use acres), as well as parks, open space and public facilities. The portion of the project located
9 within the jurisdiction of Riverside County, and the only portion approved by this Resolution,
10 consists of up to 14,640 residential units and 3,443,100 square feet of non-residential development.

11 C. Specific Plan No. 375 is associated with General Plan Amendment No. 910, which
12 was considered concurrently at the public hearings before the Planning Commission and Board of
13 Supervisors. General Plan Amendment No. 910 proposes to amend the Land Use Element of the
14 General Plan as it applies to the project site. General Plan Amendment No. 910 is comprised of
15 several components. The first component is a Technical Amendment to clarify and eliminate a
16 source of confusion with regard to the sovereign lands within the project. The second component is
17 an Entitlement/Policy Amendment to amend the Land Use Map designations from Agriculture (AG),
18 Community Development: Commercial Tourist (CT), Public Facilities (PF), and Open Space-Water
19 (OS-W) to Specific Plan No. 375 - Travertine Point. Specific Plan No. 375 is a Community
20 Development Foundation Component Specific Plan which establishes Business Park (BP),
21 Commercial Retail (CR), Commercial Tourist (CT), Mixed Use (MU), Medium Density Residential
22 (MDR), Medium High Density Residential (MHDR), Very High Density Residential (VHDR),
23 Highest Density Residential (HDR), Public Facility (PF), Open Space-Recreation (OS-R), Open
24 Space Conservation (OS-C), and Open Space-Water (OS-W) designations, as reflected on the
25 Specific Plan Land Use Plan. The third component of General Plan Amendment No. 910 is an
26 Agriculture Foundation Component amendment utilizing the County's 7% conversion allowed under
27 the Administration Element of the General Plan.

28 D. Specific Plan No. 375 is also associated with Change of Zone Case No. 7623, which

1 was considered concurrently at the public hearings before the Planning Commission and the Board of
2 Supervisors. Change of Zone Case No. 7623 proposes to change the existing zoning classifications
3 of Light Agriculture with a 10 and 20 Acre Minimum (A-1-10, A-1-20), Heavy Agriculture with a 10
4 and 20 Acre Minimum (A-2-10, A-2-20), and Controlled Development (W-2), to Specific Plan (SP).
5 The SP zoning designation would establish those development standards required to implement the
6 Specific Plan.

7 **BE IT FURTHER RESOLVED** by the Board of Supervisors of the County of Riverside, in
8 regular session assembled on February 7, 2012, that certain environmental impacts associated with
9 the project are potentially significant, but will be avoided or mitigated to a less than significant level—
10 to the maximum extent feasible – by the mitigation measures that have been required in, or
11 incorporated into, the project, as fully set forth in Section IV of the “CEQA Findings and Statement
12 of Overriding Considerations of the Board of Supervisors of Riverside County for the Travertine
13 Point Specific Plan Revised Draft Environmental Impact Report No. 514” (“CEQA Findings”),
14 attached hereto as Exhibit A and incorporated herein by this reference.

15 **BE IT FURTHER RESOLVED** by the Board of Supervisors that certain environmental
16 impacts associated with the project cannot be mitigated to a level of less than significant, and will be
17 only partially avoided or lessened by the mitigation measures that have been required in, or
18 incorporated into, the project, as fully set forth in Section III of the attached CEQA Findings. Further
19 or additional mitigation for such impacts is deemed infeasible for the reasons specified in *Public*
20 *Resources Code* section 21081(a)(3). A Statement of Overriding Considerations is hereby adopted
21 for each of these significant and unavoidable impacts, as fully set forth in Section VII of the attached
22 CEQA Findings.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that certain potential
24 environmental impacts associated with the project will be less than significant, and thus do not
25 require the imposition of any mitigation measures, as fully set forth in Section V of the attached
26 CEQA Findings.

27 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has considered the
28 project alternatives identified in the EIR No. 514, in light of the environmental impacts of the project

1 that cannot be mitigated to a level of less than significant, and it is rejecting those alternatives
2 because the alternatives: (1) fail to substantially lessen or avoid all of the significant and unavoidable
3 impacts of the project; (2) have one or more impacts that are more severe than the project; and/or (3)
4 fail to adequately achieve some of the basic project objectives, as fully set forth in Section VI of the
5 attached CEQA Findings.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has balanced the
7 benefits of the project against the unavoidable adverse environmental effects thereof, and has
8 determined that the economic, legal, social, technological, or other benefits of the project, including
9 region-wide or state-wide benefits, outweigh the unavoidable adverse environmental effects of the
10 project, thus making such effects acceptable, as fully set forth in Section VII of the attached CEQA
11 Findings.

12 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 375 will
13 implement applicable elements of the Riverside County General Plan as follows:

14 A. Land Use Element

15 The Land Use Element designates the general distribution and intensity of all uses of
16 the land in the County. This includes residential, commercial, industrial, public
17 facilities, and open space uses. It also provides development standards related to each
18 land use category, and general policy level direction for an array of land use-related
19 issues such as hillside development and community design. The project concentrates
20 development along the northwestern shore of the Salton Sea, and will accommodate
21 expected population growth in the area with a wide variety of housing and
22 employment options. The project consists of sustainable, compact new development
23 with substantial on-site jobs and a mobility plan that links roadways, trails, and future
24 mass transit stops in an effort to reduce vehicle miles traveled. The project's
25 sustainable design and critical mass of residents and businesses will significantly
26 reduce greenhouse gas emissions from both mobile and stationary sources, as
27 compared to conventional or "business as usual" development. The concentration of
28 development also promotes the preservation of substantial open space and agricultural

1 operations within the project and surrounding area by preserving sensitive habitat
2 areas and avoiding urban sprawl. The project is participating in regional
3 transportation improvements and other major circulation improvements in the area.
4 Project related employment opportunities, recreational facilities, open space, flood
5 control facilities, water and sewer facilities, and commercial and residential uses are
6 intended to serve both existing and future residents of the East Coachella Valley Area
7 Plan.

8 B. Administration Element

9 The Administration Element incorporates policies and procedures for administering
10 the General Plan, including providing for coordination with other jurisdictions in
11 approving land development actions of mutual interest and designing implementation
12 programs that ensure consistency with the General Plan. Here, the project's conditions
13 of approval require coordination with both Imperial County and the Torres Martinez
14 Desert Cahuilla Indians. In addition, the project incorporates development triggers
15 for both jobs and public facilities to ensure that future residents have adequate
16 facilities and services during buildout of the project, consistent with the Riverside
17 County Vision embodied within the General Plan. Finally, the project includes a
18 "District Refinement Plan" process so that as the project is developed, the individual
19 districts will be further reviewed by the County to ensure consistency with the General
20 Plan policies .

21 C. Circulation Element

22 The Circulation Element of the General Plan is intended to accommodate a pattern of
23 concentrated growth, rather than random sprawl, that incorporates transportation
24 corridors between distinct growth centers containing both jobs and housing, as well as
25 multimodal circulation systems that promote transit, pedestrian and bicycle facilities.
26 The project is consistent with these General Plan policies by concentrating planned
27 growth, incorporating a multimodal transportation plan that emphasizes transit and
28 other alternatives to the automobile, and requiring the creation of jobs to coincide with

1 residential development. In addition, the project will construct or contribute its fair
2 share of the cost of local and regional transportation improvement needed to serve the
3 project and future growth in the area, including the widening of State Route 86-S.

4 D. Housing Element

5 The Housing Element assesses current and projected housing needs, and sets out
6 policies and proposals for the improvement of housing and the provision of adequate
7 sites for housing to meet the needs of all economic segments of the County. The
8 project promotes the Housing Element goal of providing a selection of housing that is
9 decent, safe, in close proximity to jobs and daily activities, and which varies by
10 location, type, design, and price. The project includes a substantial affordable housing
11 requirement, and is designed to concentrate housing near job and transportation hubs.

12 E. Multipurpose Open Space Element

13 The Multipurpose Open Space Element of the General Plan recognizes the importance
14 to Riverside County of acquiring, preserving and protecting natural open space, as
15 well as preserving cultural resources and providing recreational opportunities. The
16 project promotes and implements the Open Space Element by preserving substantial
17 amounts of natural open space, including areas known to contain sensitive cultural
18 resources, and by protecting adjacent open space areas such as the Anza-Borrego
19 Desert State Park. In particular, the project includes physical barriers to inhibit
20 unauthorized access to the Anza-Borrego Desert State Park, including a steep
21 embankment in the drainage channel running along the western boundary of the
22 project, as well as fencing and landscaping with thorny native vegetation.

23 F. Safety Element

24 The Safety Element facilitates the identification and mitigation of hazards for new
25 development projects, including seismic hazards, slope and soil instability hazards,
26 flood hazards and fire hazards. The project implements these Safety Element policies
27 by incorporating mitigation measures to fully address these potential hazards, as set
28 forth in detail in the attached CEQA Findings and Final EIR.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

G. Noise Element

The Noise Element provides a systematic approach for identifying and addressing noise problems in the community, including policies, standards and criteria for ensuring that new development does not create or expose future residents to excessive noise levels. The project implements these policies by incorporating mitigation measures to substantially lessen or avoid noise-related impacts to the maximum extent feasible, as set forth in the attached CEQA Findings and Final EIR. As such, the project is consistent with this General Plan Element.

H. Air Quality

The Air Quality Element identifies goals, policies and programs designed to balance the County's land use decisions with their potential effects on air quality. The project implements these policies by incorporating mitigation measures that substantially reduce or avoid air quality impacts to the maximum extent feasible, as described in detail in the attached CEQA Findings and Final EIR. These mitigation measures substantially reduce emissions from grading and construction activities, stationary sources, and mobile sources. In addition, the project design promotes the Air Quality Element by concentrating planned growth in a new town that reduces overall vehicle emissions by locating jobs near residences, and by promoting alternative transportation options. Finally, the project will assist in the ongoing efforts of the Salton Sea Authority to fund and implement restoration efforts that will minimize or avoid dust impacts from the exposed Salton Sea playa. Therefore, the project is consistent with the Air Quality Element.

I. Healthy Community Element

The Healthy Communities Element promotes quality of life within Riverside County by incorporating public health elements into new communities. The project implements these policies by creating a walkable town district that combines commercial, civic and residential uses, and connects these uses to the rest of the project through an extensive trails network. The project also includes a

1 comprehensive system of parks, trails and recreational amenities to promote active and
2 healthy living. Accordingly, the project is consistent with the Healthy Communities
3 Element.

4 **BE IT FURTHER RESOLVED** by the Board of Supervisors that Specific Plan No. 375 is
5 consistent with the General Plan as amended by General Plan Amendment No. 910.

6 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it has reviewed and
7 considered the information contained in EIR No. 514 in evaluating the project, that EIR No. 514 is an
8 accurate and objective statement that complies with the California Environmental Quality Act and
9 reflects the Board of Supervisors' independent judgment, and that EIR No. 514 is incorporated herein
10 by this reference.

11 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it hereby **CERTIFIES**
12 EIR No. 514 and **ADOPTS** the Mitigation Monitoring and Reporting Program specified therein,
13 which describes the project's mitigation measures that will be made fully enforceable through
14 conditions of approval for Specific Plan No. 375, or the subdivision maps, conditional use permits or
15 other implementing development approvals filed thereunder, or through other enforceable measures
16 lawfully imposed by the County. The Mitigation Monitoring and Reporting Program is attached
17 hereto as Exhibit B and incorporated herein by this reference.

18 **BE IT FURTHER RESOLVED** by the Board of Supervisors that it hereby **ADOPTS**
19 Specific Plan No. 375, including the final conditions of approval and exhibits, as the Specific Plan of
20 Land Use for the real property described and shown in the Specific Plan, and said real property shall
21 be developed substantially in accordance with the Specific Plan, unless the Specific Plan is amended
22 by the Board.

23 **BE IT FURTHER RESOLVED** by the Board of Supervisors that copies of Specific Plan
24 No. 375 shall be placed on file in the Office of the Clerk of the Board, in the Office of the Planning
25 Director, and in the Office of the Building and Safety Director, and that no applications for
26 subdivision maps, conditional use permits or other development approvals shall be accepted for the
27 real property described and shown in the Specific Plan, unless such applications are substantially in
28 accordance therewith.

1 **BE IT FURTHER RESOLVED** by the Board of Supervisors that the custodians of the
2 documents upon which this decision is based are the Clerk of the Board of Supervisors and the
3 County Planning Department, and that such documents are located at 4080 Lemon Street, Riverside,
4 California.

5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

CEQA FINDINGS
and
STATEMENT OF OVERRIDING CONSIDERATIONS
OF THE BOARD OF SUPERVISORS OF RIVERSIDE COUNTY
for the
TRAVERTINE POINT SPECIFIC PLAN
REVISED DRAFT ENVIRONMENTAL IMPACT REPORT
EIR NO. 514

EXHIBIT A TO RESOLUTION NO. 2012-040

**RIVERSIDE COUNTY FINDINGS
REQUIRED UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code Section 21000 *et seq.*)**

TABLE OF CONTENTS

	<u>Page</u>
I. Introduction.....	1
II. General Findings and Overview.....	5
A. The Travertine Point Project.....	5
B. Description of the Environmental Impact Report.....	5
C. Record of Proceedings and Custodian of Record.....	7
D. Consideration of the Project's Final EIR.....	8
E. Severability.....	9
F. Mutually Supportive Findings.....	9
G. Citation To Revised EIRs.....	9
III. Findings Regarding Significant and Unavoidable Impacts.....	9
A. Aesthetics.....	9
1. Have A Substantial Adverse Effect On A Scenic Vista.....	9
2. Substantially Degrade A Scenic Resource.....	10
3. Substantially Degrade Visual Character.....	12
4. Create New Sources of Light and Glare.....	13
5. Light and Glare Impacts Upon Mount Palomar Observatory and Nearby Residences.....	14
6. Cumulative Aesthetic Impacts.....	15
B. Agricultural Resources.....	16
1. Direct and Cumulative Loss of Farmland.....	16
C. Air Quality.....	17
1. Violate Existing Air Quality Standards.....	17
2. Conflict With Existing Air Quality Plans.....	23
3. Expose Sensitive Receptors to Pollutants.....	24
4. Expose Sensitive Receptors to Hazardous Materials.....	28
5. Emission of Non-Regulated Emissions.....	36
6. Expose Sensitive Receptors to Objectionable Odors.....	44
7. Cumulative Air Quality Impacts.....	46
D. Intentionally Omitted.....	54
E. Land Use and Planning.....	54
1. Result In An Incremental Loss of Open Space.....	54
2. Cumulative Land Use Planning Impacts.....	55
F. Noise.....	56

1.	Exceed Established Noise Standards.....	56
2.	Generate Excessive Groundborne Vibration/Noise	57
3.	Cause a Permanent Increase in Ambient Noise Levels.....	59
4.	Increased Noise Levels From Military Flight Operations.....	62
5.	Cumulative Noise Impacts	63
G.	Public Services – Law Enforcement.	64
1.	Cause Impacts Due to New Facilities	64
H.	Public Services – Fire Protection.	65
1.	Result In An Increase In Response Times	65
I.	Public Services – Education.....	66
1.	Create A Need for New School Facilities That Could Cause Adverse Impacts.....	66
2.	Impact School Districts and Facilities.....	67
3.	Cumulative Impact to School Facilities	68
J.	Intentionally Omitted	69
K.	Public Services – Medical.	69
1.	Construction Injuries/Demand for New Medical Facilities	69
2.	Temporary Increase In Distances for Medical Services.....	70
L.	Transportation and Traffic.	71
1.	Cause A Substantial Increase In Traffic.....	71
2.	Temporarily Exceed County LOS Standards.....	90
3.	Temporary Cumulative Traffic Impacts.....	93
M.	Greenhouse Gases	99
1.	GHG Emission Increase.....	99
2.	Conflict With A Plan To Reduce GHGs.....	104

IV.	Findings Regarding Significant Impacts and Potentially Significant Impacts Which Are Avoided or Mitigated To A Less Than Significant Level.	109
A.	Agricultural Resources.....	109
1.	Cause Potential Conflicts Between Agricultural Operations and Future Project Residents.....	109
B.	Biology.....	111
1.	Have a Substantial Adverse Effect On Protected and Special Status Species, Either Project Specific Or Cumulatively.....	111
2.	Have A Substantial Adverse Effect On Riparian Habitat and Sensitive Natural Communities.....	135
3.	Have a Substantial Adverse Effect On Federally Protected Wetlands.....	136
C.	Cultural Resources.	138
1.	Cause A Substantial Adverse Change In the Significance of Historical Resources.....	138
2.	Cause A Substantial Adverse Change In Archaeological Resources	139
3.	Disturb Unique Paleontological Resources.....	149
4.	Disturb Native American Human Remains.....	150

D.	Geology and Soils.....	151
1.	Expose People or Structures to Seismic Ground Shaking.....	151
2.	Expose People or Structures to Liquefaction/Ground Failure	152
3.	Expose People or Structures to Landslides	153
4.	Result In Substantial Soil Erosion.....	154
5.	Cause Construction on Unstable Soils	156
6.	Cause Construction On Expansive Soils.....	158
7.	Expose People or Structures to Major Hazards.....	158
8.	Cause Impacts to Soil As A Natural Resource.....	162
E.	Hazards and Hazardous Materials.....	165
1.	Create A Significant Hazard By Routine Transport, Use and Disposal of Hazardous Materials	165
2.	Create A Significant Hazard of Accidental Release of Hazardous Materials.....	167
3.	Emit Hazardous Emissions In Proximity to Schools	168
4.	Cause Exposure to Excess Levels of Hazardous Materials.....	168
F.	Hydrology and Water Quality.....	170
1.	Violate Any Water Quality and Waste Discharge Requirements.....	170
2.	Substantially Alter Drainage Patterns	171
G.	Noise.	174
1.	Cause Exposure to Excess Noise Levels.....	174
2.	Expose People to Excessive Groundborne Vibration and Noise	176
3.	Cause A Permanent Increase In Ambient Noise Levels	178
H.	Population and Housing.	180
1.	Induce Substantial Population Growth.....	180
I.	Public Services – Fire Protection	182
1.	Cause Adverse Impacts by Development of New Fire Facilities.....	182
2.	Cause Inadequate Fire Protection Services	183
3.	Cause Development In A High Fire Hazard Area.....	185
J.	Public Services – Law Enforcement.	188
1.	Cause Adverse Impacts By Construction of New Police Facilities and Services.....	188
K.	Public Services – Education.....	189
1.	Cause Adverse Impacts by Construction of New School Facilities.	189
L.	Public Services – Parks and Recreation.	190
1.	Cause Adverse Impacts By Construction of New Park Facilities	190
2.	Cause An Increase Use of Park Lands and Facilities.....	191
M.	Public Services – Libraries.....	195
1.	Cause Substantial Adverse Impacts By Construction of New Library Facilities	195
N.	Public Services – Medical.....	197

1.	Cause Substantial Adverse Impacts By Construction of New Medical Facilities	197
2.	Exceed Existing Medical Services	198
O.	Transportation and Traffic.	199
1.	Exceed Levels of Service Standards	199
2.	Conflict with Adopted Alternative Transportation Policies.....	202
3.	Cumulative Traffic Impacts	203
P.	Utilities – Water.	209
1.	Cause Substantial Adverse Impacts By Construction of New Water Treatment Facilities	209
Q.	Utilities – Wastewater Services.	210
1.	Exceed Wastewater Treatment Requirements.....	210
2.	Cause Substantial Adverse Impacts By Construction of New Wastewater Treatment Facilities	211
3.	Cause Inadequate Wastewater Treatment Capacity	213
R.	Utilities – Solid Waste	215
1.	Exceed Existing Landfill Capacity.....	215
2.	Limit Oasis Landfill Expansion	217
3.	Disrupt Solid Waste Services.....	218
S.	Utilities – Energy	219
1.	Cause Increased Use of Energy.....	219
2.	Cause Increased Use/Need For Energy Supplies and Transmission Capacity	220
3.	Cause Increased Electricity Demands	221
4.	Transportation Energy Use.....	222
V.	Findings Regarding Impacts and Potential Impacts Determined To Be Less Than Significant.....	222
A.	Aesthetics.	222
B.	Agricultural Resources.....	223
C.	Air Quality.	226
D.	Biology.....	228
E.	Cultural Resources.	232
F.	Geology and Soils.	234
G.	Hazards and Hazardous Materials.....	236
H.	Hydrology and Water Quality.....	240
I.	Land Use and Planning.	247
J.	Mineral Resources.....	251
K.	Noise.	254
L.	Population and Housing.	257
M.	Public Services – Fire Protection.	260
N.	Public Services – Law Enforcement.	262
O.	Public Services – Education.	263
P.	Public Services – Parks and Recreation.	264
Q.	Public Services – Libraries.....	267

R.	Transportation and Traffic.	268
S.	Utilities – Water.	270
T.	Utilities – Wastewater Services.	276
U.	Utilities – Solid Waste.	277
V.	Utilities – Energy.	279
W.	Greenhouse Gases.	282
VI.	Findings Regarding Alternatives Analyzed in the Revised EIR and Rejected.....	282
A.	Alternative 1: No Project	283
B.	Alternative 2: Build out Under Existing Land Use Designations. ...	285
C.	Alternative 3: Riverside County Only.....	287
D.	Alternative 4: Decreased Land Use Intensity Project.	289
E.	Alternative 5: Alternate Site.....	291
F.	Additional Findings Regarding Alternatives.	293
1.	The Environmentally Superior Alternative.	293
VII.	Statement of Overriding Considerations.....	294
VIII.	Other General Findings.	296
A.	The Project's Long Term Buildout/Phasing.	296
B.	Affordable Housing.....	296
C.	EIR Cumulative Impacts Methodology.	297
D.	Growth Inducing.	297
E.	Programmatic Level of Review.	298

**RIVERSIDE COUNTY FINDINGS
REQUIRED UNDER THE
CALIFORNIA ENVIRONMENTAL QUALITY ACT
(Public Resources Code Section 21000 *et seq.*)**

I. Introduction.

The revised Travertine Point Specific Plan project would establish a new model town allowing for the development of up to 16,655 residential units and up to approximately 5,029,500 square feet of commercial space, primarily focused upon a town center. The Project site consists of approximately 4,918 acres of land, located in Riverside County and Imperial County. Approximately 3,938 acres (80%) is located in Riverside County and 980 acres (20%) is located in Imperial County. Approximately 1,410 acres (approximately 29%) of the total Specific Plan area consists of land located within the lands of the Torres Martinez Desert Cahuilla Indians (hereafter "TMDCI").

The following is a brief description of the major component areas or districts of the Specific Plan:

- **The Town District** – The heart, or "Town District," of Travertine Point is located near its geographic center, at a future SR-86S interchange proposed to support the Specific Plan's circulation system. Land uses include a mixed-use area that allows for a variety of land uses, including retail, offices, business park, light industrial, institutional uses, multi-family residential, as well as other visitor-serving uses.
- **The Resort** – The resort area is located to the south of the Town District on the west side of SR-86 and is a suitable location for a hotel, spa, specialty retail, conference facilities and potential casino, an upscale RV park, and golf. Approximately half of the resort area is on TMDCI land.
- **The Marina** – A marina is proposed at the southeast portion of the Specific Plan area on TMDCI Reservation land. The marina development is a potential future use that assumes the successful restoration of the Salton Sea as presently proposed by the Salton Sea Authority. In addition to boat slips and marine sales and services, the marina area will also provide specialty retail shops, restaurants, and an opportunity for lodging.
- **The Cultural Preserve and Living Desert** – The northern portion of TMDCI Reservation land is planned to be maintained as a cultural preserve and "living desert." This area is known to have significant archeological artifacts. The cultural preserve is planned to protect and preserve these culturally sensitive lands and artifacts.

- **The Residential Neighborhoods** – The residential component of Travertine Point is planned for a wide array of product types, home sizes, lot sizes, and pricing. The residential neighborhoods will support a diverse population, lifestyles, and family groups.

Residential housing is planned to be predominantly single family in character, but may include compact residential lots, attached homes, condominiums, multi-family (for-sale and rental units), and opportunities for active adult neighborhoods. A resort-style residential neighborhood is planned.

The residential areas are characterized by the following categories:

- **Medium Density Residential (MDR)** areas allow development in the range of up to 2–5 dwelling units per average gross acre.
- **Medium-High Density Residential (MHDR)** areas allow development in the range of up to 5–8 dwelling units per average gross acre.
- **High Density Residential (HDR)** areas allow development in the range of up to 8–14 dwelling units per average gross acre.
- **Highest Density Residential (HHDR)** areas allow development to 20+ dwelling units per average gross acre.
- **Accessory Commercial Overlays** are to provide residential planning areas with access to a limited number of convenient retail and personal service uses. The Accessory Commercial Overlays are intended to provide areas for smaller-scale, lower-intensity retail developments that are consistent with the architecture and character of the surrounding residential area. The locations of the accessory commercial uses within the neighborhood will be primarily located along selected local or collector streets. The accessory commercial uses shall be located on the permitted lot size of the residential zone in which it is located and should be oriented with a pedestrian or auto orientation consistent with the character of the surrounding residential neighborhood.
- **Commercial Retail (Regional and Local)** – Regional and local neighborhood retail centers provide supermarkets and drug stores that are anticipated to anchor these centers that include other supported shops, services, and conveniences.
- **Open Space, Recreation, Trails and Parks** – A significant portion of Travertine Point's Specific Plan—approximately 1,525 acres, of the total land area—is designated as open space for a variety of open space uses. In addition to the open space planning areas, residential as well as the nonresidential planning areas will also provide recreational facilities and amenities.

- **Schools** – Several elementary and, middle schools as well as a high school are to be planned and located in coordination with the Coachella Valley Unified School District (CVUSD) to serve the needs of the community. Travertine Point will ultimately require a new high school and potentially an adult education facility for continuing education, trade school, or satellite campus. The actual number and location of all public school facilities will be determined by the number of homes built and the number of new students generated by the development, in collaboration with the CVUSD. The land use plan currently anticipates the need for six elementary (grades K–6), one middle (grades 7 and 8), and one high school campus (grades 9–12) based on current CVUSD facilities requirements and forecasted build out of student-generating housing.

- **Public Services and Facilities** – Public safety services and emergency facilities (police, fire, EMT) is accommodated in the planning for Travertine Point in collaboration with the responsible agencies. Civic uses (libraries, museums, performing arts, government centers, courts, etc.) are permitted uses in the Town District as well as throughout the specific plan area where appropriate.

In connection with the above-described Project, the Applicant (Black Emerald LLC, in coordination with the TMDCI) is requesting Riverside County's approval of the following:

1. General Plan Amendment No. 910;
2. Specific Plan No. 375;
3. Change of Zone No. 07623; and
4. Certification of the Revised Draft EIR 00514.

Previously, in 2006, the Applicant began a collaborative planning process with the TMDCI to master plan both tribal and non-tribal land, consistent with both parties' objectives. That collaborative process resulted in the following actions by the TMDCI:

- August 3, 2007, TMDCI Economic Development Corporation approval.
- August 21, 2007, TMDCI Planning Commission approval.
- December 11, 2007, TMDCI Council approval.
- January 12, 2008, TMDCI General Council approval.
- August 5, 2009, the Tribal Council approved a formal resolution approving the Travertine Point project.

Concurrently with the Tribal land use process, the Applicant submitted its original Project application to Riverside County in October 2007. The original application sought approval of a Specific Plan and related entitlements authorizing up to 12,300 residential units and approximately 3,404,800 square feet of commercial space on the same account of acreage approximately 4,918 acres ("Original S.P. Application").

On October 31, 2007, the County commenced its environmental review process for the Original S.P. Application by circulating a Notice of Preparation of an EIR. On November 7, 2006, the County held a public scoping meeting to receive comments on the issues to be analyzed in the EIR. Subsequently, on January 19, 2010, the County released a Draft EIR ("Original Draft EIR"), for a 45-day public review and comment period, subsequently extended to 60 days, addressing the environmental impacts of the Original S.P. Application, *i.e.*, a project not to exceed 12,300 residential units and 3,408,000 square feet of commercial uses. During this first review/comment period, the County received written comments from 14 agencies and a number of organizations, which are summarized in Table 2.0-2 of the Revised Draft EIR, and all of which were responded to by the County in the Final Revised Draft EIR.

One of the alternatives analyzed in the Original EIR included a higher density project, with approximately 16,600 residential dwelling units, and approximately 5 million square feet of commercial square footage. In response to comments received on the Original Draft EIR, in particular the need for a more fully integrated and sustainable town, and in consultation with Riverside County Staff, the Applicant agreed to proceed with the higher density alternative as the proposed project, with several significant changes. In particular, these changes included enhanced integration of the Project to facilitate significant automobile trip reduction features within the Specific Plan area. The Revised Draft EIR also substantially expanded the air quality section and added a new separate section on Greenhouse Gas.

The final revised Project, reviewed in the Revised Draft EIR, provides for up to 16,655 residential dwelling units and 5,029,500 square feet of commercial space.

County Staff worked with the EIR consultant and other expert consultants, on various issues, including traffic, to ensure that the Revised Draft EIR and Final EIR fully disclose and analyze all of the Project's potentially significant environmental impacts, as well as mitigation measures and Project alternatives that may reduce or avoid these impacts to the maximum extent feasible. As set forth below, in section II (B), description of the Environmental Impact Report, the County circulated the EIR three times, including a third and final time to address late comments received at the Board of Supervisors' August 16, 2011 public hearing. After circulating the EIR for a third time in September 2011, and preparing a Final EIR responding to all comments received, the Board of Supervisors voted to certify the final EIR, as revised, and approve the proposed project.

The Findings and Statement of Overriding Considerations set forth below (the "Findings"), are made by the Board of Supervisors of Riverside County, as its Findings for the Project under the California Environmental Quality Act ("CEQA") (*Public Resources Code* section 21000 *et seq.*) and CEQA Guidelines (California Code of Regulations, Title 14, Section 15000, *et seq.*). These Findings provide the written analysis and conclusions of the County regarding the Project's environmental impacts, mitigation measures, alternatives to the Project, and the overriding considerations which, in the County's view, justify approval of the Project, despite the Project's significant environmental effects.

II. General Findings and Overview.

A. The Travertine Point Project.

The proposed Specific Plan area is located along the northwestern shore of the Salton Sea, in the existing community of Oasis. The Project site is traversed by California State Route 86S, a designated North American Free Trade Agreement Highway.

The Travertine Point Specific Plan contemplates the development of the approximately 5,000-acre site as a master planned community, with significant job generating commercial uses, shopping and services to create a new sustainable town at the intersection of three Counties, Riverside, Imperial and San Diego. The Project will include a mix of residential housing types to accommodate various income levels and significant open space areas (approximately 1,525 acres). Other planned uses include a resort, marina, several schools and public safety facilities. More specifically, the Project contemplates the zoning and development of 1,917 acres of medium density residential (4,800 units); 878 acres of medium high density residential (5,646 units); 266 acres of high density residential (2,206 units); 51 acres of regional commercial uses (780,000 square feet of commercial space); 32 acres of local commercial retail (340,000 square feet); 118 acres of tourist commercial uses (615,500 square feet) and 467 acres of mixed used (3,294,000 square feet and 2,778 residential units). In addition, the Project proposes 148 acres of public facilities, 379 acres of recreational open space; 670 acres of conservation open space; 328 acres of drainage open space and 109 acres of Salton Sea open space. Project roads total 230 acres.

B. Description of the Environmental Impact Report.

The County distributed a Notice of Preparation and Initial Study ("NOP") to local, state and federal agencies, and to interested organizations and individuals, for a 30-day comment period from October 31, 2007 to November 30, 2007. A public scoping meeting was held in La Quinta, California, on November 7, 2007. The Riverside County Planning Commission held a further noticed Project study session on March 17, 2010, and received public comment. A copy of the NOP and comments on the NOP can be found in Appendix 2.0 to the Revised Draft EIR. A summary of the NOP comments is set forth in the Revised Draft EIR in Table 2.0-1, at pages 2.0-9 to 2.0-29.

Based upon the preliminary review conducted by the County and responses to the NOP, the County found that the original Project (12,300 residential units and 3,404,800 square feet of commercial space), could have potential adverse environmental effects, and ordered preparation of a Draft EIR.

The following potential adverse environmental effects were determined by the County to be less than significant after the imposition of specified mitigation measures: Biological Resources, Geology and Soils, Hazards/Hazardous Materials, Population and Housing, Public

Services (Fire Protection, Law Enforcement, Education, Libraries, Medical Services) and Utilities (solid waste, wastewater and energy).

The following potential adverse environmental effects were determined by the County to be significant and unavoidable impacts; because feasible mitigation could not reduce their effect to a less than significant level: Aesthetics, Agricultural Resources, Air Quality, Cultural Resources, Greenhouse Gases, Land Use and Planning, Noise, Parks and Recreation, and Transportation/Traffic, with respect to temporary impacts prior to implementation of all required traffic mitigation measures.

In January 2010, the County released the Original Draft EIR for 45 days of public review and comment, subsequently extended to a 60-day review period. See Revised Draft EIR, Table 1.0-4, at pages 1.0-28, summarizing the significance of environmental effects for the proposed Project.

Based upon public comment received upon the Original Draft EIR, in particular requests for a more integrated sustainable community of sufficient critical mass for those purposes, the Applicant agreed to adopt a variation of the more intensive Alternative development scenario in the Original Draft EIR, as the proposed Project, and recirculate the Draft EIR.

On November 10, 2010, the County released the Revised Draft EIR for public review and comment, reflecting a larger Project, with an increase in residential units from 12,300 to 16,655, and an increase in commercial space from 3,408,000 square feet to 5,029,500 square feet. The 60-day comment period for the Revised Draft EIR ran from November 10, 2010 to January 10, 2011. The County prepared responses to all comments received on the Revised Draft EIR during the extended 60-day comment period, and included those responses in a Final EIR.

A Final EIR document, containing responses to all comments received was completed and made available to the public on May 9, 2011. At a public hearing held on June 15, 2011, the Riverside County Planning Commission recommended that the County Board of Supervisors approve the proposed project.

The Board of Supervisors held a public hearing on the Final EIR and the proposed project on August 16, 2011. Late comments of substantial length were received on the Final EIR immediately prior to, and the day of, the Board's August 16, 2011 hearing. The Board of Supervisors voted to continue the public hearing to afford County Staff and the applicant an opportunity to thoroughly respond to the late comments, including a lengthy 40 plus page letter from the Shute Mihaly Firm, on behalf of the Sierra Club and Center for Biological Diversity.

In September 2011, the County elected to circulate a draft EIR for a third time, to again afford the public a 45-day comment period, to review and comment upon additional mitigation measures added to the EIR in response to the late comment letters, submitted at the Board's August 16, 2011 public hearing. On December 1, 2011, the County completed and made available another Final EIR (the "Final EIR"), containing responses to all comments received within the third 45 day comment period. The Final EIR changed the draft EIR's prior conclusion

that off-site cultural resource impacts, and impacts to nearby park facilities, would be significant and unavoidable because of potential intrusion on adjacent lands by Project residents. Based on the addition of new mitigation measures in the third recirculated draft EIR, and new information about existing user fees charged by the Anza Borrego State Park, and other new information related to the total annual visits to the park in relation to the proposed project, the County changed the impact designation for off-site cultural resources and impacts to park facilities to less than significant.

On December 13, 2011, the Board of Supervisors held a public hearing on the proposed project and the third recirculated EIR. Again, late comment letters were submitted by various organizations within the 24-hour period prior to the scheduled Board of Supervisors hearing, including letters from the Shute Mihaly firm, on behalf of the Sierra Club and Center for Biological Diversity, and from California Rural Legal Assistance ("CRLA") on behalf of a Coachella Valley resident. The Board of Supervisors considered all of the late comment letters, and all oral comments, including County counsel's and the applicant's rebuttal to the late letters.

The Board of Supervisors closed the public hearing and voted unanimously to approve the requested project entitlement, including SP 375, GPA 910 and change of Zone 7623.

A Timeline of the Travertine Project's entitlement and CEQA Compliance milestones is attached as Exhibit A.

C. Record of Proceedings and Custodian of Record.

For purposes of CEQA and for the Findings set forth herein, the record or proceedings for the County's Findings and determinations consists of the following documents and testimony, at a minimum.

- Riverside County's General Plan, as amended, and all environmental documents relating thereto;
- The records of the TMDCI pertaining to its support for and approval of the proposed Travertine Point Specific Plan;
- The records of the Salton Sea Authority pertaining to its restoration plans for the Salton Sea and development intensity assumptions for the area surrounding the Salton Sea, including the Project site;
- The Travertine Point Specific Plan;
- The Original Draft EIR for the original Project;
- The two Revised Draft EIRs for the Project (the RDEIR and RRDEIR), including all appendices thereto, and all supporting materials referenced therein;

- The two Final EIRs for the Project, including all comments on the two Revised Draft EIRs, all responses thereto, and all supporting materials referenced therein;
- All testimony and written comments received at all public hearings relating to the Project, including the November 7, 2007 scoping meeting; the March 17, 2010 study session, the May 25, 2011 Planning Commission hearing, the June 15, 2011 Planning Commission hearing, and the August 16 and December 13 2011 Board of Supervisors hearings;
- All staff reports of the County relating to the Project, including reports submitted to the County by expert consultants, and all supporting materials referenced therein;
- These Findings made by the County Board of Supervisors and the Mitigation Monitoring and Reporting Program ("MMRP") adopted by the County for the Project;
- All other public reports, documents, studies, memoranda, maps, or other planning documents relating to the Project, the RDEIR and RRDEIR, or the Final EIR, prepared by the County, consultants to the County, or responsible or trustee agencies;
- The County's current General Plan Housing Element and the updated draft Housing Element, currently available for public review; and
- All matters of common knowledge to the County, including, but not limited to the County's policies, guidelines and regulations.

The documents described above, comprising the record of proceedings, are located in the Riverside County Planning Department, located at County Administrative Center, 4080 Lemon Street, 2nd Floor, Riverside, California.

D. Consideration of the Project's Final EIR.

In adopting these Findings, the County finds that the Final EIR (including the second and third Revised Draft EIRs) was presented to the County Board of Supervisors, which reviewed and considered the information in the Final EIR prior to making its decision on the Project. The County further finds that the Final EIR has been completed in compliance with the requirements of CEQA and its Guidelines. By these Findings, the County ratifies, adopts and incorporates the analysis, explanation, findings, responses to comments and conclusions of the Final EIR. In addition, the Mitigation Monitoring and Reporting Program, and the Mitigation Measures specified therein, are hereby approved and adopted and shall be fully enforceable through permit conditions, agreements or other measures. The Final EIR and these Findings represent the independent judgment and analysis of the County's Board of Supervisors.

E. Severability.

If any term, provision or portion of these Findings or the application of these Findings to a particular situation is held by a Court to be invalid, void or unenforceable, the remaining provisions of these Findings, or their application to other actions related to the Project, shall continue in full force and effect unless amended or modified by the County. (If any conflict is determined to exist between the Final EIR (including the two Revised Draft EIRs), and these Findings, these Findings shall govern.)

F. Mutually Supportive Findings.

All evidence and facts set forth herein, for any particular finding, is incorporated into all other findings, as if set forth therein in full.

G. Citation To Revised EIRs.

The May 2011 Revised EIR is referenced as the "RDEIR." The September 2011 recirculated Revised EIR is referenced herein as the "RRDEIR." The December 2011 Final EIR is referenced herein as the "Final EIR."

III. Findings Regarding Significant and Unavoidable Impacts.

A. Aesthetics.

1. Have A Substantial Adverse Effect On A Scenic Vista. (RDEIR, § 6.1.7.1, pp. 6.1-42 to 6.1-51.)

(a) **Potential Impact.** The Project could be deemed to have a substantial adverse effect on scenic vistas because it alters existing views of and around the Project site. The Project's potential impacts to scenic vistas are discussed in the Revised Draft EIR, section 6.1.7.1, at pages 6.1-42 to 6.1-51. The Project will alter existing views of surrounding mountains, including the Santa Rosa and San Jacinto Mountains to the west and northwest, and the Mecca Hills and Chocolate Mountains to the east. The Project's impacts to existing views of the Salton Sea, the Chocolate Mountains and Travertine Rock are considered significant impacts.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would substantially lessen or avoid the Project's impacts to scenic vistas due to specific economic, legal, social, technological, or other considerations, as specified in *PRC* § 21081(a)(3). For example, increased setbacks along SR-86(S) would not preserve views of the Salton Sea or the surrounding mountains from SR-86(S) and other landscape features for viewers traveling along the roadway, because there is little or no elevation difference between the roadway and the surrounding relatively flat topography.

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, because the topography of the Project site and SR-86S, which bisects the site, do not provide any viable option for eliminating some temporary view obstructions for passing motorists. Other more extreme options, such as elevating SR-86S are not financially feasible nor are such options within the County's control. (PRC § 21081(a)(3).)

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to scenic vistas, as described at pages 6.1-41 to 6.1-45 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to scenic vistas are determined to be: (i) unavoidable because there are no feasible mitigation measures that would substantially lessen or avoid the Project's impacts to scenic vistas; and (ii) acceptable because the impacts are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Substantially Degrade A Scenic Resource.** (RDEIR, § 6.1.7.2, pp. 6.1-51 to 6.1-56.)

(a) **Potential Impact.** The Project might result in damage to scenic resources, including but not limited to prominent rock outcroppings on the Project site visible from a state scenic highway, as discussed in the Revised Draft EIR, section 6.1.7.2, at pages 6.1-51 to 6.1-56. Specifically, implementation of the proposed project would substantially increase the population – in and use – of the specific plan area, which could result in increased graffiti and vandalism. However, more nearby residents could also reduce such impacts – which currently exist – due to greater observation, barriers to access created by the Project, the opportunity for volunteers to monitor such resources and greater economic resources to fund the Tribe's existing patrol program.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.1-1 Prior to tentative tract map approval for the first development in the Imperial County portion of the Project site, modern graffiti shall be carefully removed from Travertine Rock in coordination with the Torres-Martinez Desert Cahuilla Indians and under the supervision of an archaeological preservation specialist. Where modern graffiti cannot be removed without damage to prehistoric rock art, the archaeological preservation specialist shall determine feasibility of appropriate measures for the preservation of the prehistoric art.
- 6.1-2 The specific plan shall be modified to provide for protective fencing consistent with standards provided in the wall and fencing plan for planning areas adjacent to Travertine Rock and that such fencing shall be placed no closer than 500 feet around the perimeter or physical outcropping of Travertine Rock.
- 6.1.3 The specific plan shall be modified to restrict trails within planning areas adjacent to Travertine Rock, requiring that such trails and associated parking, trailheads, rest, and/or picnic areas shall be located no closer than 500 feet from the perimeter or physical outcropping of Travertine Rock, and shall provide for signage discouraging off-trail access.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to scenic resources in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because (1) modern graffiti will be removed to the extent feasible, thereby discouraging further graffiti; (2) fencing will be installed to restrict access; and (3) trail access will be diverted to maintain a 500 foot buffer, and (4) certain project improvements, such as steep embankments in the Project's western boundary drainage channel, will materially impede current access. No further mitigation measures or project alternatives exist and/or are proportionate to this Project's impacts, which would further reduce impacts, due to specific economic, legal, social, technological or other considerations as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the feasible mitigation measures described above may not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's scenic resources to a less-than-significant level. Even with implementation of the mitigation measures listed above, there is no guarantee that a determined tagger will not damage the scenic resources on the Project site. Consequently, even though the evidence outlined above supports a net beneficial impact *vis a vis* the existing condition,

nevertheless, to be conservative in the disclosure of potential adverse impacts under CEQA, this impact is deemed significant and unavoidable.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to scenic resources are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Substantially Degrade Visual Character.** (*RDEIR*, § 6.1.7.3, pp. 6.1-58 to 6.1-60.)

(a) **Potential Impact.** The Project will substantially change the existing visual character or quality of the site and its surroundings as discussed in the Revised Draft EIR, section 6.1.7.3, at pages 6.1-58 to 6.1-60. The development of the proposed project would result in a permanent change in the visual character of the Project site, which is currently under agricultural production and also includes areas of desert scrubland; scattered residential, and farming structures. To the extent that the existing visual character of the site is deemed aesthetically beneficial or positive, the Project would result in a significant adverse change to the existing visual character.

(b) **Mitigation Measures.** No mitigation measures are physically or technologically feasible that would reduce impacts to a less than significant level, in terms of maintaining the existing visual character of the site, since by its very nature, the Project will eliminate the existing visual character of the site. (*PRC* § 21081(a)(3).)

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, as explained above, as specified in *PRC* § 21081(a)(3), because any development of the site would permanently change the visual character of the site.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to visual character, as described at pages 6.1-58 to 6.1-60 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to visual character are determined to be acceptable because they are substantially outweighed by

the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

4. **Create New Sources of Light and Glare.** (*RDEIR*, § 6.1.7.4, pp. 6.1-60 to 6.1-65.)

(a) **Potential Impact.** The Project will create a new source of substantial light or glare which would adversely affect day or nighttime views in the area. The Project's potential light and glare impacts are discussed in the Revised Draft EIR, section 6.1.7.4, pages 6.1-60 to 6.1-65. Since the proposed project includes new residential, commercial and mixed used development, nighttime lighting would be significantly increased in an area with very few existing nighttime lighting sources. New reflective surfaces would also increase daytime glare. These impacts are deemed significant.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potential significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.1-4 Prior to grading final, the project applicant shall develop a lighting plan to reduce off-site and nighttime lighting impacts that shall be subject to approval by the Riverside or Imperial County Planning Departments. The plan shall require all lighting adjacent to open space areas to be downcast luminaries with light patterns directed away from and shielded so that light is not directed into open space areas. Mercury vapor and halide lighting shall not be used on the perimeter of the developed areas and in areas adjacent to undeveloped open space. Security lighting throughout the project shall be controlled to limit light shine to necessary periods.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to light and glare in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the lighting plan described in mitigation measures 6.1-4 is designed to reduce lighting impacts. No further mitigation measures or project alternatives exist to further reduce this impact to a level of less than significant, due to the specific economic, legal, social, technological or other considerations specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's light and glare to a less-than-significant level, because there will still be a significant residual increase in nighttime lighting and daytime glare visible from both on and off the Project site

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to light and glare are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

5. **Light and Glare Impacts Upon Mount Palomar Observatory and Nearby Residences.** (*RDEIR*, § 6.1.7.5, pp. 6.1-66 to 6.1-67.)

(a) **Potential Impact.** Although the proposed project would include guidelines to reduce the amount of nighttime lighting, the proposed project would generate more light than is currently emitted on the Project site, which could adversely impact the Mount Palomar Observatory and nearby residences. See discussion in Revised Draft EIR, at § 6.1.7.5, pp. 6.1-66 to 6.1-67. This potential impact is deemed significant.

(b) **Mitigation Measure.** Although the Project includes measures to reduce light and glare impacts (*e.g.*, mitigation measure 6.1-4), no additional feasible mitigation measures exist to further reduce this potential impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation measures or project alternatives exist to reduce this potential impact to a less than significant level, for the reasons specified in § *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts by causing increased light and glare impacts upon the Mount Palomar Observatory and nearby residences.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to the Mount Palomar Observatory and nearby residences are determined to be acceptable because they are substantially outweighed by the overriding social,

economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII**

6. **Cumulative Aesthetic Impacts.** (*RDEIR* § 6.1.8.1, pp. 6.1-75 to 6.1-79.)

(a) **Potential Impact.** The Project will cause cumulative aesthetic impacts, which are discussed in the Revised Draft EIR, section 6.1.8.1, at pages 6.1-75 to 6.1-79. Development of the proposed project and related projects would convert thousands of acres of agricultural and/or open space areas to urban uses, and may block some views of nearby mountain ranges, foothills, rock croppings and the Salton Sea from some portions of SR86S. In addition, development of the proposed project and other projects would create new sources of light and glare. The cumulative increase in scenic view obstruction, and light and glare sources, is deemed a significant impact in both Riverside County and Imperial County.

(b) **Mitigation Measures.** No feasible mitigation measures exist to reduce these cumulative impacts to a less than significant level, for the reasons discussed above, and as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential cumulative impact to a less than significant level, as specified in *PRC* § 21081(a)(3), for the reasons discussed above.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable cumulative aesthetic impacts, as described in the Revised Draft EIR at pages 6.1-75 to 6.1-79.

(3) **Overriding Considerations.** Any remaining significant cumulative aesthetic impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(a)(3)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

B. Agricultural Resources.

1. **Direct and Cumulative Loss of Farmland.** (*RDEIR § 6.2.7.1, pp. 6.2-37 to 6.2-55.*)

(a) **Potential Impact.** The Project will convert Prime Farmland, Unique Farmland, and Farmland of Local Importance (hereafter "Farmland"), as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the Cal. Resources Agency, to non-agricultural uses, as discussed in the Revised Draft EIR, in section 6.2.7.1, pages 6.2-37 to 6.2-55. Although the Project does not convert any Farmland of Statewide Importance, the proposed project would convert approximately 1,559 acres of Prime Farmland, 1,553 acres of Unique Farmland, and 362 acres of Farmland of Local Importance, and a total of 3,474 acres of Important Farmland, to urbanized land uses. These decreases could result in a decrease in agricultural crops, which is deemed a significant cumulative impact. With respect to challenges to the County's methodology in assessing cumulative impacts, *see § VIII(C)* below.

(b) **Mitigation Measures.** The Revised Draft EIR reviews 11 potential tools or mitigation options as set forth in Table 6.2-13, entitled the Farmland Protection Toolbox. However, none of these potential measures successfully reduce the net loss of Farmland to a less than significant level of impact. First, mitigation measures such as conservation easements over other Farmland do not successfully eliminate the physical net loss of the Farmland on this Project site. Second, the applicant conducted both a local and regional survey of Farmland owners in 2008 and 2010 to assess the feasibility of purchasing conservation easements over other Farmland. The survey responses were universally negative, *i.e.*, all of the Farmland owners surveyed were unwilling to sell a conservation easement over their land. *See Revised Draft EIR, pp. 6.2-51 to 6.2-53.* Third, other options such as a significant reduction in the size of the proposed project or the purchase of off-site farm land are not feasible mitigation because the Project's financial feasibility analysis demonstrates that the Project cannot feasibly bear this type of additional financial burden. Additionally, much of the Farmland on-site is suffering from adverse conditions, such as rocky soil, making its long-term viability increasingly in doubt for successful farming.

(c) **Findings.**

(1) **Effects of Mitigation.** The Revised Draft EIR considers several potential mitigation measures. *See Revised Draft EIR, pp. 6.2-45 to 6.2-55.* No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3). Even if the mitigation measures discussed in the Revised Draft EIR at 6.2-45 to 6.2-55, were ultimately determined to be

feasible in the future, for example, a landowner agreed to sell a conservation easement that is currently unwilling to do (*see* Revised Draft EIR, pp. 6.2-51 to 6.2-53), and/or some other regional fee based mitigation bank were formally adopted with legal measures to collect and expend funds to reduce impacts to farmland by off-site preservation (*see* Revised Draft EIR, p. 6.2-54), nevertheless, the physical net loss of farmland on this particular Project site is, for purposes of the conservative disclosure of impacts under CEQA, deemed to be a significant and unavoidable impact.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to agricultural resources, as described at pages 6.2-37 to 6.2-55 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to agricultural resources are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

C. Air Quality.

(Note: Certain pages of the RDEIR have been modified as shown in underlined text in the September 2011 recirculated Revised EIR, the RRDEIR, and should also be referenced at pp.6.3-2 to 6.3-4; 6.3-37 to 6.3-38; 6.3-99; 6.3-113 to 6.3-114; 6.3-121 to 6.3-126 and 6.3-131.)

1. **Violate Existing Air Quality Standards.** (*RDEIR*, § 6.3.7.1, pp. 6.3-82 to 6.3-98.)

(a) **Potential Impact.** The Project will cause emissions to exceed existing air quality standards as discussed in the Revised Draft EIR, section 6.3.7.1, pages 6.3-82 to 6.3-98. Specifically, both the construction related emissions through project build out (whether assumed to be 20 or 35 years) and operational emissions during and after build out, will exceed SCQAMD's and ICAPCD's emissions based thresholds for significance for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Temporary Emissions associated with on and off-site infrastructure improvements (including future SR86s improvements and the construction of regional utilities, including a wastewater treatment plant) and construction trips associated with the Project buildout, will also temporarily exceed the above referenced thresholds of significance, resulting in significant impacts. (*See* RRDEIR, pp.6.3-2 and 6.3-99.)

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.
- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).
- Suspend the use of all construction equipment during first-stage smog alerts.
- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.

- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.
- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).
- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.
- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.

Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.

- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.
- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.

- The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
 - Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.
- 6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.¹
- 6.3-4 Prior to the issuance of building permits , the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service

¹ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.

- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they materially reduce emissions from both construction activity and from both stationary and vehicle emission sources. No further feasible mitigation measures or project alternatives exist to reduce this impact to a less than significant level due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3), and/or because the mitigation is within the jurisdiction of another agency as specified in the *PRC* § 21081(a)(2), with respect to the certain off-site infrastructure, including improvements to SR86(s), within the jurisdiction of Caltrans, and construction of a regional wastewater treatment plant, within the jurisdiction of CVWD.

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's air quality to a less-than-significant level, in terms of exceeding SCAQMD's and ICAPCD's emission based thresholds of significance for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts to the area's air quality, including temporary impacts generated by project construction, and impacts caused by the construction of on and off-site infrastructure, including SR86s and regional utilities, including a regional wastewater treatment plant.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to air quality are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Conflict With Existing Air Quality Plans.** (*RDEIR*, § pp. 6.3.7.2, pp. 6.3-98 to 6.3-102.)

(a) **Potential Impact.** The Project will conflict with or obstruct implementation of the applicable air quality plan as discussed in the Revised Draft EIR, section 6.3.7.2, pages 6.3-98 to 6.3-102. Specifically, the Project's projected future population growth is a substantial increase over that assumed in the AQMP. Therefore, unless or until the AQMP is updated or modified to reflect the County's existing growth assumptions for the Project area, the Project would potentially conflict with or obstruct implementation of the current SCAQMD AQMP. This is deemed a significant impact.

(b) **Mitigation Measures.** No feasible mitigation measures exist to reduce this impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation measures or project alternatives exist to reduce this potential impact to a less than significant level, as specified in *PRC* § 21081(a)(3). The County further finds that it is not financially feasible to further mitigate this impact by purchase of off-site development rights, because, as explained in the

Project's financial feasibility analysis, the Project is only marginally feasible with its current cost burdens.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts to air quality, as described at pages 66.3-98 to 6.3-102 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative air quality impacts – in terms of potential conflicts with the existing SCAQMD AQMP – are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

3. **Expose Sensitive Receptors to Pollutants.** (*RDEIR*, § 6.3.7.3, pp. 6.3-103 to 6.3-118).

(a) **Potential Impact.** The Project will expose sensitive receptors to substantial pollutant concentrations as discussed in the Revised Draft EIR, section 6.3.7.3, at pages 6.3-103 to 6.3-118. Specifically, the Project will result in significant impacts upon sensitive receptors from project related construction, dust with toxic air contaminants (TACs) and hazardous air pollutants (HAPs) from exposed Salton Sea Playa, from the sea receding and/or dust from future Salton Sea restoration efforts, diesel particulate matter from SR86S ozone, and potentially Valley Fever/Hantavirus, if present in the soil. See Revised Draft EIR, at pp. 6.3-54 to 6.3-67.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.

6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest

right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.²

- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.³
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:
- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.

²The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

³Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
- Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
- Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
- Require that the cabs of grading and construction equipment be air-conditioned.
- Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
- Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
- Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
- During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.

6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.

6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the setbacks imposed, for example, 500 foot setbacks (for parks, schools, hospitals, etc.) and 300 foot setbacks (for residences) to address diesel particulates from SR86S, will materially reduce potential impacts upon those sensitive receptors. Other specified mitigation, for example, fugitive dust control measures, and electrostatic cleaning devices in certain residences, will also materially reduce potential impacts. In addition, the applicant's funding of an Infrastructure Financing District (IFD), for Salton Sea stabilization/restoration, will support efforts to reduce dust impacts from a receding sea and/or dust from Sea restoration efforts. (See RRDEIR, pp. 6.3-113 to 6.3-114; and written comments of Dr. Timothy Krantz, dated April 26, 2011 and oral testimony on December 13, 2011). See also Final EIR, pp. 2.0-24 to 2.0-213, Response 13-20, explaining the extent of potential impacts from exposed Salton Sea playa dust on Project residents, as compared to the region as a whole. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's air quality to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts to the area's air quality.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to air quality impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

4. **Expose Sensitive Receptors to Hazardous Materials.** (*RDEIR*, § 6.3.7.4, pp. 6.3-119 to 6.3-12; and *RRDEIR*, at pp. 6.3-4; 6.3-37; 6.3-38; 6.3-122-6.3-124).

(a) **Potential Impact.** The Project may expose sensitive receptors to toxic air contaminants, in particular diesel particulate matter from truck trips, as discussed in the Revised Draft EIR, section 6.3.7.4, pages 6.3-119 to 6.3-120. Specifically, certain proposed land uses, such as large commercial centers or light industrial uses, have the potential to attract or generate a large number of diesel fueled truck trips, resulting in emission of diesel particulate matter. Consequently, potential impacts from toxic air contaminants would be a potentially significant impact.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- 6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:
- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.
 - Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).
 - Suspend the use of all construction equipment during first-stage smog alerts.

- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.
- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAQMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.
- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).
- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.

- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB,

SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.
- The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
- Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.

6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.⁴

6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.

6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.

⁴ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.
- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.
- 6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.

- 6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.⁵
- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.⁶
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:
- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin

⁵The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

⁶Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.

- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
 - Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
 - Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
 - Require that the cabs of grading and construction equipment be air-conditioned.
 - Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
 - Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
 - Where acceptable to the fire department, control weed growth by moving instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
 - During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.
- 6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.
- 6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.

6.3-18 Prior to implementing project approval, stationary sources of diesel, ozone, toxic air contaminants (TACs), or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the existing established thresholds.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they collectively reduce toxic emissions from both stationary and vehicular sources, that may cause an adverse impact upon sensitive receptors. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts a less-than-significant level, regarding the exposure of sensitive receptors to toxic emissions. Even with the implementation of all feasible mitigation measures, the Project will continue to cause significant and unavoidable impacts with respect to the potential emission of toxic particulates, such as diesel particulates, upon sensitive receptors.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts, due to the exposure of sensitive receptors to potential toxic emissions (such as diesel particulates from trucks), are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

5. **Emission of Non-Regulated Emissions.** (*RDEIR, § 6.3.7.5, pp. 6.3-122 to 6.3-123; and RRDEIR, pp. 6.3-2; and 6.3-99.*)

(a) **Potential Impacts.** The Project will emit air contaminants that are not currently regulated by either air district, but that are on the federal or state toxics list, as discussed in the Revised Draft EIR, section 6.3.7.5, at pages 6.3-122 to 6.3-123; and RRDEIR, pp 6.3-2; and 6.3-99. Specifically, SCAQMD and ICAPCD currently regulate emissions from stationary sources, not mobile source emissions. The Project's commercial and light industrial uses and construction of on and off-site infrastructure and utilities (including SR86(s) improvements, and wastewater treatment facilities) are likely to cause truck trips that will generate toxic diesel emissions. Specific future projects will be required to assess specific impacts from their operations – which are currently unknown – and implement feasible mitigation measures, as specified herein, or as may be imposed on future projects over the 30 to 40 year buildout of this Project.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.

- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).
- Suspend the use of all construction equipment during first-stage smog alerts.
- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.
- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAQMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.

- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).
- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.
- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any

emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.
- The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
- Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.

- 6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.⁷
- 6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.
- 6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all

⁷ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.

- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.
- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.

- 6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.
- 6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.⁸
- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.⁹
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following

⁸The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

⁹Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

measures, where feasible, to reduce valley fever and Hantavirus risk during construction:

- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.
- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
- Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
- Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
- Require that the cabs of grading and construction equipment be air-conditioned.
- Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
- Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
- Where acceptable to the fire department, control weed growth by moving instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
- During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.

6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.

- 6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.
- 6.3-18 Prior to implementing project approval, stationary sources of diesel, ozone toxic air contaminants (TACs), or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the existing established thresholds.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts upon air quality in the Project vicinity, specific toxic diesel particulate emissions from truck trips, will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the proposed mitigation measures directly address both regulated stationary sources and unregulated mobile sources of toxic emissions. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3), and/or because mitigation is within the jurisdiction of another agency as stated in *PRC* § 21081(a)(2), here with respect to off-site infrastructure, including mitigation for improvements to SR86(s), within the jurisdiction of Caltrans, and with respect to the construction of certain off-site utilities, such as a regional wastewater treatment plant, within the jurisdiction of CVWD.

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to a less-than-significant level, with regard to non-regulated mobile source emissions, in particular from construction dust and diesel truck emissions.

Even with the implementation of all feasible mitigation measures, the Project will continue to cause significant and unavoidable impacts.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to unregulated mobile source emissions are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project, as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

6. **Expose Sensitive Receptors to Objectionable Odors.** (*RDEIR*, § 6.3.7.6, pp. 6.3-123 to 6.3-128).

(a) **Potential Impacts.** The Project will expose sensitive receptors to objectionable odors affecting a substantial number of people as discussed in the Revised Draft EIR, in section 6.3.7.6, pages 6.3-123 to 6.3-128. The proposed project is located along the northwestern shore of the Salton Sea. Historically, the Salton Sea has experienced objectionable odors, for temporary periods of time, from several sources. Specifically, odors can be caused by dead fish, algal decay, hydrogen sulfide gas emissions from the sea floor, caused by surface wind disturbances, the salinity of the sea, geothermal plants, and nearby agricultural land uses. A reduction of the eutrophic characteristics of the Salton Sea would likely reduce the intermittent odor events in the area, as it would result in fewer fish kills, algal blooms, and less hydrogen sulfide emissions. The Salton Sea Authority's Restoration Plan will – if implemented – reduce eutrophic characteristics of the sea, which will reduce its oxygen depleted conditions. Even without implementation of the Salton Sea Restoration Authority Plan, odor impacts at the Project site location are less severe than other Salton Sea locations due to historically fewer fish kills along the northwestern shore. In addition, increasing salinity of the sea is projected to eliminate the remaining Tilapia fish between 2018 and 2023, thus eliminating the dead fish odor source, and making the Salton Sea similar to the Great Salt Lake in Utah. The evidence shows that the Great Salt Lake typically has "lake effect" smells two to three times per year, for a few hours each time, as surface winds disturb decaying organic matter on the bottom of the lake.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-19 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall

enclose odor-generating processes and utilize other odor-abatement technologies as required under state and local regulations.

- 6.3-20 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall develop a protocol for handling odor complaints.
- 6.3-21 Prior to implementing project approval, plans demonstrating that auto body shops with painting/coating operations are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.
- 6.3-22 Prior to implementing project approval, plans demonstrating that asphalt plants are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.

(c) **Findings.**

(1) **Effects of Mitigation.** Objectionable odors in the Project vicinity will be lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they reduce the wastewater treatment facility as an odor source. There are no feasible project specific mitigation measures to reduce odors generated by the Salton Sea, in particular dead fish, algal blooms and hydrogen sulfide gas emissions prior to implementation of the Salton Sea Restoration Plan by the Salton Sea Authority. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project to a less-than-significant level, with respect to the exposure of people to temporary objectionable odors from the Salton Sea.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse temporary odor impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

7. **Cumulative Air Quality Impacts.** (*RDEIR*, § 6.3.8, pp. 6.3-128 to 6.3-131).

(a) **Potential Impact.** The Project will cause Cumulative Air Quality Impacts, as discussed in the Revised Draft EIR, section 6.3.8, pages 6.3-128 to 6.3-131. The SCAQMD has recommended that emissions-based thresholds be used to determine if a project's contribution to regional cumulative emissions is cumulatively considerable. Construction of the Project would result in daily construction and operations emissions that exceed the thresholds of significance recommended by SCAQMD for VOC, NO_x, CO, PM₁₀ and PM_{2.5}. Therefore, the Project is deemed to cause cumulatively significant contributions to air pollutant emissions of VOC, NO_x, CO, PM₁₀ and PM_{2.5} during project construction and operation.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.3-1 Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configure construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.

6.3-2 Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:

- Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour the operators shall increase watering frequency.
- Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour).

- Suspend the use of all construction equipment during first-stage smog alerts.
- Active sites shall be watered at least three times daily during dry weather.
- Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies.
- Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible.
- Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas.
- Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles.
- Install shaker plates at construction site exits, to minimize dirt track out and dust generation.
- Operate street sweepers that comply with SCAQMD Rules 1186 and 1186.1 on roads adjacent to the construction site in a nearly continuous manner so as to minimize dust emissions. Paved parking and staging areas shall be swept daily.
- Scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.
- All trucks hauling dirt, sand, soil, or other loose materials are to be covered.
- Reduce traffic speeds on all unpaved roads to 15 miles per hour or less.
- Pave or apply gravel on roads used to access the construction sites when possible.
- Schedule construction activities that affect traffic flow to off-peak hours (e.g., between 7:00 PM and 6:00 AM, and between 10:00 AM and 3:00 PM).

- Use of diesel-powered construction equipment shall use ultra-low sulfur diesel fuel.
- Use electric welders to avoid emissions from gas or diesel welders, to the extent feasible. Equipment that is commercially available shall be considered to be feasible.
- Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Use electricity or alternate fuels for on-site mobile equipment instead of diesel equipment, to the extent feasible. Equipment that is commercially available shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage shall be considered not feasible.
- Maintain construction equipment by conducting regular tune-ups according to the manufacturers' recommendations.
- Minimize idling time either by shutting equipment when not in use or reducing the time of idling to 5 minutes as a maximum.
- Minimize the hours of operation of heavy duty equipment and/or the amount of equipment in use at any one time.
- Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment.
- The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following:
 - Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 hp shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized

engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment.

- Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions.
- An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt.
- The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations.
- Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions.

6.3-3 Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD *Final Localized Significance Thresholds Methodology* or any superseding guidance document adopted by the SCAQMD Governing Board.¹⁰

6.3-4 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.

6.3-5 Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently

¹⁰ South Coast Air Quality Management District, *Final Localized Significance Threshold Methodology* (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/ceqalhandbook/lst/lst.html>.

required by Title 24 (2008) Standards at the time building permits are issued.

- 6.3-6 Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled and electric vehicles, carpools and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.
- 6.3-7 Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.
- 6.3-8 Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the Project site.
- 6.3-9 The Specific Plan shall restrict public access, especially off-highway vehicle access, to the shoreline area, to the extent legally and practicably feasible, to minimize disturbance of natural crusts and soils surfaces in future exposed shoreline areas.
- 6.3-9a Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the Project shall be considered not feasible.
- 6.3-9b Prior to implementing project approval, the applicant shall require that electric outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.
- 6.3-9c Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.
- 6.3-10 Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be

located at least 500 feet from the closest right of way of State Route 86S shall be submitted to the County Planning Department for review and approval.

- 6.3-11 Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 300 feet from the nearest right of way of State Route 86S to the lot line shall be submitted to the County Planning Department for review and approval.¹¹
- 6.3-12 Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 86S shall be equipped with high-efficiency electrostatic cleaning devices.¹²
- 6.3-13 Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 86S shall be required to conduct a health risk assessment.
- 6.3-14 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM₁₀. The documentation shall note that periodic windblown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.
- 6.3-15 Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by Country Building and Safety Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:

¹¹The CARB's *Air Quality and Land Use Handbook* indicates that in traffic-related studies, the additional non-cancer health risk attributable to proximity to freeway traffic was seen within 1,000 feet of the freeway, and was strongest within 300 feet. California freeway studies show about a 70% drop off in particulate pollution levels at 500 feet. Available data shows that relative exposure to particulate pollution drops substantially within the first 300 feet away from a freeway.

¹²Such cleaners typically use electrostatic attraction to trap charged particles by drawing air through an ionization section where particles obtain an electrical charge. The charged particles then accumulate on a collector that is oppositely charged. US Environmental Protection Agency, Indoor Air Quality, <http://www.epa.gov/iaq/pubs/airclean.html> #Understanding.

- For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work.
- Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (*coccidioides immitis*) and are therefore immune.
- Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings.
- Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations.
- Require that the cabs of grading and construction equipment be air-conditioned.
- Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever).
- Pave or apply sufficient water or environmentally safe dust control agents on all construction roads.
- Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering.
- During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents.

6.3-16 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$100,000 for (IFD) formation.

6.3-17 Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount

of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.

- 6.3-18 Prior to implementing project approval, stationary sources of diesel, ozone, toxic air contaminants (TACs), or particulate matter (PM₁₀ and PM_{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the thresholds.
- 6.3-19 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall enclose odor-generating processes and utilize other odor-abatement technologies as required under state and local regulations.
- 6.3-20 Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall develop a protocol for handling odor complaints.
- 6.3-21 Prior to implementing project approval, plans demonstrating that auto body shops with painting/coating operations are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.
- 6.3-22 Prior to implementing project approval, plans demonstrating that asphalt plants are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's cumulative impacts to air quality in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they individually and collectively address and reduce the Project's stationary and mobile source emissions of

VOC, NOx, CO, PM10 and PM2.5. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3), and/or because impacts associated with certain off-site infrastructure are within the jurisdiction of other agencies (Caltrans and CVWD), as specified in *PRC* § 21081(a)(2).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's air quality to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts to the area's air quality.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to air quality are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

D. Intentionally Omitted.

E. Land Use and Planning

1. **Result In An Incremental Loss of Open Space.** (*RDEIR*, § 6.9.7.6, pp. 6.9-47 to 6.9-48.)

(a) **Potential Impact.** The Project will result in an incremental loss of open space as discussed in the Revised Draft EIR, in section 6.9.7.6, pages 6.9-47 to 6.9-48, which is deemed to be a significant impact. Specifically, almost all of the Project site (4,828 acres) is considered open space. Consequently, by definition, the development of up to 16,655 residential units and 5 million square feet of commercial space, will necessarily eliminate substantial open space on the Project site.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would reduce impacts to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No further feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, for the reasons specified in *PRC* § 21081(a)(3). First, the County finds that no mitigation measures exist that would reduce, to a less than significant level, the physical net loss of open space on this specific Project site. Second, the County finds that the financial burden of preserving more open space on the Project site, or acquiring more land off-site to be preserved as open space, would make the Project financially infeasible. However, even though the physical net loss of open space remains significant and unavoidable, the County finds that the Project's payment of approximately \$30 million in MSHCP fees will preserve off-site open space at a 4:1 ratio, thus substantially reducing the cumulative loss of open space.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts by reducing the amount of Open Space, as described at pages 6.9-47 to 6.9-48 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to the loss of Open Space are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Cumulative Land Use Planning Impacts.** (*RDEIR*, § 6.9.8.1, pp. 6.9-48 to 6.9-49; and *RRDEIR*, § 6.9-8.1, pp 6.9-50 to 6.9-51 and 6.9-66 to 6.9-67; and 6.9-70).

(a) **Potential Impact.** The Project will result in a cumulative loss of open space lands, as discussed in the Revised Draft EIR, section 6.9.8.1, at pages 6.9-48 to 6.9-49; and *RRDEIR*, § 6.9-8.1, pp 6.9-50 to 6.9-51 and 6.9-66 to 6.9-67; and 6.9-70), which is deemed to be a significant impact. With respect to challenges to the County's methodology in assessing cumulative impacts, *see* § VIII(C) below.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would reduce the cumulative net loss of open space to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation measures or project alternatives exist to reduce this potential impact to a less than significant level, as specified in *PRC* § 21081(a)(3). First, the County finds that no mitigation measures exist that would reduce, to a less than significant level, the physical net loss of open space on this specific Project site. Second, the County finds that the financial burden of preserving more open space on the Project site, or acquiring more land off-site to be preserved as open space, would make the Project financially infeasible. However, even though the physical net loss of open space remains significant and unavoidable, the County finds that the Project's payment of approximately \$30 million in MSHCP fees will preserve off-site open space at a 4:1 ratio, thus substantially reducing the cumulative loss of open space.

(2) **Remaining Impacts.** The Project will cause significant and unavoidable impacts, regarding the cumulative loss of open space, as described at pages 6.9-47 to 6.9-48 of the Revised Draft EIR.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to the loss of open space are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

F. Noise.

1. **Exceed Established Noise Standards.** (*RDEIR*, § 6.11.7.1, pp. 6.11-29 to 6.11-35.)

(a) **Potential Impact.** The Project may expose people to noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies as discussed in the Revised Draft EIR, section 6.11.7.1, at pages 6.11-29 to 6.11-35. Specifically, on-site noise resulting from roadways, parking lots, loading docks and mechanical equipment will be less than significant after implementing all mitigation measures. However, off-site roadways experiencing noise level increases above 5dB(A) would be significant and unavoidable, even after the implementation of the feasible mitigation measures 6.11-1 to 6.11-6.

(b) **Mitigation Measures.** No additional feasible mitigation measures exist, after implementing Mitigation Measures 6.11-1 to 6.11-6, to further reduce

noise impacts to other off-site roadways, experiencing noise level increases above 5dB(A), due to specific economic, legal, social, technological or other considerations, as specified in PRC § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation or project alternatives exist to reduce this potential impact to a less than significant level, as specified in PRC § 21081(a)(3).

(2) **Remaining Impacts.** Remaining impacts, after imposing Mitigation Measures 6.11-1 to 6.11-6, would be significant and unavoidable for off-site impacts on roads experiencing noise level increases above 5dB(A).

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to noise are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (PRC § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

2. **Generate Excessive Groundborne Vibration/Noise.** (RDEIR, § 6.11.7.2, pp. 6.11-40 to 6.11-42.)

(a) **Potential Impact.** The Project will expose people to or generate excessive groundborne vibration or groundborne noise levels as discussed in the Revised Draft EIR, section 6.11.7.2, at pages 6.11-40 to 6.11-42. Specifically, depending upon the location of construction equipment, including for off-site infrastructure improvements, in relation to sensitive receptors, the Project could cause temporary vibration levels above 0.01 inch/second near sensitive receptors or between 0.2 and 2.0 inches/second at nearby structures that do not contain sensitive receptors resulting in a significant impact. Temporary noise impacts associated with certain off-site infrastructure improvements, such as future improvements to SR-86s and a regional wastewater treatment plant, could be significant. However, such improvements cannot be further evaluated at this time due to the lack of detailed design plans.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.11-7 Prior to grading final for each implementing project, the construction contractors shall use best management practices (BMPs) to reduce vibration due to specific plan construction activities by implementing the following:

- identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment;
- installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment;
- adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would affect structures, the sensitivity of vibration sensitive equipment, and/or human tolerance;
- utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving;
- providing notification to the residential land uses directly adjacent to the Project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds;
- conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the Project site at the same time;
- selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or
- operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites, using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible.

The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor the conditions to determine that these BMPs are being utilized correctly and efficiently in order to reduce vibration impacts throughout the proposed project.

(c) **Findings.**

(1) **Effects of Mitigation.** Groundborne vibrations in the project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measure described above, because the measure are designed and do, in fact, reduce the level of vibration in relation to nearby structures. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3). Furthermore, with respect to certain off-site infrastructure, the County finds that analysis and mitigation is too speculative currently, due to the absence of detailed plans, and further finds that such improvements are within the jurisdiction of other agencies, including Caltrans, for SR-86s, and CVWD, for a future regional wastewater plant, who can and should analyze and mitigate any temporary impacts to the extent feasible. *See PRC* § 21081(a)(2).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative vibration impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts with respect to groundborne vibrations.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts, with respect to temporary groundborne impacts, are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Cause a Permanent Increase in Ambient Noise Levels.** (*RDEIR*, § 6.11.7.4, pp. 6.11-43 to 6.11-48.)

(a) **Potential Impact.** The Project will cause a substantial periodic increase in ambient noise levels in the project vicinity, above levels existing without the project as discussed in the Revised Draft EIR, section 6.11.7.4, at pages 6.11-43 to 6.11-48. Specifically, construction activities have the potential to occur within 0.25 miles of occupied residences both on and off-site, and increase ambient noise levels more than 5dB(A) over existing conditions.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures,

as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.11-8 The project applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:

- Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 1,000 feet of a Project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period.
- Ensure that construction equipment is properly muffled according to industry standards and in good working condition.
- Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible.

Schedule high noise-producing activities between the hours of 8:00 AM and 5:00 PM to minimize disruption to sensitive uses.

Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources.

Use electric air compressors and similar power tools rather than diesel equipment, where feasible.

Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes.

Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the Riverside County or Imperial County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by Riverside County or Imperial County prior to grading final.

The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor and oversee the

BMPs to verify that they are implemented correctly by the construction contractors.

6.11-9 Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County Building and Safety Department or Imperial County Planning and Development Services Department, as appropriate, indicating that construction staging areas along with the operation of earthmoving equipment within the project area is located as far away from vibration- and noise-sensitive sites as possible.

6.11-10 Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County or Imperial County Planning and Development Services Department, as appropriate, indicating that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to noise in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they are specifically formulated to reduce construction related noise impacts. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all noise impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts, with respect to an increase in ambient noise levels.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts relating to increased noise levels are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

4. **Increased Noise Levels From Military Flight Operations.** (*RRDEIR*, § 6.9.5.3, pp. 6.9-26 to 6.9-28; 6.9-43 to 6.9-44 and §6.11.1 p. 6.11-1; 6.11.7.2 p.6.11-40, 6.11.7.5, pp. 6.11-48 to 6.11-50.)

(a) **Potential Impact.** The Project has the potential to expose persons to intermittent but significant noise from military flights over the Project site because the Project is located under or near several Military Training Routes (MTRs), as discussed in the Recirculated Revised DEIR at pages 6.11-48 through 6.11-50.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Recirculated Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.11.11 Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is subject to oversight from military aircraft. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.

(c) **Findings.**

(1) **Effects of Mitigation.** The current extent of military over flights is not quantifiable due to military secrecy constraints. See Aviation Systems, Inc. memorandum dated September 21, 2011. The potential noise impacts from military flight operations will be lessened, to the maximum extent feasible, through the implementation of the mitigation measure described above, because it will ensure that future property owners in the Project will be aware of the MTRs in the Project area, and thus expect some noise/vibration associated with the military's use of the MTRs. There are no additional feasible mitigation measures or project alternatives to further reduce the potential noise impacts from military flight operations due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3) and 21081(a)(2), including the fact that the County cannot control or alter the military's use of the air space over the Project site.

(2) **Remaining Impacts.** Remaining impacts, after imposing Mitigation Measures 6.11-1, would be significant and unavoidable because the County cannot substantially reduce or eliminate the military's use of the MTRs, and the precise extent and duration of the military's use of the MTRs is unknown due to the constraints of military secrecy.

Nevertheless, the Air Force has submitted a comment letter supporting the County's mitigation approach and recognizing the beneficial aspects of the Project, in terms of its sustainability. See Dept. of the Air Force letter dated November 30, 2011. The County further finds that the Department of the Navy, which had commented on the EIR Notice of Preparation in or about 2008, did not submit any comments on the RRDEIR's discussion and conclusion regarding MTRs over the Project site.

(3) **Overriding Considerations.** Any remaining significant noise impacts from military flight operations in the vicinity of the Project are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

5. **Cumulative Noise Impacts.** (*RDEIR*, §§ 6.11.8.1 to 6.11.8.3, pp. 6.11-50 to 6.11-52.)

(a) **Potential Impact.** The Project will cause cumulative Noise Impacts as discussed in the Revised Draft EIR, sections 6.11.8.1 to 6.11.8.3, at pages 6.11-50 to 6.11-52. Specifically, cumulative noise impacts will result when the vehicles and human activity of the Project's residents are added to existing and/or future residents in the project area.

(b) **Mitigation Measures.** Mitigation for cumulative off-site noise impacts of less than 5dB(A) is not known for certain to be feasible at this time, and thus to be conservative, is deemed infeasible in fully mitigating impacts to a less than significant level. Off-site roadways experiencing noise level increases above 5dB(A) would be significant and unavoidable regardless of the implementation of feasible mitigation measures.

(c) **Findings.**

(1) **Effects of Mitigation.** No feasible mitigation exists to reduce this potential impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Remaining impacts for cumulative off-site noise impacts beyond 5dB(A) is deemed significant and unavoidable.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to noise are determined to

be acceptable because the impacts are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

G. Public Services – Law Enforcement.

1. **Cause Impacts Due to New Facilities.** (*RDEIR*, § 6.14.7.1, pp. 6.14-11 to 6.14-15.)

(a) **Potential Impact.** The Project could result in temporary adverse physical impacts associated with the need for new or physically altered governmental facilities, in order to maintain acceptable service ratios, response times or other performance objectives for law enforcement services as discussed in the Revised Draft EIR, section 6.14.7.1, at pages 6.14-11 to 6.14-15.

(b) **Mitigation Measures.** No feasible mitigation or project alternatives exist to reduce to a less than significant level short term temporary impacts, prior to construction of the new Sheriff's station or sub-station, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** Temporary short term impacts, prior to construction of the new Sheriff's station or sub-station, are significant and unavoidable, for the reasons specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project will cause temporary significant and unavoidable impacts to law enforcement, as described at pages 6.14-11 to 6.14-15 of the Revised Draft EIR, until a new sheriff's station or sub-station is built.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to law enforcement are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

H. Public Services – Fire Protection.

1. Result In An Increase In Response Times. (*RDEIR*, § 6.13.7.2, pp.6.13-26 to 6.13-28.)

(a) **Potential Impact.** The Project will result in a temporary increase in response times for fire protection services until two new fire stations are built in project phases 1 and 2. See discussion in Revised Draft EIR, section 6.13.7.2, at pages 6.13-26 to 6.13-28. After the on-site stations are operational, impacts would be less than significant.

(b) **Mitigation Measures.** No feasible mitigation exists for short-term temporary impacts, prior to Phase 1 construction of a new fire station, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) Findings.

(1) **Effects of Mitigation.** To be conservative in the disclosure of any impact, albeit even if temporary, these Findings deem temporary, short-term impacts, prior to construction of two new fire stations in Phases 1 and 2, significant and unavoidable, due to the reasons stated in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project will cause temporarily significant and unavoidable impacts to fire services response times, until two new fire stations are operational in Phases 1 and 2 of the Specific Plan's implementation, as discussed in the Revised Draft EIR at page 6.13.-27.

(3) **Overriding Considerations.** Any remaining significant Project-specific and/or cumulative impacts to fire protection services, in particular a short-term temporary increase in response times, are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

I. Public Services – Education.

1. Create A Need for New School Facilities That Could Cause Adverse Impacts. (RDEIR, § 6.15.7.1, pp. 6.15-12 to 6.15-17.)

(a) **Potential Impact.** The Project – at build out – would generate 3,929 elementary school students, 886 middle school students and 1,421 high school students. The CVUSD is currently under capacity by 1,272 students. Although the Specific Plan includes triggers for the development of new elementary, middle and high school, nevertheless, it is possible that short term overcrowding could occur during development of the initial development phases and through build out of the Project. This periodic impact, during the phased development of the Project, is deemed significant. These impacts are discussed in the Revised Draft EIR, in section 6.15.7.1, at pages 6.15-12 to 6.15-17.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.15-1 Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square footage of development per single-family residential unit, multi-family residential unit, commercial unit and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to education in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the Specific Plan requirements to dedicate school sites to CVUSD and by implementation of the mitigation measures described above, in part because payment of the required fees will fund new school facilities. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be

sufficient to reduce all Project-specific and cumulative impacts to the Project area's education system to a less-than-significant level, with respect to potential temporary overcrowding of school facilities. To be conservative in the disclosure of impacts, even short term temporary impacts, this impact is deemed significant and unavoidable, for the reasons specified in *PRC* § 21081(a)(3). Long term impacts would be less than significant. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporary significant and unavoidable impacts to the area's school facilities.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts to school facility capacity are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Impact School Districts and Facilities.** (*RDEIR*, § 6.15.7.2, pp. 6.15-18 to 6.15-19.)

(a) **Potential Impact.** As discussed above, the Project could cause temporary overcrowding of school facilities until new facilities are completed, as discussed in the Revised Draft EIR, section 6.15.7.2, pages 6.15-18 to 6.15-19.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.15-1 Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square footage of development per single-family residential unit, multi-family residential unit, commercial unit and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to education in the Project vicinity will be substantially lessened, to the maximum

extent feasible, through the Specific Plan's requirement to dedicate school sites to CVUSD and by implementation of the mitigation measure described above, because the payment of the required fees will fund new school facilities over time. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measure described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's education to a less-than-significant level, with respect to temporary potential overcrowding of school facilities. However, long-term impacts would be less than significant. Even with the implementation of all feasible mitigation measures, the Project will continue to cause significant and unavoidable temporary impacts to the area's school capacity.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative temporary impacts to school facility capacity are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. **Cumulative Impact to School Facilities.** (*RDEIR*, § 6.15.8.1, pp. 6.15-19 to 6.15-20.)

(a) **Potential Impact.** The Project will cause temporary cumulative impacts to school facilities as discussed in the Revised Draft EIR, section 6.15.8.1, pages 6.15-19 to 6.15-20.

(b) **Mitigation Measures.** No feasible mitigation measures exist that would reduce this temporary impact to a less than significant level, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(c) **Findings.**

(1) **Effects of Mitigation.** Other than the Specific Plan school site dedication requirements and mitigation measure 6.15-1, requiring the payment of statutory fees, no feasible mitigation measures or project alternatives exist to reduce this temporary potential impact to a less than significant level, for the reasons stated in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** The Project may cause temporarily significant and unavoidable impacts to school facilities, as described at pages 6.15-19 to 6.15-20 of the Revised Draft EIR.

J. Intentionally Omitted

K. Public Services – Medical.

1. **Construction Injuries/Demand for New Medical Facilities.** (RDEIR, §§ 6.18.7.1 to 6.18.7.2.)

(a) **Potential Impact.** During construction of the Project, minor and serious injuries could occur prior to the development of medical facilities on the Project site. Similarly, in earlier phases of the Project build out, residents and workers could require medical services prior to the development of medical facilities on the Project site. These temporary impacts are deemed significant. Long term operational impacts, after on-site medical facilities are built, are deemed less than significant. These impacts are discussed in the Revised Draft EIR, sections 6.18.7.1 to 6.18.7.2, at pages 6.18-9 to 6.18-16.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact to the timeliness of medical services by the following mitigation measures, as described in the Revised Draft EIR, which is hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.18-1 Prior to grading final for each implementing project, the contractors for construction activities for the applicants of implementing projects shall prepare a construction safety plan and submit it to the appropriate County Planning Department and Fire Department for review and approval. The plan shall include provisions for safety activities, including prevention, work-related injuries, on-site safety equipment, notification procedures, and other activities to prevent, reduce, and respond to injuries during construction.
- 6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.
- 6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

(c) **Findings.**

(1) **Effects of Mitigation.** Potential construction injuries and the Project's impacts to medical services in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because injuries will be lessened and medical facilities will be built on the Project site. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all temporary Project-specific and cumulative impacts to the Project area's medical services to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporary significant and unavoidable impacts to the area's medical services.

(3) **Overriding Considerations.** Any remaining temporary Project-specific and cumulative adverse impacts to medical services are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in Section VII below, which is incorporated herein by this reference.

2. **Temporary Increase In Distances for Medical Services.** (*RDEIR*, § 6.18.7.2, pp. 6.18-15 to 6.18-16.)

(a) **Potential Impact.** Prior to construction of medical facilities on the Project site, residents and workers will be located at greater distances from medical services, as discussed in the Revised Draft EIR, section 6.18.7.2, at pages 6.18-15 to 6.18-16. This impact is deemed significant.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.

6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

The Specific Plan and Conditions of Approval also contain additional triggers to ensure that expanded medical facilities are feasibly developed as Project buildout occurs over 30 to 40 years.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to medical services in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will ensure development of medical facilities on the Project site. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative impacts to the Project area's medical services to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause temporary significant and unavoidable impacts to the area's medical services.

(3) **Overriding Considerations.** Any remaining temporary Project-specific and cumulative adverse impacts to medical services are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

L. Transportation and Traffic.

1. **Cause A Substantial Increase In Traffic.** (*RDEIR*, § 6.19.7.3, pp. 6.19-63 to 6.19-105.)

(a) **Potential Impact.** The Project may cause a temporary increase in traffic which is substantial in relation to the existing traffic load and capacity of the street system, as discussed in the Revised Draft EIR, section 6.19.7.3, at pages 6.19-63 to 6.19-105. Specifically, there may be periods, prior to completion of Phase 1 improvements, during which some intersections/roadways could operate

at unacceptable levels of service. However, long-term impacts are less than significant, after implementation of all mitigation measures.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.19-1 All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.
- 6.19-2 The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.
- 6.19-3 During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The District-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project.

Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project.

Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.

- 6.19-4 All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards.

All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.

- 6.19-5 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81st Avenue.
- 6.19-6 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.
- 6.19-7 Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81st Avenue, and shall construct eastbound and westbound left turn lanes.
- 6.19-8 Prior to the issuance of the 659th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.
- 6.19-9 After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).
- 6.19-10 Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86S/SR-86 (between 62nd

Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.

Traffic Signals

- 6.19-11 The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.
- 6.19-12 Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.
- 6.19-13 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational:
- SR-86S (NS) at:
81st Avenue (EW)
 - SR-86 (NS) at:
Lincoln Street (EW)
- with no credit given for Traffic Signal Mitigation Fees.
- 6.19-14 Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational:
- 81st Avenue (EW) at:
Paseo Street (NS)
- 6.19-15 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall

be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation:

- Harrison Street (NS) at:
62nd Avenue (EW)
- Harrison Street (NS) at:
66th Avenue (EW)
- Harrison Street (NS) at:
70th Avenue (EW)
- Harrison Street (NS) at:
74th Avenue (EW)
- Harrison Street (NS) at:
Pierce Street (EW)

Unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-16 Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Harrison Street/SR-86 (NS)

with no credit given for Traffic Signal Mitigation Fees.

6.19-17 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- SR-86 (NS) at:
Town Center Way (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-18 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit

toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation.

- Harrison Street (NS) at:
72nd Avenue (EW)
- Harrison Street (NS) at:
78th Avenue (EW)
- SR-86S (NS) at:
70th Avenue (EW)
- SR-86S (NS) at:
74th Avenue (EW)
- SR-86 (NS) at:
Desert Shores Drive (EW)
- SR-86 (NS) at:
Brawley Avenue (EW)
- SR-86 (NS) at:
Sea Oasis Boulevard (EW)
- SR-86 (NS) at:
Marina Drive (EW)

unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-19 Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

with no credit given for Traffic Signal Mitigation Fees

- 6.19-20 The modification of traffic signals to accommodate the phased improvements shall be the responsibility of the SP00375 proponent or the implementing projects.

Roadway Improvements

- 6.19-21 Roadways internal to the project shall be developed as needed for development and as determined based on the recommendations presented in Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.
- 6.19-22 Prior to the issuance of any building permits within SP00375, the project proponent shall construct Lincoln Street between the northern project boundary and 81st Avenue and 81st Avenue between SR-86 and Lincoln Street as two-lane interim roadways (34 ft traveled way).
- 6.19-23 Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall construct 81st Avenue between the western boundary of Planning Area 1-1 and SR-86S as a Secondary (64-ft. curb-to-curb, 100-ft. right-of-way). At the discretion of the Director of Transportation, the right-of-way requirement in the off-site portion of the facility may be reduced, so long as four through travel lanes and necessary turn lanes at intersections are provided.
- 6.19-24 Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall realign, as necessary, the portion of SR-86/Harrison Street north of 81st Avenue to form the four-legged intersection at 81st Avenue/ SR-86/Village Way and shall get Caltrans concurrence for the relinquishment of the portion of SR-86 between 81st Avenue and SR-86S.
- 6.19-25 Prior to the issuance of any certificates of occupancy that would result in more than 7,078 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the project proponent, or implementing projects within SP00375, shall construct 81st Avenue between SR-86S and Paseo Street as a Major. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

Geometrics

- 6.19-26 The project proponent, or the implementing projects within the SP, shall be responsible for the necessary improvements or modifications at all on-site intersections. The improvements shall be made at the locations indicated and with the number of lanes as specified in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

6.19-27 Where the need is indicated in DRP-level or project-level TIAs and, unless the improvements are made by others prior to the time they are needed, the project proponent, or the implementing projects within the SP, shall also be responsible for the improvements at the off-site intersections listed below. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.

6.19-28 While the intersection improvements, both on-site and off-site, may be made in phases as the need arises, all improvements shall be designed and constructed to be consistent with the ultimate configuration of the intersection. All improvements listed below can be deferred to a later stage, or accelerated to an earlier stage of development, subject to the approval of the Director of Transportation based on subsequent traffic studies. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

6.19-29 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane

Southbound: One left turn lane, two through lanes, one right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

The intersection of SR-86S (N/S) and Lincoln Street (E/W) shall provide the following geometrics:

Northbound: Two through lanes, one right turn lane

Southbound: One left turn lane, two through lanes

Eastbound: N/A

Westbound: One left turn lane, one shared through/right turn lane

The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One shared left turn/right turn lane – stop control
Southbound: NA
Eastbound: One shared through/right turn lane
Westbound: One shared left turn/through lane

The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane
Southbound: NA
Eastbound: One right turn lane
Westbound: NA

- 6.19-30 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits.

The intersection of Harrison Street/ (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The Intersection of Harrison Street (N/S) and 665th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and 70th Avenue (E/W) shall provide the follow geometrics:

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One left turn lane, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: One left turn lane, one through lane, one right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and Pierce Street (E/W) shall provide the following geometrics:

Northbound: One through lane, one right turn lane
Southbound: One left turn lane, one through lane
Eastbound: N/A
Westbound: One left turn lane, one right turn lane

The intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane
Southbound: Two left turn lanes, two through lanes, one right turn lane
Eastbound: One left turn lane, one through lane, one right turn lane
Westbound: One left turn lane, one through lane, one right turn lane
with overlap phasing

NOTE: Signal modification will be necessary to accommodate a second southbound left turn lane, an eastbound right turn lane and a westbound right turn lane with overlap phasing.

The intersection of Paseo Street (NS) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one right turn lane
Southbound: N/A
Eastbound: One through lane, one right turn lane
Westbound: One left turn lane, one through lane

Unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-31 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of Harrison Street/Village Way (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane
Southbound: Two left turn lanes, one shared through/right turn lane
Eastbound: One shared left turn/through lane, one right turn lane
Westbound: Two left turn lanes, one shared through/right turn lane

Unless DRP-level or project-level TIAs indicate improvements at this intersection are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-32 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86 (N/S) and Town Center Way North (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one right turn lane with overlap
Eastbound: Two left turn lanes, two through lanes, one right turn lane
Westbound: One left turn lane, two through lanes, one right turn lane

unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-33 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits.

The intersection of Harrison Street (N/S) and 64th Avenue (E/W) shall provide the following geometrics:

Northbound: One shared through/right turn lane
Southbound: One shared left turn/through lane

Eastbound: NA

Westbound: One shared left turn/right turn lane – stop control

The intersection of Harrison Street (N/S) and 72nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one shared through/right turn lane

Southbound: One left turn lane, one shared through/right turn lane

Eastbound: One shared left turn/through/right turn lane

Westbound: One shared left turn/through/right turn lane

The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane

Southbound: One left turn lane, one through lane, one right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate an eastbound left turn lane and a westbound left turn lane.

The intersection of Harrison Street (N/S) and Pierce Street (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one right turn lane

Southbound: One left turn lane, one shared through/right turn lane

Eastbound: One shared left turn/through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate a northbound left turn lane.

The intersection of Harrison Street (N/S) and 78th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane

Southbound: One left turn lane, two through lanes, one right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

The intersection of Harrison Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, three through lanes, one right turn lane
with overlap phasing

Southbound: Two left turn lanes, two through lanes, one shared through/right turn lane

Eastbound: One left turn lane, one through lane, one shared through/right turn lane

Westbound: Two left turn lanes, one through lane, one free-flow right turn lane

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, overlap phasing on the northbound approach, three southbound through lanes, and a westbound right turn lane. The intersection of Polk Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: NA

Southbound: One shared left turn/right turn lane – stop control

Eastbound: One shared left turn/through lane

Westbound: One shared through/right turn lane

The intersection of Fillmore Street (N/S) and 78th Avenue (E/W) shall provide the following geometrics:

Northbound: One shared left turn/right turn lane – stop control

Southbound: NA

Eastbound: One shared through/right turn lane

Westbound: One shared left turn/through lane

The intersection of SR-86S (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane

Southbound: One left turn lane, two through lanes, one shared through/right turn lane

Eastbound: One left turn lane, one shared through/right turn lane

Westbound: One left turn lane, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and a westbound left turn lane.

The intersection of SR-86S (N/S) and 66th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: Two left turn lanes, one shared through/right turn lane

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and two westbound left turn lanes.

The intersection of SR-86S (N/S) and 70th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one share through/right turn lane
Southbound: One left turn lane, two through lanes, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of SR-86S (N/S) and 74th Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane
Southbound: One shared left turn/through lane, one through lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of SR-86 (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one right turn lane
Southbound: One left turn lane, two through lanes, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of SR-86 (N/S) and Brawley Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, two through lanes, one right turn lane

Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of SR-86 (N/S) and Sea Oasis Boulevard (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one shared through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of SR-86 (N/S) and Marina Drive (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one through lane, one shared through/right turn lane
Southbound: One left turn lane, one through lane, one shared through/right turn lane
Eastbound: One left turn lane, one shared through/right turn lane
Westbound: One left turn lane, one shared through/right turn lane

The intersection of Village Way (N/S) and 82nd Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes
Southbound: Two through lanes, one right turn lane
Eastbound: One left turn lane, one right turn lane
Westbound: NA

The intersection of Travertine Estates (N/S) and Paseo Street (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

The intersection of A Street (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane

Westbound: One shared left turn/through/right turn lane

The intersection of Sea Oasis Drive (N/S) and Travertine Estates (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through lane
Southbound: One shared through/right turn lane
Eastbound: One shared left turn/right turn lane
Westbound: NA

The intersection of Sea Oasis Drive (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:

Northbound: One shared left turn/through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

unless otherwise approved by Imperial County, or unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-34 Prior to the issuance of any certificates of occupancy that would result in more than 5,464 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one shared through/right turn lane
Southbound: One shared left turn/through/right turn lane
Eastbound: One shared left turn/through/right turn lane
Westbound: One shared left turn/through/right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-35 Prior to the issuance of any certificates of occupancy that would result in more than 5,718 dwelling units in SP00375, or sooner if the need is

indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86 (N/S) and Town Center Way North (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes

Southbound: One left turn lane, two through lanes, one right turn lane with overlap

Eastbound: Two left turn lanes, one through lane, one right turn lane

Westbound: One left turn lane, one through lane, one right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-36 Prior to the issuance of any certificates of occupancy that would result in more than 5,770 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, two through lanes, one shared through/right turn lane

Southbound: Two left turn lanes, three through lanes, one right turn lane

Eastbound: Two left turn lanes, two through lanes, one right turn lane

Westbound: One left turn lane, two through lanes, one right turn lane
With overlap phasing

NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, two eastbound left turn lanes, two eastbound through lanes, and two westbound through lanes.

unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-37 Prior to the issuance of any certificates of occupancy that would result in more than 8,139 dwelling units in SP00375, or sooner if the need is

indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:

The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:

Northbound: One left turn lane, one shared left turn/through/right turn lane

Southbound: One left turn lane, one shared through/right turn lane

Eastbound: One left turn lane, one through lane, one right turn lane

Westbound: One left turn lane, one shared through/right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

NOTE: Signal modification will be necessary to accommodate a northbound left turn lane, the southbound approach, eastbound left turn and right turn lanes, and the westbound left turn lane.

The intersection of SR-86 Southbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics:

Northbound: NA

Southbound: Two left turn lanes, two right turn lanes

Eastbound: Two through lanes, two right turn lanes

Westbound: Two through lanes, one right turn lane

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

The intersection of SR-86 Northbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics:

Northbound: Two left turn lanes, one right turn lane

Southbound: NA

Eastbound: Two through lanes, two right turn lanes

Westbound: Two through lanes, two right turn lanes

unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.

- 6.19-38 All improvements on Caltrans facilities shall conform to Caltrans design guidelines and shall be subject to Caltrans approval.
- 6.19-39 All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the SP00375 property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.
- 6.19-40 All implementing projects within the SP00375 shall be subject to a condition of approval providing that: Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer, consistent with Riverside County Ordinance 460 Section 3.2J.

Drainage Studies

- 6.19-41 Drainage studies will be required for all subsequent development proposals within the boundaries of Specific Plan No. 375 as approved by the Transportation Department.

(c) Findings.

(1) **Effects of Mitigation.** The Project's impacts to traffic and transportation in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will provide roadway and intersection improvements in a phased manner, to address increased vehicle trips caused by the Project. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all short term Project-specific and cumulative impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporary unavoidable impacts to the area's traffic circulation, during certain time periods, prior to implementation of all of the mitigation measures listed above, *i.e.*, 6.19-1 to 6.19-41. However, long-term impacts are determined to be less than significant, after all required mitigation measures are implemented.

(3) **Overriding Considerations.** Any remaining temporary Project-specific and cumulative adverse impacts to traffic and transportation are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Temporarily Exceed County LOS Standards.**

(a) **Potential Impact.** In the short term, the Project will exceed either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads or highways as discussed in the Revised Draft EIR, section 6.19.7.4, at pp. 6.19-105 to 6.19-133; and RRDEIR, p. 6.19-124 and 6.19-133. However, long term impacts are determined to be less than significant, after implementation of all mitigation measures.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this temporarily significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.19-42 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall prepare a financial plan to make mainline improvements to add one lane in each direction on SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County and to construct interchanges at SR-86S/62nd Avenue, SR-86S/66th Avenue, SR-86S/70th Avenue, SR-86S/74th Avenue, SR-86S/81st Avenue, SR-86/Town Center Way North, SR-86/Desert Shores Drive, SR-86/Brawley Avenue, SR-86/Sea Oasis Boulevard, and SR-86/Marina Drive. The financial plan shall identify the cost of the improvements based on a Preliminary Engineering study. In addition to fair share developer contributions, the financial plan shall consider funding that may be available through CVAG, RCTC, or other agencies. The County will assist in obtaining available funding that is, or may become available, through CVAG, RCTC, and other agencies, as appropriate.

6.19-43 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall conduct a Nexus Study, based on the financial plan, and establish an RBBB or other funding mechanism in accordance with the Nexus Study recommendations.

If the County has not formed an RBBB or other area-wide funding mechanism for SR-86/SR-86S improvements at the time the proponent of SP00375 or any subsequent implementing agencies are ready to

request building permits, the project proponent shall establish a Community Facilities District (CFD) or other funding mechanism, prior to the issuance of any building permit within SP00375, to help fund its share of the cost of SR-86S/SR-86 mainline improvements (SP00375's fair share is estimated preliminarily as 37 percent of the total cost of the SR-86 additional lane improvements) and its share of interchange construction at SR-86S/81st Avenue and at SR-86/Town Center Way North (SP00375's share is estimated preliminarily as 95 to 100 percent of the total cost).

- 6.19-44 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall deposit with Riverside County the funds necessary for the County to prepare the Preliminary Engineering Study, the Financial Plan, and the Nexus Study ("the studies"). The project proponent shall be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBD or other corridor-wide funding mechanism.
- 6.19-45 After building permits for 1,608 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the project proponent, or implementing projects within SP00375, have deposited funds for Riverside County to prepare an environmental document for adding one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. The project proponent, or the implementing projects, will be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBD or other area-wide funding mechanism. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.
- 6.19-46 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until Riverside County obtains environmental clearance to add one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted. TUMF credit, where eligible, shall be provided in accordance with CVAG's policies and approvals.
- 6.19-47 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86 has been

improved to add one lane in each direction between the northern boundary of SP00375 and Town Center Way North. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

- 6.19-48 After building permits for 11,864 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until a construction contract, or contracts shall have been let to improve SR-86S/SR-86 to add one lane in each direction between 62nd Avenue and Marina Drive in Imperial County.
- 6.19-49 After building permits for 12,788 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86S/SR-86 shall have been constructed to provide three lanes in each direction between 62nd Avenue and Marina Drive in Imperial County. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to traffic and transportation in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will provide roadway and intersection improvements in a phased manner to address increased vehicle trips caused by the Project. No further feasible mitigation measures or project alternatives exist to further reduce this temporary impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all short term Project-specific and cumulative impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporarily significant and unavoidable impacts to the area's traffic circulation. However, long-term impacts, after all mitigation measures are implemented, are less than significant.

(3) **Overriding Considerations.** Any remaining short-term Project-specific and cumulative adverse impacts are determined to be

acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

3. Temporary Cumulative Traffic Impacts.

(a) **Potential Impact.** The Project will cause short term cumulative Transportation and Traffic Impacts as discussed in the Revised Draft EIR, section 6.19.8, at page 6.19-137 to 6.19-138; and RRDEIR, p. 6.19-124 and 6.19-133, relating to temporary on and off-site construction impacts. However, long-term cumulative impacts will be less than significant.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

- 6.19-1 All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.
- 6.19-2 The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.
- 6.19-3 During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The District-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project.

Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project.

Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.

- 6.19-4 All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards.

All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.

- 6.19-5 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81st Avenue.

- 6.19-6 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.

- 6.19-7 Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81st Avenue, and shall construct eastbound and westbound left turn lanes.

- 6.19-8 Prior to the issuance of the 659th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.

- 6.19-9 After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or

non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).

- 6.19-10 Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86S/SR-86 (between 62nd Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.

Traffic Signals

- 6.19-11 The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.

- 6.19-12 Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.

- 6.19-13 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational:

- SR-86S (NS) at:
81st Avenue (EW)
- SR-86 (NS) at:
Lincoln Street (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-14 Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Paseo Street (NS)

6.19-15 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation:

- Harrison Street (NS) at:
62nd Avenue (EW)
- Harrison Street (NS) at:
66th Avenue (EW)
- Harrison Street (NS) at:
70th Avenue (EW)
- Harrison Street (NS) at:
74th Avenue (EW)
- Harrison Street (NS) at:
Pierce Street (EW)

Unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-16 Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Harrison Street/SR-86 (NS)

with no credit given for Traffic Signal Mitigation Fees.

6.19-17 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- SR-86 (NS) at:
Town Center Way (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-18 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation.

- Harrison Street (NS) at:
72nd Avenue (EW)
- Harrison Street (NS) at:
78th Avenue (EW)
- SR-86S (NS) at:
70th Avenue (EW)
- SR-86S (NS) at:
74th Avenue (EW)
- SR-86 (NS) at:
Desert Shores Drive (EW)
- SR-86 (NS) at:
Brawley Avenue (EW)
- SR-86 (NS) at:
Sea Oasis Boulevard (EW)
- SR-86 (NS) at:
Marina Drive (EW)

unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-19 Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010; with no credit given for Traffic Signal Mitigation Fees

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's temporary cumulative traffic impacts in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they will provide roadway and intersection improvements in a phased manner, to address increased vehicle trips caused by the Project. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3). The County further finds that temporary impacts (traffic delays, dust and noise) related to off-site construction of roadways and utilities, including SR-86s improvements, is within the jurisdiction of Caltrans and/or CVWD, and can and should be analyzed and mitigated to the extent feasible, as more detailed plans for such improvements are developed and approved by Caltrans and CVWD. See *PRC* § 21081(a)(2).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all short term Project-specific and cumulative impacts to a less-than-significant level. Even with the implementation of all feasible mitigation measures, the Project will continue to cause these temporarily significant and unavoidable impacts to the area's traffic circulation.

(3) **Overriding Considerations.** Any remaining short-term Project-specific and cumulative adverse impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

M. Greenhouse Gases.

1. **GHG Emission Increase.** (*RDEIR, § 6.24.7.2, pp. 6.24-45 to 6.24-64.*)

(a) **Potential Impact.** The Project will generate greenhouse gas emissions, either directly or indirectly, that may have a significant cumulative impact on the environment, as discussed in the Revised Draft EIR, in section 6.24.7.2, at pages 6.24-45 to 6.24-64. Although the Project's per capita GHG emission increase is well below that of the State's projection for other communities, at 4.6 MTCO_{2C} per person, impacts are still deemed significant due to the overall increase in GHG emissions from the Project.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.24-1 Prior to the issuance of each building permit, the applicant shall provide a listing of the green building practices and design elements used in the building that reduce GHG emissions to the appropriate Planning Department. The green building practices and design elements shall be consistent with the CAP and any other green building standards adopted by either Riverside County or Imperial County. (See, e.g., California Department of Housing and Community Development's Green Building & Sustainability Resources handbook at www.hcd.ca.gov/hpd/green_build.pdf; e.g., the American Institute of Architects at <http://www.wiki.aia.org/Wiki%20Pages/Home.aspx>)

6.24-2 Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the Project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible, to the extent that it is feasible to do so based on technological and financial feasibility factors at the time of permit application.

6.24-3 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy

efficient lighting, heating and cooling systems, appliances, equipment, and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energystar.gov/index.cfm?fuseaction=find_a_product; see also the California Energy Commission's database of appliances meeting federal or state energy standards at <http://www.appliances.energy.ca.gov>; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at <http://www.epeat.net/AboutEPEAT.aspx>; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aceee.org/ogeece/ch1_index.htm)

- 6.24-4 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at <http://www.consumerenergycenter.org/coolroof/>)
- 6.24-5 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).
- 6.24-6 Prior to the issuance of each building permit, the applicant shall provide evidence that the building is consistent with and/or does not conflict with the following Specific Plan wide renewable energy targets:
- 80 percent of residential units shall meet 60 percent of their baseline demand power energy needs with renewable energy; and
 - 80 percent of commercial building square footage shall meet 40 percent of their baseline demand power energy needs with renewable energy. Should the individual structure not be able to demonstrate that power provided by IID does not comply with this standard, then the individual structure shall comply by providing renewable energy power from a source within the limits of the Specific Plan.
- 6.24-7 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of water

efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide water conservation measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following water conservation measures:

- 90 percent of all builder-installed plumbing devices in each residential buildings will be low-flow and water-efficient;
- 90 percent of all builder-installed plumbing devices in each non-residential buildings will be low-flow and water-efficient;
- Turf will not exceed 20 percent of the total landscaped area of each Planning Area, with the exception of parks, recreation centers, and schools;
- 80 percent of public and common landscape areas will use smart irrigation systems per project; and
- 80 percent of public and common landscape areas will use drought-tolerant, native, and/or water-efficient plant materials per project.

(See http://www1.eere.energy.gov/femp/program/waterefficiency_bmp5.html; see also <http://www.water.ca.gov/wateruseefficiency/landscape/>.)

6.24-8 Prior to grading final for each implementing project, the applicant or their contractor shall submit to the appropriate Public Works Department for review and approval of a site construction management plan for the reuse and recycle construction and demolition waste (including soil, vegetation, concrete, lumber, metal, and cardboard). (See <http://www.ciwmb.ca.gov/condemo/>).

6.24-9 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of reuse and recycling measures in residential, industrial, and commercial projects consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide recycling and waste reduction measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following recycling and waste reduction measures:

- Provide recycling containers within all multi-family residential communities;

- Provide recycling containers within all commercial, office, and light industrial buildings;
- Provide containers for community composting within all multi-family residential communities; and
- Provide containers for community composting within all commercial, office, and light industrial buildings.

(See <http://zerowaste.ca.gov>; see also <http://www.ca-ilg.org/wastereduction>).

6.24-10 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "smart growth" principles to reduce GHG emissions (i.e., ensure mixed-use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services) consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide "smart growth" measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following "smart growth" measures:

- 60 percent of building frontages will have the principal functional entry facing a public space such as a street, square, park, paseo or plaza, but not a parking lot based on type of project;
- 75 percent of mixed-use streets shall have minimum 8-foot-wide sidewalks that front primarily commercial retail uses and all other areas will have minimum 4-foot-wide sidewalks;
- 60 percent of all housing with a density of 7 dwelling units per acre or more will lie within 0.5 mile of a transit stop;

(See <http://www.epa.gov/smartgrowth/index.htm>.)

6.24-11 Prior to implementing project approval for each tract map, the applicant shall preserve existing trees, to the extent feasible and encourage the planting of new trees consistent with the final landscape palette in the Specific Plan. Removed trees shall be replaced at a minimum 1:1 ratio in accordance with acceptable tree species defined in the final landscape palette. (See <http://www.epa.gov/dced/brownfields.htm>)

6.24-12 The Specific Plan shall be modified to include a comprehensive parking policy that disfavors private vehicle use and favors the use of alternative transportation. Comprehensive parking policy measures shall include but are not limited to the measures listed below:

- Seek approval from the appropriate County Department(s) to waive minimum parking requirements and reduce parking from the minimum standards by as much as 20 percent for projects within a quarter mile of a transit station;
- Use shared and/or centralized parking facilities consistent with a "park once" approach;
- Require that employers provide information on public transportation options to employees;
- Require that large employers (250 or more employees at a single work-site location) and encourage small employers (less than 250 employees at a single work-site location) to provide bicycle parking facilities, employee break rooms with refrigerators and microwaves, and automated teller machines (ATMs); and/or
- Require that large employers (250 or more employees at a single work-site location) provide a transportation demand management program, such as vanpools/carpools, ride-sharing/ride-matching, and/or "guaranteed ride home" services that allow employees who use public transit to get a free ride home if they need to stay at work late.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to greenhouse gases in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because they collectively reduce per capita GHG emissions to 4.6 MTCO_{2C} per person, as compared to 12 MTCO_{2C} for other nearby communities. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative greenhouse gas impacts to a less-than-significant level. Even with the implementation of

all feasible mitigation measures, the Project will continue to cause significant and unavoidable impacts by substantially increasing total greenhouse gas emissions above current levels on the Project site. Further mitigation to further reduce per capita greenhouse gas emissions are not technologically and/or financially feasible for this Project.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts regarding greenhouse gas impacts are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

2. **Conflict With A Plan To Reduce GHGs.** (*RDEIR*, § 6.24.7.3, pp. 6.24-65 to 6.24-69.)

(a) **Potential Impact.** The Project will conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases as discussed in the Revised Draft EIR, in section 6.24.7.3, at pages 6.24-65 to 6.24-69.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.24-1 Prior to the issuance of each building permit, the applicant shall provide a listing of the green building practices and design elements used in the building that reduce GHG emissions to the appropriate Planning Department. The green building practices and design elements shall be consistent with the CAP and any other green building standards adopted by either Riverside County or Imperial County. (See, e.g., California Department of Housing and Community Development's Green Building & Sustainability Resources handbook at www.hcd.ca.gov/hpd/green_build.pdf; e.g., the American Institute of Architects at <http://www.wiki.aia.org/Wiki%20Pages/Home.aspx>)

6.24-2 Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed

Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the Project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible, to the extent that it is feasible to do so based on technological and financial feasibility factors at the time of permit application.

- 6.24-3 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy efficient lighting, heating and cooling systems, appliances, equipment, and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energystar.gov/index.cfm?fuseaction=find_a_product; see also the California Energy Commission's database of appliances meeting federal or state energy standards at <http://www.appliances.energy.ca.gov>; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at <http://www.epeat.net/AboutEPEAT.aspx>; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aceee.org/ogeece/ch1_index.htm)
- 6.24-4 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at <http://www.consumerenergycenter.org/coolroof/>)
- 6.24-5 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).
- 6.24-6 Prior to the issuance of each building permit, the applicant shall provide evidence that the building is consistent with and/or does not conflict with the following Specific Planwide renewable energy targets:
- 80 percent of residential units shall meet 60 percent of their baseline demand power energy needs with renewable energy; and

- 80 percent of commercial building square footage shall meet 40 percent of their baseline demand power energy needs with renewable energy. Should the individual structure not be able to demonstrate that power provided by IID does not comply with this standard, then the individual structure shall comply by providing renewable energy power from a source within the limits of the Specific Plan.

6.24-7 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of water efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide water conservation measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following water conservation measures:

- 90 percent of all builder-installed plumbing devices in each residential buildings will be low-flow and water-efficient;
- 90 percent of all builder-installed plumbing devices in each non-residential buildings will be low-flow and water-efficient;
- Turf will not exceed 20 percent of the total landscaped area of each Planning Area, with the exception of parks, recreation centers, and schools;
- 80 percent of public and common landscape areas will use smart irrigation systems per project; and
- 80 percent of public and common landscape areas will use drought-tolerant, native, and/or water-efficient plant materials per project.

(See http://www1.eere.energy.gov/femp/program/waterefficiency_bmp5.html; see also <http://www.water.ca.gov/wateruseefficiency/landscape/>.)

6.24-8 Prior to grading final for each implementing project, the applicant or their contractor shall submit to the appropriate Public Works Department for review and approval of a site construction management plan for the reuse and recycle construction and demolition waste (including soil, vegetation, concrete, lumber, metal, and cardboard). (See <http://www.ciwmb.ca.gov/condemo/>).

6.24-9 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of reuse and recycling measures in residential, industrial, and commercial projects consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide recycling and waste reduction measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following recycling and waste reduction measures:

- Provide recycling containers within all multi-family residential communities;
- Provide recycling containers within all commercial, office, and light industrial buildings;
- Provide containers for community composting within all multi-family residential communities; and
- Provide containers for community composting within all commercial, office, and light industrial buildings.

(See <http://zerowaste.ca.gov>; see also <http://www.ca-ilg.org/wastereduction>).

6.24-10 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "smart growth" principles to reduce GHG emissions (i.e., ensure mixed-use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services) consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide "smart growth" measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following "smart growth" measures:

- 60 percent of building frontages will have the principal functional entry facing a public space such as a street, square, park, paseo or plaza, but not a parking lot based on type of project;
- 75 percent of mixed-use streets shall have minimum 8-foot-wide sidewalks that front primarily commercial retail uses and all other areas will have minimum 4-foot-wide sidewalks;
- 60 percent of all housing with a density of 7 dwelling units per acre or more will lie within 0.5 mile of a transit stop.

(See <http://www.epa.gov/smartgrowth/index.htm>.)

6.24-11 Prior to implementing project approval for each tract map, the applicant shall preserve existing trees, to the extent feasible and encourage the planting of new trees consistent with the final landscape palette in the Specific Plan. Removed trees shall be replaced at a minimum 1:1 ratio in accordance with acceptable tree species defined in the final landscape palette. (See <http://www.epa.gov/dced/brownfields.htm>)

6.24-12 The Specific Plan shall be modified to include a comprehensive parking policy that disfavors private vehicle use and favors the use of alternative transportation. Comprehensive parking policy measures shall include but are not limited to the measures listed below:

- Seek approval from the appropriate County Department(s) to waive minimum parking requirements and reduce parking from the minimum standards by as much as 20 percent for projects within a quarter mile of a transit station;
- Use shared and/or centralized parking facilities consistent with a "park once" approach;
- Require that employers provide information on public transportation options to employees;
- Require that large employers (250 or more employees at a single work-site location) and encourage small employers (less than 250 employees at a single work-site location) to provide bicycle parking facilities, employee break rooms with refrigerators and microwaves, and automated teller machines (ATMs); and/or
- Require that large employers (250 or more employees at a single work-site location) provide a transportation demand management program, such as vanpools/carpools, ride-sharing/ride-matching, and/or "guaranteed ride home" services that allow employees who use public transit to get a free ride home if they need to stay at work late.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to greenhouse gases in the Project vicinity will be substantially lessened, to the maximum extent feasible, through the implementation of the mitigation measures described above, because the implementation of those measures

reduce the Project's GHG emissions by 34.8% compared to a business as usual benchmark. However, the net increase of GHG emissions, approximately 243,200 MTCO_{2C} per year does not aid the State of California in achieving its GHG reduction goals, and exceeds the draft SCAQMD standard of significance of 25,000 MTCO_{2C} per year. No further feasible mitigation measures or project alternatives exist to further reduce this impact, due to specific economic, legal, social, technological or other considerations, as specified in *PRC* § 21081(a)(3).

(2) **Remaining Impacts.** Notwithstanding the foregoing, the implementation of the mitigation measures described above will not be sufficient to reduce all Project-specific and cumulative GHG emission impacts to a less-than-significant level, and thus will not aid in achieving the state's GHG reduction goals, compared to the existing de minimis GHG emissions on the Project site, *i.e.*, the existing CEQA baseline. (It is noteworthy, however, that the Project's GHG emissions are 34.8% less than a business as usual benchmark, reflecting remarkable progress towards a substantial per capita decrease in GHG emissions.) However, even with the implementation of all feasible mitigation measures, the Project will continue to cause these significant and unavoidable impacts with respect to the total volume of greenhouse gas emissions. Further mitigation to reduce the Project's already low per capita GHG emissions, of 4.6 MTCO_{2C} per person, is not technologically and/or financially feasible.

(3) **Overriding Considerations.** Any remaining significant Project-specific and cumulative adverse impacts with respect to greenhouse gas emissions are determined to be acceptable because they are substantially outweighed by the overriding social, economic, environmental and other benefits of the Project (*PRC* § 21081(b)), as more fully set forth in the Statement of Overriding Considerations in **Section VII** below, which is incorporated herein by this reference.

IV. Findings Regarding Significant Impacts and Potentially Significant Impacts Which Are Avoided or Mitigated To A Less Than Significant Level.

A. Agricultural Resources.

1. Cause Potential Conflicts Between Agricultural Operations and Future Project Residents. (*RDEIR*, § 6.2.7.4, pp. 6.2-64 to 6.2-71.)

(a) **Potential Impact.** The Project's potential to expose future residents to nuisances associated with agricultural operations, or to expose farms to nuisances associated with urban uses, are discussed in the Revised Draft EIR in section 6.2.7.4, at pages 6.2-64 to 6.2-71.

(b) **Mitigation Measures.** 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/Reporting Program:

6.2-1 The specific plan shall include development of a vegetative screen within the 150-foot-wide transitional agricultural buffer. The minimum standards for the vegetative screen shall include the following:

- Two staggered rows of trees and shrubs characterized by evergreen foliage that extends from the base of the plant to the crown.
- Trees and shrubs should be vigorous, drought tolerant and at least 6-feet in height at the time of installation.
- Plants should have 50 percent to 75 percent porosity (i.e., approximately 50 percent to 75 percent of the plant is air space).
- Plant height should vary in order to capture drift within 4 feet of ground applications.
- A mature height of 15 feet or more is required for trees.
- To ensure adequate coverage, 2 staggered rows should be located 5 feet apart and consist of minimum 5 gallon plants at least 6 feet tall planted 10 feet on center.
- Recommended plants include: Toyon (*Heteromeles arbutifolia*), Sugarbush (*Rhus ovata*) Laurel Sumac (*Malosma laurina*) and Italian cypress (*Cupressus sempervirens*).
- A long-term plan shall be in place for maintaining the vegetative shelter belt.

If the development of a 500-foot-wide transitional agricultural buffer is used between intensive agricultural land uses and sensitive residential and commercial land uses, the transitional agricultural buffer shall include the development of an 8-foot-tall chain link fence, placed nearest the agricultural side to deter pilferage and vandalism of crops and agricultural uses.

6.2-2 Prior to building final inspection, applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to active agricultural land (either

active agricultural land within the project site or adjacent to the project site's boundaries) to be notified pursuant to either the Right-To-Farm notice for Riverside County (Ordinance No. 460) and/or Imperial County (Right-to-Farm Ordinance) as appropriate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect, as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning nuisances related to adjacent land uses (existing agricultural uses and future Project uses) will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that there is an adequate effective buffers between agricultural and residential/commercial uses, and will ensure that future residents receive notice of the applicable Right-to-Farm ordinances.

(2) **Remaining Impacts.** Any remaining impacts concerning nuisances related to adjacent land uses (existing agricultural uses and future Project uses) will be less than significant.

B. Biology.

1. **Have a Substantial Adverse Effect On Protected and Special Status Species, Either Project Specific Or Cumulatively.** (*RDEIR, § 6.4.7.1, pp. 6.4-74 to 6.4-108.*)

(a) **Potential Impact.** The Project could have a substantial adverse effect, either directly or indirectly through habitat modifications, on species identified as a candidate, sensitive, or special status species in local or regional plans, policies or regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, as discussed in the Revised Draft EIR in section 6.4.7.1, at pages 6.4-74 to 6.4-108. The Project could also have a cumulative impact for development on land not currently subject to Riverside County's existing MSHCP fees (*i.e.*, Tribal land and land within Imperial County). The Project could also increase the potential for human intrusion on sensitive lands adjacent to the Project site, including the ABDSP, as described in § IV(L)(2) herein.

(b) **Mitigation Measures.** 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/Reporting Program:

- 6.4-1 Prior to implementing project approval, a qualified biologist currently holding an MOU with Riverside County shall conduct a focused survey for the two special-status plant species observed within the Riverside County portion of the proposed project site, chaparral sand verbena and Peirson's pebble pincushion, which are not covered under the CVMSHCP within the proposed development areas in order to determine the extent of individual plants to be impacted by implementing project design. Impacts resulting from project construction, to the two special-status plant species, shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.
- 6.4-2 Prior to implementing project approval, the project applicant shall retain a qualified biologist currently holding an MOU with Riverside County to collect seed from special-status plant species during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) areas on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.
- 6.4-3 Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Riverside County Environmental Programs Department.
- 6.4-4 Impacts resulting from project construction within the Riverside County portion of the proposed project site, to those special-status wildlife species covered under the CVMSHCP, including desert pupfish, flat-tailed horned lizard, Yuma clapper rail, burrowing owl, Crissal thrasher, Le Conte's thrasher, western yellow bat, Palm Springs round-tailed ground squirrel, and Palm Springs pocket mouse, shall be mitigated through payment of the CVMSHCP Local Development Mitigation Fee.

Prior to implementing project approval, fee payment shall be made by the project applicant to Riverside County. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Coachella Valley Conservation Commission.

- 6.4-5 Impacts resulting from project construction within the Riverside County portion of the proposed project site to Couch's spadefoot, which is not covered under the CVMSHCP, shall be mitigated.

Prior to implementing project approval, in areas of suitable habitat for Couch's spadefoot on the project site, a qualified biologist currently holding an MOU with Riverside County shall conduct focused surveys including areas of ruts or small pools, as well as the irrigation ponds, and relocate any toad individuals or eggs found. The survey shall be conducted during the active season of Couch's spadefoot (which corresponds with the rainy season). The survey results shall be submitted to the Riverside County Environmental Programs Department and Imperial County and CDFG.

- 6.4-6 Prior to implementing project approval, if the above surveys result in the observation of Couch's spadefoot within project impact areas, observed individuals and/or eggs shall be removed from project impact areas (with the prior approval of the CDFG) and relocated to predetermined suitable habitat in an appropriate area within Open Space-Conservation areas on the project site that will not be impacted. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.

Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. If suitable habitat for relocation of Couch's spadefoot is found within this area, toad individuals or eggs will be taken to this location. In addition, suitable disturbed/recovering Sonoran creosote bush scrub areas will also be considered for relocation efforts.

- 6.4-7 Prior to implementing project approval, impacts resulting from project construction to rosy boa, which is not covered under the CVMSHCP, within the Riverside County portion of the proposed project site shall be mitigated through pre-construction surveys and relocation. The

applicant shall retain a qualified biologist currently holding an MOD with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of the grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation.

If rosy boa individuals are found, an active trapping and relocation program conducted by a qualified biologist currently holding an MOU with Riverside County and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation, shall take place. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of rosy boa into the grading site. The fence shall be monitored as a regular part of construction monitoring.

Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of rosy boa.

- 6.4-8 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include loggerhead shrike and blacktailed gnatcatcher, shall be mitigated through pre-construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird

Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to ensure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting loggerhead shrike and black-tailed gnatcatcher individuals shall be conducted in trees and shrubs of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts. Where nesting loggerhead shrike and/or black-tailed gnatcatcher individuals are found, protection of nests shall include postponing or halting clearing and construction activities within 500 feet of the nest until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the Riverside County Environmental Programs Department within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

- 6.4-9 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to pallid San Diego pocket mouse, which is not covered under the CVMSHCP, shall be mitigated through focused surveys utilizing small

mammal trapping and relocation of this species. The applicant shall retain a qualified biologist currently holding a MOU with Riverside County to conduct the trapping. The survey results shall be submitted to the Riverside County Environmental Programs Department and CDFG.

Prior to implementing project approval, if pallid San Diego pocket mouse is found during small mammal trapping efforts, an active trapping and relocation program shall be conducted by a qualified biologist currently holding a MOU with Riverside County, in coordination with the CDFG. The active trapping and relocation program shall move individuals to suitable on-site or off-site habitat that will not be directly impacted by project implementation. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of pallid San Diego pocket mouse.

- 6.4-10 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to Colorado Valley woodrat, which is not covered under the CVMSHCP, shall be mitigated through pre-construction surveys and relocation. The applicant shall retain a qualified biologist currently holding an MOD with Riverside County, to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation. The biologist shall survey for Colorado Valley woodrat nests.

Where a Colorado Valley woodrat nest is found, it shall be determined by the biologist in which direction escape by any rat individuals occurring inside the nest will be encouraged. Vegetation around the nest in the opposite direction shall be cleared to discourage woodrat individuals from moving in that direction. Once vegetation in that direction is cleared, the nest shall be nudged with a front-end loader, encouraging any woodrats in the nest to exit the structure in the direction that leads toward adjacent habitat occurring within the Open Space-

Conservation land use category of the proposed project or alternatively within areas near the project site (such as ABDSP and SRSJM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements). Once any woodrats present in the nest have been encouraged to exit the nest, nest materials shall be carefully and slowly picked up with a front end loader (slowly enough that any woodrats remaining in the nest can escape), and the materials shall be moved to adjacent suitable habitat, as noted above, that will not be impacted by project development, where woodrats may scavenge nest materials to build new nests. Due to hantavirus hazards, the nest shall not be excavated by hand, and nest materials shall not be carried by hand.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of Colorado Valley woodrat shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of woodrats into the grading site. The fence shall be monitored as a regular part of construction monitoring.

- 6.4-11 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to American badger, which is not covered under the CVMSHCP, shall be mitigated through a pre-construction clearance survey. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and saltbush scrub habitats that will be developed as part of project implementation.

Prior to implementing project approval, if an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde

wash woodland habitat located in of the project site that is not planned for development. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of badgers into the grading site. The fence shall be monitored as a regular part of construction monitoring.

Prior to implementing project approval for each implementing project, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space (Conservation) land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of American badger and sufficient carrying capacity is assumed for the conserved areas.

- 6.4-12 Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include great egret, great blue heron, black-crowned night heron, double-crested cormorant, snowy egret, gull billed tern, white-faced ibis, and black skimmer, shall be mitigated through pre construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No

grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting individuals of these species shall be conducted in trees and shrubs and on the ground of Salton Sea shoreline habitat and arrowweed scrub adjacent to the Salton Sea that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts.

- 6.4-13 Proposed project construction impacts to nesting birds located in project impact areas within the Riverside County portion of the project site shall be mitigated through pre-construction nesting bird surveys and avoidance of any nesting birds found.

If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Prior to grading final for each implementing project for construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist currently holding an MOU with Riverside County to determine if active

nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Surveys shall take place in all habitat types containing trees, shrubs, or grasses. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understory, as several bird species known to the area and project site, are ground nesters, including burrowing owl, California homed lark, and mourning dove.

- 6.4-14 Impacts and potential impacts resulting from project construction within the tribal lands of the Riverside County portion of the proposed project site to those federally listed or proposed for listing special-status wildlife species protected under the CVMSHCP, such as desert pupfish, flat-tailed homed lizard, Yuma clapper rail, and Palm Springs round-tailed ground squirrel, shall be mitigated through payment of a pro-rated amount equivalent to the CVMSHCP Local Development Mitigation Fee in conjunction with consultation with US Fish and Wildlife Service. Fee payment shall be made by the proposed project applicant to Riverside County prior to issuance of grading permits for the proposed project. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Coachella Valley Conservation Commission but pro-rated to an amount equivalent to that portion covering federally listed species only.
- 6.4-15 Impacts resulting from project construction to the two special-status plant species observed within the Imperial County portion of the proposed project site, chaparral sand verbena, and Peirson's pebble pincushion, shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.

Prior to implementing project approval, a qualified biologist, shall conduct a focused survey for the two special-status plant species within

the proposed development areas in order to determine the extent of individual plants to be impacted by the implementing project design.

- 6.4-16 Prior to implementing project approval, the project applicant shall retain a qualified biologist to collect seed from special-status plant species individuals during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site designated Open Space (Conservation) will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.
- 6.4-17 Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Imperial County Department of Planning and Building, Planning Division
- 6.4-18 Proposed project construction impacts to active burrowing owl burrows located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction burrowing owl surveys and other measures described below.

Prior to implementing project approval for each implementing project, the project applicant shall retain a qualified biologist to conduct focused pre-construction burrowing owl surveys within implementing project areas and 75 meters (approximately 250 feet) of impact areas, prior to construction or site preparation activities, including grubbing or grading. Such surveys shall be conducted if ground disturbing activities commence during the burrowing owl wintering season (typically September 1 through January 31) or during the burrowing owl breeding season (typically April 15 through July 15). In accordance with the Burrowing Owl Survey Protocol and Guidelines, the pre-construction survey shall be conducted no more than 30 days prior to commencement of initial ground disturbing activity. Burrowing owl pre-construction surveys may be conducted concurrently with general nesting bird

surveys; the recommended protocol for general nesting bird surveys is provided in Mitigation Measure 6.4-22.

If active burrowing owl burrows are observed within the Imperial County portion of the implementing project impact areas or the adjacent 75 meters, during construction activities protective fencing shall be erected to provide a 75-meter buffer around the burrows during the breeding season, or a 50-meter buffer around the burrows during the wintering season. If during construction, active burrowing owl burrows are located during the breeding season, the protective fencing shall remain in place around the burrows until the young have fledged. Once the young have fledged, or if grading will occur during the non-breeding season, owls may be excluded from all active burrows through the use of exclusion devices placed in occupied burrows, in accordance with CDFG protocols. Specifically, with the approval of CDFG, exclusion devices utilizing one-way doors shall be installed in the entrances of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the proposed project impact area, as determined by a qualified biologist. If suitable, natural alternate burrowing owl burrows are not present within the vicinity of the excluded burrows (but beyond 50 meters from the project impact zone), within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls or each single bird (if not paired), where feasible, artificial burrows meeting these criteria shall be created for the owls.

Prior to implementing project approval, if construction will reduce suitable on-site habitat below the threshold level of 6.5 acres per relocated pair or single bird, off-site habitat shall be provided and could include areas near the project site (such as ABDSP, SRSJM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements. Off-site habitat shall be suitable burrowing owl habitat, as defined in the Burrowing Owl Survey Protocol and Guidelines, and CDFG shall approve the site. If the 6.5-acre threshold is not satisfied, off-site lands shall be obtained at a 1.5:1 ratio (9.75 acres per pair or single bird) for occupied habitat, at a 2:1 ratio (13 acres per pair or single bird) for habitat contiguous to currently occupied habitat, or at a 3:1 ratio (19.5 acres per pair or single bird) of suitable but unoccupied habitat. This shall be determined by a qualified biologist, at the time of implementation of ground-disturbing activities. This mitigation may be conducted concurrently with mitigating for impacts to

rosy boa, flat-tailed homed lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger, as discussed in Mitigation Measure 6.4-21. If off-site habitat is not available for purchase by the project applicant, then the applicant shall pay an in-lieu payment at the current market rate for a designated conservation area within the CVHCP.

A report shall be prepared and submitted to the CDFG upon completion of pre-construction surveys for burrowing owl and implementation of any necessary mitigation. The report shall provide the CDFG with information about survey and mitigation efforts for impacts to burrowing owl resulting from construction of the proposed project within the Imperial County portion of the proposed project site.

- 6.4-19 Prior to implementing project approval, construction impacts to breeding loggerhead shrike, black-tailed gnatcatcher, Crissal thrasher, and Le Conte's thrasher located in the project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction special-status bird surveys and other measures described below. Such surveys shall be conducted concurrently with pre-construction nesting bird surveys, and shall include reconnaissance for loggerhead shrike, black-tailed gnatcatcher, Crissal thrasher, or Le Conte's thrasher nests or individuals exhibiting breeding behavior.

If special-status bird nests are found in the Imperial County portion of the project site, clearing and construction activities within 500 feet of the nest shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the pre-construction special-status bird surveys, as well as any avoidance measures taken and the success of those measures, shall be included in the report submitted to the County of Imperial Department of Planning and Building, Planning Division, as described in Mitigation Measure 6.4-22 for nesting birds.

- 6.4-20 Prior to implementing project approval, construction impacts to rosy boa, flat-tailed homed lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger located in project impact areas within the Imperial County portion of the proposed project site shall be mitigated

through a pre-construction clearance survey and relocation. The applicant shall retain a qualified biologist, to conduct focused pre-construction surveys for the presence of these species on the proposed project site. Surveys shall be within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of Sonoran creosote bush scrub and blue palo verde wash woodland habitats.

If one of the above special-status species is observed on the project site during clearance surveys, potential loss of individual animals shall be mitigated by (1) ensuring that construction activities do not enter the specific area in which the individual was observed until the individual has been observed vacating the area and moving into nearby habitat that will not be directly impacted by project activities (appropriate for more mobile species), or (2) through an active trapping and relocation program, conducted by a qualified biologist, and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation (appropriate for less mobile species). If an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of any of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde wash woodland habitat that is not planned for development.

In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa, flat-tailed homed lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of these species into the grading site. The fence shall be monitored as a regular part of construction monitoring.

It is noted that this mitigation measure may be more successful during summer months, when species such as rosy boa and flat-tailed homed lizard are above ground and active, than during winter months, when such species are inactive. It is also noted that the success of this mitigation depends upon the trapping of individual animals, which may in some cases have moved out of the immediate area between the time of observation and the time of trapping. Therefore, it is recommended that a

best effort at pre-construction clearance surveys and a trap and relocate plan be implemented, as is determined to be feasible.

- 6.4-21 Prior to implementing project approval, construction impacts to rosy boa, flat-tailed horned lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger located in the Imperial County portion of the project site shall be mitigated through the preservation of suitable habitat currently present within the proposed project site. A portion of the Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site (Open Space-Conservation), which provides suitable habitat for these species, will remain undeveloped upon construction of the proposed project. This undeveloped area is located adjacent to open space lands to the west (ABDSP, SRSJM National Monument, and other state and federally owned lands), allowing for connectivity with nearby suitable habitat for these species. The project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland that are to remain undeveloped through a conservation easement, deed restriction, or similar mechanism. This mitigation may be conducted concurrently with mitigating for impacts to active burrowing owl burrows, as discussed in Mitigation Measure 6.4-18.
- 6.4-22 Prior to implementing project approval, construction impacts to nesting birds located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction nesting bird surveys and the other measures described below. Within 30 days of ground-disturbing activities associated with construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist, to determine if active nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understory, as several bird species

known to the area and project site, are ground nesters, including burrowing owl, California homed lark, and mourning dove.

If active nests are found, clearing and construction activities within 300 feet of the nest (500 feet for raptors) shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the County of Imperial Department of Planning and Building, Planning Division within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.

- 6.4-23 Prior to implementing project approval, impacts resulting from proposed project conversion of potential western yellow bat habitat (date palms) to residential and commercial development shall be mitigated through a pre-construction roosting bat survey and the mitigation measures described below. Palm trees that will be impacted (removed or within approximately 300 feet of construction areas) by proposed project construction shall be surveyed by a qualified biologist for western yellow bat. Surveys may involve visual examination of palm trees (especially hanging, dead palm fronds, behind which bats roost) for bat sign (stains created by body oils, urine, and guano) or study of bats utilizing on-site palm trees with an Anabat bat detector system. If visual surveys result in the observation of bat sign, but the species of bat roosting in the palm tree is unknown, an Anabat system shall be utilized to determine the species of bat utilizing the tree.

If western yellow bat is found to utilize on-site palm trees for roosting, and if impacts to palm trees with bats will commence during the western yellow bat breeding season (April through July), a qualified biologist shall inspect dead, hanging palm fronds on each palm tree to see whether young are present. If no young are observed, the roost is unlikely to be a maternal roost, and tree removal shall follow the methodology below. If young are observed and the tree is determined to be a maternal roost, tree removal shall be temporarily postponed until the project biologist has determined that the juvenile bat(s) have fledged, at which point tree removal shall continue, following the methodology below.

If, during construction, western yellow bat is determined to utilize on-site palm trees for roosting, and impacts to palm trees with bats will commence outside the western yellow bat breeding season, removal of palm trees shall commence after sundown, as western yellow bat is nocturnal and will be active and should be away from the palm tree at this time. Due to the availability of similar palm tree habitat in nearby locations, individuals would be likely to utilize palm trees in adjacent areas.

- 6.4-24 Prior to the approval of any tentative tract maps in Imperial County, impacts to sensitive species, including federal or state listed Endangered, Threatened or Species of Special Concern, shall be mitigated through the applicant's participation in a multiple species habitat conservation plan or similar program then in effect, through the payment of established mitigation fees for the long-term preservation of impacted species on the Imperial County portion of the project site. The presence or absence of such species shall be determined by site surveys conducted by a professional biologist approved by Imperial County, prior to any ground disturbance. If no such multi-species habitat conservation program is in effect at the time the applicant seeks a grading permit from Imperial County, then the applicant shall mitigate by option 1 or 2 below, or some combination thereof: (1) Set aside undisturbed open space areas, of equivalent quality habitat, on the Imperial County portion of the project site, at the ratios then established by the California Department of Fish and Game (CDFG) for any sensitive species impacted; and/or (2) Acquire suitable off-site habitat at the ratios then established by the CDFG for any sensitive species impacted. If the applicant cannot feasibly and fully mitigate all impacts to sensitive species as described above, through options 1 and 2, the applicant shall terminate its application for a grading permit in Imperial County, as agreed to in the conditions of approval imposed by Riverside County upon the Travertine Point Specific Plan, until such time as a multi-species habitat conservation program has been established in Imperial County, with application to the project site.

The implementation of the mitigation measures on tribal lands will require consideration and approval by the TMDCI. The project is subject to the implementation of a Memorandum of Understanding (MOU) between Riverside County, Imperial County, and TMDCI to address issues relating to tribal involvement on the properties within the boundaries of the specific plan. The MOU will, among other requirements, include that proposed mitigations that involve tribal lands will be permitted and implemented. As such, the mitigation proposed herein apply to the entire project regardless of jurisdiction and Mitigation

Measures 6.4-15 through 6.4-24 would equally apply to tribal lands within Imperial County.

- 6.4-25 Prior to building final inspection for each implementing project, a public awareness program shall be developed by the homeowners' association (HOA), or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. The public awareness program shall address the impact domestic cats have on local wildlife populations (especially birds and small mammals), to encourage pet owners to keep their cats indoors. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space [Conservation]) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands.) and prohibiting off-leash domestic animals from disturbing native wildlife species. The public awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.
- 6.4-26 Dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space-Conservation. Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall add a prohibition to the covenants, conditions, and restrictions (CCRs) for the community against unleashed dogs and cats in areas designated Open Space-Conservation.
- 6.4-27 Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall be responsible for maintaining these receptacles.

- 6.4-28 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.
- 6.4-29 Prior to grading final for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the Riverside County Environmental Programs Department. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates dark-sky requirements for the project site area.
- 6.4-30 Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7a through -f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist currently holding an MOU with Riverside County, and will be subject to review by the Riverside County Environmental Programs Department. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low-rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive *Acacia* species, fruiting *Olea europaea*, *Phoenix canariensis* and *Washingtonia robusta*. *Phoenix dactylifera* existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.
- 6.4-31 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Department, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational

materials emphasizing the importance of planting non-invasive, drought tolerant plants.

- 6.4-32 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and waterborne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.
- 6.4-33 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.
- 6.4-34 Prior to each implementing project approval, the Riverside County Environmental Programs Department shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space-Conservation areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP or SRSJM National Monument lands and proposed residential or commercial land uses.
- 6.4-35 Prior to building final inspection for each implementing project, a public awareness program shall be developed by the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space-Conservation) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands). The public

awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.

- 6.4-36 Prior to building final inspection for each implementing project, all dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space (Conservation). The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall add a prohibition to the CCRs for the community against unleashed dogs and cats in areas designated Open Space-Conservation.
- 6.4-37 Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site. The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining these receptacles.
- 6.4-38 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.
- 6.4-39 Prior to grading permit issuance for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the County of Imperial Department of Planning and Building, Planning Division. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates Dark Skies requirements for the project site area.
- 6.4-40 Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7a through -f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants

Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist, and will be subject to review by the County of Imperial Department of Planning and Building, Planning Division. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive *Acacia* species, fruiting *Olea europaea*, *Phoenix canariensis* and *Washingtonia robusta*. *Phoenix dactylifera* existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.

- 6.4-41 Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational materials emphasizing the importance of planting non-invasive, drought tolerant plants.
- 6.4-42 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and water-borne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.
- 6.4-43 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.

6.4-44 Prior to each implementing project approval, the County of Imperial Department of Planning and Building, Planning Division shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space (Conservation) areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP lands and proposed residential or commercial land uses.

6.4-45 Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.

Mitigation Measures 6.16-4 to 6.16-7 and 6.5-6 are incorporated herein by reference.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning protected and special status species will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will: (1) ensure the permanent preservation of sensitive habitat that helps sustain these protected and sensitive species, through both on-site preservation and substantial off-site acquisition of mitigation lands well in excess of a 1:1 ratio; (ii) ensure that significant direct impacts to protected and sensitive species are substantially lessened or avoided through focused surveys and, where necessary, avoidance and/or relocation programs; (iii) ensure adequate funding for off-site acquisition and preservation of

sensitive habitat through payment of the existing CVMSHCP fee totaling approximately \$30 million dollars, and through payment of similar fees for habitat acquisition and preservation where the CVMSHCP fee is not applicable; and (iv) minimizing potential conflicts between Project uses and adjacent wildlife areas, including the Anza-Borrego Desert State Park, the Salton Sea State Recreation Area, and the Santa Rosa and San Jacinto Mountains Conservation Area and National Monument. The mitigation measures will be fully implemented and enforceable in all portions of the Project, including tribal land and land in Imperial County, because the Project conditions of approval prohibit any grading permit or other implementing approval until a binding and enforceable MOU has been completed between Riverside County, Imperial County, and the TMDCI, that requires implementation of all mitigation measures, thus precluding any potential development-related impacts until the MOU has been fully approved by all parties. In addition, the applicant has agreed to a Condition of Approval prohibiting any development, including grading activity, on the Imperial County portion of the Project site, until Imperial County has adopted a fee mitigation program to mitigate specific and cumulative biological impacts (*i.e.*, similar to the MSHCP fee in Riverside County) or has imposed on-site and off-site habitat preservation requirements, consistent with established mitigation ratios approved by the CDFG and USFWS. The on-site preservation of sensitive habitat is considered effective mitigation because it avoids any significant development activity in those areas. Although some very limited development activity is possible in some preserved open space areas, such development (including campgrounds, cultural centers and some public utility improvements) is considered de minimus relative to the amount of acreage being preserved, and thus would not cause any significant impacts to any protected or special status species. This Finding is supported by expert opinion evidence, submitted by Dr. Daryl Koutnik, dated June 13, 2011, and the 10% area limitation imposed on such development within the Open Space Conservation Area in the Specific Plan Conditions of Approval.

Furthermore, the County finds that indirect impacts on off-site biological resources, from human intrusion, are reduced to a less than significant level by mitigation measures 6.16-4 to 6.16-7 and 6.5-6, referenced above. *See also* Final EIR explanation at pp. 2.0-81 to 2.0-92, Responses 11-3 to 11-6 and Response 12-.5. Based on the mitigation measures referenced above, the County finds that the request for an additional ½ mile buffer along the Project's western perimeter is not necessary or appropriate. In addition, the County finds that the proposed ½ mile buffer would not be financially feasible, as explained in the March 23, 2011 letter submitted by Van Stephens of FORMA, and *see* Memorandum from Impact Sciences to

Matt Straite dated 11/28/11, at pp. 99-100, in Appendix B to Final EIR, and expert financial feasibility analysis summarized therein.

(2) **Remaining Impacts.** Any remaining impacts concerning protected and special status species will be less than significant.

2. **Have A Substantial Adverse Effect On Riparian Habitat and Sensitive Natural Communities.** (*RDEIR, § 6.4.7.2, pp. 6.4-134 to 6.4-142.*)

(a) **Potential Impact.** The Project could have a substantial adverse effect on riparian habitat (including jurisdictional wetlands) or other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Game or U.S. Fish and Wildlife Service, as discussed in the Revised Draft EIR in section 6.4.7.2, pages 6.4-134 to 6.4-142.

(b) **Mitigation Measures.** 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/Reporting Program:

6.4-46 Prior to implementing project approval, impacts to 29 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Riverside County portion of the proposed project site, resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federal or state-controlled lands, or purchase of lands in a program that has already entered a conservation easement, of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.

6.4-47 Prior to implementing project approval, impacts to 67 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Imperial County portion of the proposed project site resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federally or state-controlled lands, or purchase of lands in a program that

has already entered a conservation easement) of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR. The County further finds the expert opinion of Dr. Daryl Koutnik, regarding the mitigation of impacts to riparian habitat and jurisdictional waters/wetlands, to be persuasive in establishing that impacts will be less than significant after project implementation. See Dr. Koutnik memo dated November 30, 2011

(1) **Effects of Mitigation.** The Project's potential impacts concerning riparian habitat and sensitive natural communities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure the permanent preservation of blue palo verde wash woodland of equivalent functional value to the habitat that will be impacted by the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning riparian habitat and sensitive natural communities will be less than significant.

3. **Have a Substantial Adverse Effect On Federally Protected Wetlands.**
(RDEIR, § 6.4.7.3, pp. 6.4-142 to 6.4-147.)

(a) **Potential Impacts.** The Project could cause a substantial adverse effect on federally protected wetlands, as defined by Section 404 of the Clean Water Act, through direct removal, filling, hydrological interruption, or other means, as discussed in the Revised Draft EIR in section 6.4.7.3, at pages 6.4-142 through 6.4-147.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program:

6.4-48 Prior to implementing project approval, the applicant shall retain a qualified biologist currently holding an MOU with Riverside County to

conduct a jurisdictional delineation in the Riverside County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to grading final. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-46, above.

- 6.4-49 Prior to implementing project approval, the applicant shall retain a qualified biologist, to conduct a jurisdictional delineation in the Imperial County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to issuance of a grading permit. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-47, above.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen this significant environmental effect, as identified in the Final EIR. The County further finds the expert opinion of Dr. Daryl Koutnik, regarding the mitigation of impacts to riparian habitat and

jurisdictional waters/wetlands, to be persuasive in establishing that any impacts will be less than significant after project implementation. *See* Dr. Koutnik memo dated November 30, 2011. Furthermore, the County finds the methodology used by the expert consulting firm in delineating wetlands/jurisdictional waters on the Project site, at this early programmatic stage of the Project's entitlements, to be reasonable and appropriate, as explained in the Final EIR at pp. 2.0-56 to 2.0-64, Responses 9-15 to 9-18.

(1) **Effects of Mitigation.** The Project's potential impacts concerning federally protected wetlands will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above because these measures ensure that wetlands of a similar value and size will be created or acquired so that the Project will not result in any net loss of federally protected wetlands. As explained in the Revised Draft EIR, these mitigation measures will be implemented through an enforceable MOU between Riverside County, Imperial County and the TMDCI, thus ensuring compliance on all portions of the Project site.

(2) **Remaining Impacts.** Any remaining impacts concerning federally protected wetlands will be less than significant.

C. Cultural Resources.

1. **Cause A Substantial Adverse Change In the Significance of Historical Resources.** (*RDEIR, § 6.5.7.1, pp. 6.5-43 to 6.5-45.*)

(a) **Potential Impact.** The Project could potentially cause an adverse change in the significance of a historical resource, as identified in Section 15064.5 of the State CEQA Guidelines, which is described in the Revised Draft EIR in section 6.5.7.1, at pages 6.5-43 through 6.5-45.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program:

6.5-1 Prior to issuance of a grading permit, as required by State CEQA Guidelines Sections 15064.5(e) and (f), a cultural resources management plan (CRMP) shall be prepared and submitted for the appropriate County Planning Department for review and approval. The CRMP shall contain detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains. The provisions of the CRMP should be consistent with state law as contained in Health and Safety Code Section 7050.5, and PRC Sections 5097.94 and 5097.98.

Such mitigation shall be addressed in a manner consistent with the following:

- a. If buried materials of potential historical or cultural significance are accidentally discovered during any earth-moving operations associated with the proposed project, all work in that area shall be halted or diverted until a qualified historian/archaeologist can evaluate the nature and significance of the finds. If the find is determined to be an historical resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures as discussed in the CRMP shall be implemented.
- b. If evidence of potentially significant prehistoric or historic resources is uncovered during project-related grading areas in which archaeological and Native American monitoring has already been required, the extent of monitoring shall be amended and the presence of a Native American monitors shall be incorporated into the monitoring program for all areas in the affected tentative tract.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above-described changes or alterations have been required in, or incorporated into, the Project, which avoid or substantially lessen this potentially significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts to significant historical resources will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above because it will provide for the proper treatment of unanticipated discoveries during Project construction, consistent with the established standards specified in the CEQA Guidelines section 15064.5

(2) **Remaining Impacts.** Any remaining impacts to significant historical resources will be less than significant.

2. **Cause A Substantial Adverse Change In Archaeological Resources.** (*RDEIR, § 6.5.7.2, pp. 6.5-45 to 6.5-63; and RRDEIR, pp. 6.5-54 to 6.5-55; 6.5-63 to 6.5-64; and 6.5-66 to 6.5-67.*)

(a) **Potential Impact.** The Project could cause a substantial adverse change in the significance of archeological resources as defined in Section 15064.5 of the State CEQA Guidelines, which is discussed in the Revised Draft EIR in section 6.5.7.2, at pages 6.5-45 through 6.5-63; and RRDEIR, pp. 6.5-55; 6.5-63 to 6.5-64; and 6.5-66 to 6.5-67, addressing potential direct adverse impacts

on the Project site and potential indirect impacts to cultural resources and adjacent lands, including ABDSP lands.

(b) **Mitigation Measures.** 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/Reporting Program.

6.5-2 The following standard policies and policy implementation measures shall be implemented prior to implementing project approval:

Cultural Resources Policy 1

Prior to grading final for each implementing project, a comprehensive survey program for unsurveyed areas within the project area shall be completed to identify, document, and protect, if feasible, prehistoric and historical archaeological sites, and sites containing Native American human remains.

Implementation Measure 1.1 The proposed project would be covered under the *State CEQA Guidelines* (California 2005) or Section 106 of the NHPA, and shall be surveyed by a professional who meets the Secretary of the Interior's Standards and Guidelines regarding archaeological activities and methods prior to the County's approval of proposed project plans and prior to grading final (48 CFR 44716-44742).

Implementation Measure 1.2 All archaeological site location data collected during the cultural resources surveys must be considered to be of a sensitive nature and must remain confidential. Caution must be exercised when disseminating this information; in particular, maps and site location data should be made available only to managers, County officials, and other professionals who have a legitimate need to know.

Implementation Measure 1.3 For potentially significant prehistoric archaeological resources or sites containing Native American human remains identified during the project's archaeological surveys, the project proponent, Federated Insurance Company or their designee, shall continue consultation with the NAHC in Sacramento and interested Native American individuals and organizations.

Cultural Resources Policy 2

Avoid impacts to potentially significant prehistoric and historical archaeological resources and sites containing Native American human remains, where feasible.

Implementation Measure 2.1 If cultural resources avoidance is feasible, potentially significant archaeological resources and sites containing Native American human remains shall be placed within permanent project-specific conservation easements or dedicated open space areas prior to grading final.

Implementation Measure 2.2 Where avoidance of archaeological resources and sites containing Native American human remains is not a feasible management option, capping these resources with sterile sediments and avoidance planting (e.g., planting of cactus, mesquite, or other native plants) shall be considered the next most favorable management option. In doing so, capping the resource(s) will ensure that indirect impacts from increased public availability to these sites are avoided. Plans for capping identified cultural resources shall be submitted to and approved by the County prior to map recordation.

Cultural Resources Policy 3 Reduce adverse impacts to significant archaeological resources that cannot be protected in place through data recovery excavations.

Implementation Measure 3.1 If avoidance and/or preservation in place of known prehistoric and historical archaeological resources is not a feasible management option, the project proponent shall ensure that potentially significant archaeological resource(s) and site(s) shall be investigated pursuant to the standards, guidelines, and principles of the Advisory Council's *Treatment of Archaeological Properties: A Handbook* (ACHP 1980).

Prior to grading final for each implementing project, the project applicant shall retain a qualified archaeologist who meets the *Secretary of Interior's Standards and Guidelines*, and shall use the project's Research Design detailed in the Phase I Cultural Resources Survey Report for the Travertine Point Specific Plan (Applied EarthWorks 2008) to guide the implementation of a Phase II Testing and Evaluation Program. In general terms, the Phase II Testing and Evaluation Program shall be designed to further define site boundaries and to assess the structure, content, nature, and depth of subsurface cultural deposits and features. Emphasis shall also be placed on assessing site integrity and the site's potential to address regional archaeological research questions. These data shall then be used to address the NRHP/CRHR eligibility requirements for the archaeological resource and make recommendations as to the suitability of the resource for listing on either the NRHP/CRHR.

Prior to grading final for each implementing project and after approval of the project's various cultural resources survey reports by the County, the project applicant shall retain a qualified archaeologist to complete the Phase II Testing and Evaluation Program as specified in the project's Phase II Testing and Evaluation Proposal and Research Design and prior to the issuance of a project grading permit. The results of this Phase II Testing Program shall be presented in

a technical report that follows the State of California Office of Historic Preservation *Archaeological Resource Management Report Recommended Contents and Format Guidelines* (California 1990). The Phase II Report shall be submitted to the County's Planning Department for review and comment and the Torres-Martinez Desert Cahuilla Indians prior to the issuance of a project grading permit. If the resource is determined to be ineligible for listing on the NRHP or CRHR upon completion of the Phase II Testing Program, no further cultural resources management of this resource would be required.

Implementation Measure 3.2 A participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during Phase II archaeological excavations involving all sites of Native American concern.

Implementation Measure 3.3 If the cultural resource is identified as being potentially eligible for listing on either the NRHP or CRHR, and project designs cannot be altered to avoid impacting the site, a Phase III Data Recovery Program to mitigate project effects shall be initiated. A Data Recovery Treatment Plan detailing the objectives of the Phase III Program shall be developed and shall contain specific testable hypotheses pertinent to the project's Research Design and relative to the site(s) under study. The Phase III Data Recovery Treatment Plan shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to implementation of the Data Recovery Program.

After approval of the Treatment Plan, the Phase III Data Recovery Program for affected, eligible site(s) shall be completed. Typically, a Phase III Data Recovery Program involves the excavation of a statistically representative sample of the site(s) to preserve those resource values that qualify the site(s) as being eligible for listing on the NRHP/CRHR. Again, participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during archaeological data-recovery excavations involving sites of Native American concern. At the conclusion of the Phase III Program, a Phase III Data Recovery Report shall be prepared, following the State of California Office of Historic Preservation *Archaeological Resource Management Report Recommended Contents and Format Guidelines* (California 1990). The Phase III Data Recovery Report shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to the issuance of a project grading permit.

Implementation Measure 3.4 All archaeological materials recovered during implementation of the project's Phase II Testing or Phase III Data Recovery programs shall be processed, including cleaning and cataloging, detailed description, and analysis, as appropriate. Following completion of laboratory and analytical procedures, all project-related collections shall be suitably packaged and transferred to a curation facility that meets the standards of 36 CFR 79 for

long-term storage. Materials to be curated include archaeological specimens and samples, field notes, feature and burial records, maps, plans, profile drawings, photo logs, photographic negatives, consultants' reports of special studies, and copies of the final technical reports. It should be noted that provisions of the Native American Graves Protection Repatriation Act (NAGPRA) pertaining to Native American burials, sacred objects, and objects of cultural patrimony would come into effect when archaeological materials are recovered from lands owned by the Torres-Martinez Desert Cahuilla Indians and managed by the BIA. NAGPRA would also come into effect when ownership of the collections from anywhere within the Travertine Specific Plan study area is transferred to a curation repository that receives federal funding.

Cultural Resources Policy 4

Ensure proper identification and treatment of cultural resources discovered during project development and construction.

Implementation Measure 4.1 Registered professional archaeologists and culturally affiliated Native Americans, with knowledge in cultural resources, shall monitor all project-related ground-disturbing activities that extend into natural sediments in areas determined to have high archaeological sensitivity for prehistoric resources. Prior to grading final for each implementing project, the project applicant shall include in its mitigation plan provisions for the identification and evaluation of archaeological resources inadvertently discovered during construction. If buried archaeological resources are uncovered during construction, all work shall be halted in the vicinity of the archaeological discovery until a registered professional archaeologist can visit the site of discovery and evaluate the significance of the archaeological resource.

Implementation Measure 4.2 If the archaeological resource is determined to be a potentially significant cultural resource, the project proponent's mitigation plan shall include provisions for the preparation and implementation of a Phase III Data Recovery Program, as well as disposition of recovered artifacts, in accordance with Cultural Resources Policy 3 Implementation Measure 4, above. The mitigation plan shall be reviewed and approved by the County prior to grading final.

Implementation Measure 4.3 In the event of an accidental discovery of any human remains in a location other than a dedicated cemetery on privately owned or State-owned land, the steps and procedures specified in Health and Safety Code Section 7050.5, *State CEQA Guidelines* 15064.5(d), and Public Resources Code Section 5097.98 shall be implemented. Specifically, in accordance with Public Resources Code (PRC) Section 5097.98, the Riverside County Coroner shall be notified within 24 hours of the discovery of potentially human remains. The Coroner shall then determine within two working days of being notified if the

remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC by phone within 24 hours, in accordance with PRC Section 5097.98. The NAHC shall then designate a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification.

The MLD shall then have the opportunity to recommend to the project proponent means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification. Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the MLD and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-inter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.

It should be noted in the event that Native American human remains are inadvertently discovered during the County-permitted, project-related construction activities, there would be unavoidable significant adverse impacts to these resources. Implementation of the Cultural Resources Policies 1, 2, and 3 and their corresponding implementation measures would, however, reduce impacts to other types of archaeological resources to a level that is less than significant.

Implementation Measure 4.4 The treatment and management of potential TCPs identified with the Travertine Point Specific Plan study area shall be conducted through extensive consultation with concerned Native American groups and organizations. These consultation efforts shall be conducted utilizing the County of Riverside's SB 18 consultation process.

Cultural Resources Policy 5

Ensure that the project proponent shall bear all costs associated with cultural resources management within the County's jurisdiction.

Implementation Measure 5.1 The project proponent shall bear all expenses related to the identification, evaluation, and treatment of cultural resources directly or indirectly affected by project-related construction activity. Such expenses may include pre-field planning, field work, post-field analysis, research, interim and summary report preparation, and final report production (including draft and final versions), and costs associated with the curation of project documentation and the associated artifact collections.

Implementation Measure 5.2 Prior to grading final, on behalf of the County and the project applicant, the final technical reports detailing the results of the Phase II

Testing or Phase III Data Recovery programs shall be submitted to the appropriate Archaeological Information Centers of the California Historical Resources Inventory System for their information and where they would be available to other researchers. Final Phase III Data Recovery Reports shall also be submitted to local libraries, schools, and historical societies to enable the general public to learn about their local cultural heritage.

- 6.5-3 Prior to grading final, the following sites shall be tested and evaluated in consultation with the Torres-Martinez Desert Cahuilla Indians as required, and pursuant to the requirements of Phase II Archaeological standards and practices, as approved by Riverside County, for the sites to determine integrity, data potential and significance: CA-RIV-8891 (33-17082), CA-RIV-8894 (33-17085), CA-RIV-8895 (33-17086), CA-RIV-8896 (33-17087), CA-IMP-8784 (13-009821), CA-IMP-8785 (13-009822), CA-IMP-8786 (13-009823), CA-IMP-92, CA-IMP-100, and CA-IMP-2626.
- 6.5-4 Consultation and in conjunction with the Torres-Martinez Desert Cahuilla Indians is recommended to ascertain if Phase II Testing and Evaluation is warranted for CA-IMP-33 to assess the site's content, depth, and integrity for cultural deposits, as well as data removal. It is also recommended that the modern graffiti be carefully removed from Travertine Rock in its entirety, with special care not to damage the prehistoric rock art. It is also recommended that aesthetically pleasing and protective fencing be placed around Travertine Rock. And finally, Travertine Rock should be formally nominated as a Traditional Cultural Property (TCP).
- 6.5-5 If avoidance and/or preservation in place of cultural resources is not possible, the following mitigation measures shall be initiated for each impacted site:
- (1) A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.
 - (2) Prior to grading final, the project applicant shall develop a test level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents, horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for

listing on either register. The research design shall be submitted to the County of Riverside Regional Park and Open-Space District or the County or Imperial Planning Department, as appropriate, for review and comment. For sites determined through the testing program to be ineligible for listing on either the California or National Register, execution of the testing program will suffice as mitigation of project impacts to this resource.

- (3) Prior to the issuance of a grading permit issuance for each implementing project, and after approval of the research design, the project applicant shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the County of Riverside outline for Archaeological Testing. The Test Level Report shall be submitted to the County of Riverside Regional Park and Open-Space District or the County of Imperial Planning Department, for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test level investigations will have depleted the scientific value of the sites and the project can proceed.
- (4) If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the County of Riverside Regional Park and Open-Space District or Imperial Planning Department, as appropriate, for review and comment.

6.5-6 In order to ensure that residents of the project to 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 conservation/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.

- (2) Provide authorization for the TMDCI patrols to access the applicant's property and patrol the edge of the project.
- (3) Create a volunteer Citizen Patrol, similar to the successful volunteer patrols in other Coachella Valley cities and communities, to supplement the TMDCI patrols along the boundary of the project with adjacent park lands. A local Community Policing office would be located on the Travertine Point Specific Plan site to support this program.
- (4) Create a volunteer docent program, similar to the successful volunteer programs in other Coachella Valley cities and communities, to assist in educating residents on the importance and sensitivity of nearby cultural resources and park lands.

- 6.16-4 The specific plan shall be modified such that development of the trail system within the proposed project shall not allow for the use of motorized vehicles on existing or planned trails/trailheads within or that connect to the Anza-Borrego Desert State Park or the Santa Rosa and San Jacinto Mountains National Monument. (See Mitigation Measure 6.16-6 below, deleting references to connections to off-site trails).
- 6.16-5 The specific plan shall be modified to restrict trails that are developed adjacent to the Anza-Borrego Desert State Park and the Santa Rosa and San Jacinto Mountains National Monument and shall terminate no closer than 500 feet from the project boundary and include signage discouraging off-trail access.
- 6.16-6 The proposed specific plan shall be modified to remove references to connections of on-site trails to off-site trails and add language stating that access to off-site trails from the project site shall be prohibited.
- 6.16-7 Prior to approval of any subsequent actions to implement the project in planning areas as defined in the specific plan located adjacent to the western boundary of the site, a landscaping plan shall be developed and submitted for drainage channels along the western perimeter of the project site. The landscaping plan shall require the planting of native plant species with thorns, such as cat-claw acacia and mesquite shrubs, adjacent to walls and trails on the western boundary of the site. This plan must be reviewed and approved by the Riverside or Imperial County Planning Director for the portions of the project located in each county.
- 6.4-45 Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and

the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's "direct" impacts concerning archeological resources will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that known archaeological sites that may contain significant resources will be avoided or subject to Phase II testing and evaluation, and that sites eligible for listing on the National or California Register of Historic Places will be avoided or subject to an approved Phase III data recovery program. In addition, these measures require the presence of a registered professional archaeologist and qualified tribal monitor for all grading activities in high sensitivity areas to avoid significant impacts to previously undiscovered resources.

The County finds that Indirect impacts to off-site cultural resources are mitigated to a less than significant level by imposition of new mitigation measures and conditions of approval in the RRDEIR, that create effective physical barriers to human and pet intrusion on lands adjacent to the Project site, including Mitigation Measures 6.16-4 to 6.16-7, and 6.4-45, and the revised Project features, including 6' minimum border fencing and 10'-20' deep drainage channels along the Project's western boundary with the ABDSP, as evidenced by the applicant's rebuttal slide presentation at the December 13, 2011 Board of Supervisors' hearing. The County further finds that the Project's payment of approximately \$30 million in MSHCP fees will also help protect off-site cultural resources, as stated in the CVAG document entitled: Coachella Valley MSHCP Frequently Asked Questions, Question/Answer No. 6. The County further finds certain aspects of the Project may actually improve current conditions that have allowed vandalism and artifact pilfering to occur over the past several decades, as reflected in the Torres Martinez Tribe's letter dated July 29, 2011, and photographic evidence submitted by the applicant at the December 13, 2011

Board of Supervisors' hearing. Such measures include new barriers to access, such as a steep embankment in the Project's drainage channel, fencing expanded patrols, new signage, and landscape plans that require native vegetation with thorns, thus deterring intrusion into off-site areas. Consequently, the County finds that the ½ mile buffer proposed by some commenters, for the western project boundary, is not necessary to mitigate impacts on adjacent lands, including the ABDSP, to a less than significant level. In addition, the proposed ½ mile buffer would not be financially feasible, as explained in the March 23, 2011 letter submitted by Van Stephens of FORMA.

(2) **Remaining Impacts.** Any remaining impacts concerning archeological resources will be less than significant.

3. **Disturb Unique Paleontological Resources.** (*RDEIR, § 6.5.7.3, pp. 6.5-64 to 6.5-65.*)

(a) **Potential Impact.** The Project could potentially disturb or indirectly destroy unique paleontological resources on site or unique geologic features, as discussed in the Revised Draft EIR in section 6.5.7.3, at pages 6.5-63 to 6.5-65.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.5-7 Prior to grading final for each implementing project, the areas under consideration shall be monitored by a County-approved and qualified paleontologist, who shall develop a formal agreement with a recognized museum repository, such as the Natural History Museum of Los Angeles County Vertebrate Paleontology Department (LACM). Prior to earth moving activities, the paleontologist shall coordinate with appropriate construction contractor personnel.

Should paleontological resources be discovered during earthmoving activities, work shall cease and no further disturbance shall occur in the immediate vicinity of the uncovered resource and an area 50 feet in diameter of the find. A paleontologist shall be contacted to investigate the find and, if deemed necessary, collect uncovered paleontological resources, curate any resources collected with an appropriate reposition, and file a report with the appropriate Planning Department documenting any paleontological resources that are found. Upon completion of the field investigation, collection of the resources, if necessary, and

clearance of the find by the paleontologist, earthmoving activities may resume.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning unique paleontological resources will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that any unique paleontological resources encountered during Project grading activities be properly collected, curated and documented by an approved paleontologist.

(2) **Remaining Impacts.** Any remaining impacts concerning unique paleontological resources will be less than significant.

4. **Disturb Native American Human Remains.** (*RDEIR, § 6.5.7.4, pp. 6.5-66 to 6.5-67.*)

(a) **Potential Impact.** The Project may disturb previously undetected human remains, including those interred outside of formal cemeteries, as discussed in the Revised Draft EIR in section 6.5.7.4, pages 6.5-66 to 6.5-67.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.5-8 If human remains are encountered during a public or private construction (earthmoving) activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Riverside or Imperial County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Riverside County Coroner must be notified within 24 hours.

If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendent (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.

Upon clearance by the coroner and the NAHC for Native American remains, construction (earthmoving) activities may resume.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning Native American human remains will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that if any Native American human remains are encountered during grading activities, the disposition of the burial will be properly handled through the Native American Heritage Commission and the most likely descendent for the area.

(2) **Remaining Impacts.** Any remaining impacts concerning Native American human remains will be less than significant.

D. Geology and Soils.

I. **Expose People or Structures to Seismic Ground Shaking.** (*RDEIR, § 6.6.7.2, pp. 6.6-36 to 6.6-37.*)

(a) **Potential Impact.** the Project could potentially expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving strong seismic ground shaking, as discussed in the Revised Draft EIR in section 6.6.7.2, pages 6.6-36 to 6.6-37.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-1 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or

Imperial County Department of Public Works (or equivalent) for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning seismic ground shaking will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because the measure will ensure that all structures will comply with the established design criteria and construction/engineering techniques, based upon the results of site-specific investigations, which reduce risks from seismic ground shaking to a level of less than significant.

(2) **Remaining Impacts.** Any remaining impacts concerning seismic ground shaking will be less than significant.

2. **Expose People or Structures to Liquefaction/Ground Failure.**
(*RDEIR, § 6.6.7.3, pp. 6.6-38 to 6.6-40.*)

(a) **Potential Impact.** The Project could expose people or structures to potential substantial adverse effects, including the risk of loss, injury, or death involving seismic-related ground failure, including liquefaction, as discussed in the Revised Draft EIR in section 6.6.7.3, at pages 6.6-38 to 6.6-40.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-2 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

6.6-3 Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning liquefaction and other seismic-related ground failure will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure compliance with the established standards for remedial grading, which reduces liquefaction and other seismic-related ground failure impacts to a less than significant level.

(2) **Remaining Impacts.** Any remaining impacts concerning liquefaction and other seismic-related ground failure will be less than significant.

3. **Expose People or Structures to Landslides.** (*RDEIR, § 6.6.7.4, pp. 6.6-41 to 6.6-42.*)

(a) **Potential Impact.** The Project could expose people or structures to potential harm, including the risk of loss, injury or death involving landslides, as discussed in the Revised Draft EIR in section 6.6.7.4, at pages 6.6-41 to 6.6-42.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure,

which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-4 Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall analyze site-specific soils for erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department – Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning landslides will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because the measure will ensure compliance with geotechnical engineering and construction standards to reduce risks from landslides to a less than significant level.

(2) **Remaining Impacts.** Any remaining impacts concerning landslides will be less than significant.

4. **Result In Substantial Soil Erosion.** (*RDEIR, § 6.6.7.5, pp. 6.6-43 to 6.6-47.*)

(a) **Potential Impact.** The Project could result in substantial soil erosion or the loss of topsoil, as discussed in the Revised Draft EIR in section 6.6.7.5, at pages 6.6-43 to 6.6-47.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-5 Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National

Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:

- **Pre-Grading:** The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations.
- **Pre-Grading:** Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings, parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized.
- **During Grading:** Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing.
- **Post-Grading:** All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped.
- **Landscape and irrigation** shall be installed per future plan submittals.

6.6-6 Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and

Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning soil erosion will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures ensure compliance with all applicable requirements of the CRRWQCB to avoid soil erosion, including preparing and complying with the terms of a Storm Water Pollution Prevention Plan and a Storm Water Quality Management Plan for all implementing projects within the Specific Plan, thus reducing potential soils erosion impacts to less than significant.

(2) **Remaining Impacts.** Any remaining impacts concerning soil erosion will be less than significant.

5. **Cause Construction on Unstable Soils.** (*RDEIR, § 6.6.7.6, pp. 6.6-46 to 6.6-50.*)

(a) **Potential Impact.** The Project, or portion thereof, may be located on a geologic unit or soil that is unstable, or that would become unstable, as a result of the Project, and potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction or collapse as discussed in the Revised Draft EIR in section 6.6.7.6, at pages 6.6-46 to 6.6-50.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.6-7 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department-Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.
- 6.6-8 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County Planning Department—Geology or the Imperial County Department of Public Works, as appropriate, to identify potential impacts related to subsidence. The geotechnical studies shall identify appropriate construction techniques to be used during grading and building design such as the compaction of soils, modified grading techniques, use of spread footings, the use of post-tensioned slabs, and other methods.
- 6.6-9 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific soil conditions, including the potential for collapsible soils, shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works (or equivalent) for review and approval. Recommended mitigations may include over excavation of the subject soils and recompaction on new engineered fill material, possibly pre-saturating the subject soils, and provision of proper surface drainage away from structures and building foundations.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning construction on unstable soils will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures require site-specific geotechnical investigations, and will ensure compliance with established construction techniques and grading standards to minimize any risk from unstable soils, based upon the results of those site specific geotechnical investigations.

(2) **Remaining Impacts.** Any remaining impacts concerning construction on unstable soils will be less than significant.

6. **Cause Construction On Expansive Soils.** (*RDEIR, § 6.6.7.7, pp. 6.6-50 to 6.6-52.*)

(a) **Potential Impact.** The Project, or portions thereof, may be located on expansive soils, which could create substantial risks to life or property, as discussed in the Revised Draft EIR in section 6.6.7.7, at pages 6.6-50 to 6.6-52.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.6-10 Prior to implementing project approval, site-specific geotechnical studies, including soil expansion tests, shall be prepared and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works, as appropriate, and shall include appropriate construction methods to reduce impacts from expansive soils.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning expansive soils will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it requires site specific geotechnical studies, and will ensure compliance with established standards for construction remedial grading techniques for expansive soils, based upon the results of the site-specific geotechnical studies.

(2) **Remaining Impacts.** Any remaining impacts concerning expansive soils will be less than significant.

7. **Expose People or Structures to Major Hazards.** (*RDEIR, §§ 6.6.7.9 and 6.6.7.10, pp. 6.6-54.*)

(a) **Potential Impact.** The Project could potentially expose people or structures to major hazards beyond an acceptable level, as discussed in the Revised Draft EIR in sections 6.6.7.9 and 6.6.7.10, at page 6.6-54.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.6-1 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-2 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-3 Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.
- 6.6-4 Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall

analyze site-specific soils erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

6.6-5 Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:

- Pre-Grading: The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations.
- Pre-Grading: Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings, parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized.
- During Grading: Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing.
- Post-Grading: All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped.
- Landscape and irrigation shall be installed per future plan submittals.

- 6.6-6 Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.
- 6.6-7 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department—Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning geotechnical hazards to people and structures will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures require site-specific geotechnical investigations, and will ensure compliance with established standards for geotechnical engineering techniques, construction techniques, and remedial grading based upon the

results of the site-specific investigations, which will reduce such impacts to a level of less than significant.

(2) **Remaining Impacts.** Any remaining impacts concerning geological hazards to people and structures will be less than significant.

8. **Cause Impacts to Soil As A Natural Resource.** (*RDEIR*, § 6.6.7.11, p. 6.6-56.)

(a) **Potential Impact.** The Project could potentially create substantial erosion or otherwise diminish soil as a natural resource as discussed in the Revised Draft EIR in section 6.6.7.11, at page 6.6-56.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

- 6.6-1 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department-Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-2 Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.
- 6.6-3 Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map

application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.

6.6-4 Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall analyze site-specific soils erosion, sedimentation, and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.

6.6-5 Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:

- Pre-Grading: The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations.
- Pre-Grading: Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings,

parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized.

- **During Grading:** Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing.
- **Post-Grading:** All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped.
- **Landscape and irrigation shall be installed per future plan submittals.**

6.6-6 Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.

6.6-7 Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department—Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning soil as a natural resource will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure adequate protection from erosion and other impacts to on-site soils, consistent with the established standards and requirements imposed and monitored by the CRRWQCB and Riverside and Imperial Counties.

(2) **Remaining Impacts.** Any remaining impacts concerning soil as a natural resource will be less than significant.

E. Hazards and Hazardous Materials.

1. **Create A Significant Hazard By Routine Transport, Use and Disposal of Hazardous Materials.** (*RDEIR, § 6.7.7.1, pp. 6.7-26 to 6.7-33.*)

(a) **Potential Impact.** The Project could create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials, including the use of pesticides on adjacent agricultural lands, as discussed in the Revised Draft EIR in section 6.7.7.1, at pages 6.7-26 to 6.7-33.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.2-1 The specific plan shall include development of a vegetative screen within the 150-foot-wide transitional agricultural buffer. The minimum standards for the vegetative screen shall include the following:

- Two staggered rows of trees and shrubs characterized by evergreen foliage that extends from the base of the plant to the crown.
- Trees and shrubs should be vigorous, drought tolerant and at least 6-feet in height at the time of installation.
- Plants should have 50 percent to 75 percent porosity (i.e., approximately 50 percent to 75 percent of the plant is air space).

- Plant height should vary in order to capture drift within 4 feet of ground applications.
- A mature height of 15 feet or more is required for trees.
- To ensure adequate coverage, 2 staggered rows should be located 5 feet apart and consist of minimum 5 gallon plants at least 6 feet tall planted 10 feet on center.
- Recommended plants include: Toyon (*Heteromeles arbutifolia*), Sugarbush (*Rhus ovata*) Laurel Sumac (*Malosma laurina*) and Italian cypress (*Cupressus sempervirens*).
- A long-term plan shall be in place for maintaining the vegetative shelter belt.

If the development of a 500-foot-wide transitional agricultural buffer is used between intensive agricultural land uses and sensitive residential and commercial land uses, the transitional agricultural buffer shall include the development of an 8-foot-tall chain link fence, placed nearest the agricultural side to deter pilferage and vandalism of crops and agricultural uses.

- 6.2-2 Prior to building final inspection, applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to active agricultural land (either active agricultural land within the project site or adjacent to the project site's boundaries) to be notified pursuant to either the Right-To-Farm notice for Riverside County (Ordinance No. 460) and/or Imperial County (Right-to-Farm Ordinance) as appropriate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the routine transport, use and disposal of hazardous materials, including pesticides, will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that pesticides and other hazardous materials used on nearby agricultural properties do not drift into developed areas of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning routine transport, use and disposal of hazardous materials will be less than significant.

2. **Create A Significant Hazard of Accidental Release of Hazardous Materials.** (RDEIR, § 6.7.7.2, pp. 6.7-34 to 6.7-35.)

(a) **Potential Impact.** The Project operations could create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazard materials into the environment, including as a result of locating development in the vicinity of the Oasis Landfill, as discussed in the Revised Draft EIR in section 6.7.7.2, at pages 6.7-34 to 6.7-40.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.22-8 Prior to implementing project approval for Planning Areas 2-17, 2-21, 2-19, and 2-20, the applicant(s) shall provide for a buffer and restrict development adjacent to the active or closed landfill from the Oasis Landfill property line for a distance of a minimum of 1,000 feet and a maximum of 1,320 feet originating at the Oasis Landfill disposal footprint, until the landfill is closed to provide adequate spacing for monitoring probes, as recommended by the RCWMD and in accordance with the Southern California Air Quality Management District's Rule 1150.1.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the accidental release of hazardous materials will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure an adequate buffer between future residents and operations at the Oasis Landfill.

(2) **Remaining Impacts.** Any remaining impacts concerning the accidental release of hazardous materials will be less than significant.

3. **Emit Hazardous Emissions In Proximity to Schools.** (*RDEIR, § 6.7.7.3, pp. 6.7-40 to 6.7-43.*)

(a) **Potential Impact.** The Project could potentially emit hazardous emissions or allow the handling of hazardous or cutely hazardous materials, substances, or wastes within 0.25 miles of an existing or proposed school as discussed in the Revised Draft EIR in section 6.7.7.3, at pages 6.7-40 to 6.7-43.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.7-1 Proposed school sites shall undergo subsequent environmental review prior to construction as required by the Coachella Valley Unified School District (CVUSD). Final locations shall be subject to the review and approval of the CVUSD subject to the requirements of the California Department of Education (CDE) and the Department of Toxic Substances Control (DTSC).

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the proximity of schools to hazardous materials and emissions will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that no schools will be located in areas that could potentially be exposed to unsafe levels of hazardous materials or emissions.

(2) **Remaining Impacts.** Any remaining impacts concerning the proximity of schools to hazardous materials and emissions will be less than significant.

4. **Cause Exposure to Excess Levels of Hazardous Materials.** (*RDEIR, § 6.7.7.9, pp. 6.7-48 to 6.7-54.*)

(a) **Potential Impact.** The Project could expose people or the environment to hazardous materials in excess of federal, state, or local regulatory standards, as discussed in the Revised Draft EIR in section 6.7.7.9, at pages 6.7-48 to 6.7-54.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.7-2 Prior to implementing project approval and grading final, future applicants for implementing projects and grading permits on the project site shall conduct a site survey by a County-approved licensed professional to identify and remediate all contaminated soils on the project site. All pesticide residue measured in on-site soils shall not exceed the applicable Preliminary Remediation Goals and the survey report shall be approved and documented by the Riverside County Department of Environmental Health or the Imperial County Public Health Department.
- 6.7-3 Prior to implementing project approval, the applicant shall submit plans to the CVMVCD which identify potential breeding sources for mosquitoes (such as standing water in street catch basins, subdivision drains, roadside ditches, flood channels, ravines, and 6.7 Hazards and Hazardous Materials Impact Sciences, Inc. 6.7-54 Travertine Point Revised Draft EIR 0881.001 November 2010 similar places on public right-of-way and parks) that demonstrate designs that would minimize such breeding sources.
- 6.7-4 Prior to building final inspection for each development phase, the homeowner's associations (HOAs) shall coordinate with the CVMVCD to provide public pamphlets that provide information to minimize mosquito breeding grounds and the HOAs shall work with the CVMVCD to control the mosquito population.
- 6.7-5 Work crews shall use respirators during project clearing, grading, and excavation operations, in accordance with California Division of Occupational Safety and Health regulations. The cabs of grading and construction equipment shall be air conditioned.
- 6.7-6 Construction roads shall be paved, when possible, to reduce fugitive dust and potential exposure to the fungus; or the access road into the project site shall be paved or treated with environmentally safe dust control agents, and where unpaved shall be wetted two times per day to minimize dust.
- 6.7-7 Prior to building final inspection for each planning area, the HOA, in coordination with government authorities (i.e., California Fish and Game), shall prepare public outreach programs and information

pamphlets regarding the potential danger of digesting fish and waterfowl tissue which would be contaminated with selenium.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning exposure to excess levels of hazardous materials will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will limit the release of hazardous materials during grading activities, and will limit the exposure of workers and future residents to unsafe levels of hazardous materials and emissions.

(2) **Remaining Impacts.** Any remaining impacts concerning exposure to excess levels of hazardous materials will be less than significant.

F. Hydrology and Water Quality.

1. **Violate Any Water Quality and Waste Discharge Requirements.**
(RDEIR, § 6.8-51 to 6.8-59.)

(a) **Potential Impact.** The Project could potentially violate applicable water quality standards or waste discharge requirements, as discussed in the Revised Draft EIR, section 6.8.7.1, at pages 6.8-51 to 6.8-59.

(b) **Mitigation Measures.** 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/Reporting Program.

6.8-1 Prior to grading final for each implementing project, a project-specific water quality management plan (WQMP) shall be submitted to Riverside County and/or Imperial County Public Works department for review and approval.

6.8-2 Prior to grading final for each implementing project, a detailed operation and maintenance plan shall be submitted to the Riverside County or Imperial County Public Works Department, and Coachella Valley Water District, for review and approval for the as-built project conditions.

- 6.8-3 Prior to grading final for each implementing project, a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and submitted to the Regional Water Quality Control Board for review approval. The SWPPP shall identify potential sources of pollution and specify runoff controls or BMPs during construction for the purpose of minimizing the discharge of pollutants in stormwater from the construction area. In addition, the SWPPP must identify post-construction control measures and a monitoring plan.
- 6.8-4 Periodic inspection of the conditions of the channels will need to be performed year round and after significant precipitation events will be required to be performed by each homeowner-owner association (HOA). Annual inspection reports shall be prepared by each HOA, and submitted to and filed with the Coachella Valley Water District by June 30th of each calendar year.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning compliance with water quality and waste discharge standards will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that construction activities and project operations comply with all applicable requirements of the Colorado River Basin RWQCB, and will reduce any discharge of pollutants of concern to the maximum extent feasible.

(2) **Remaining Impacts.** Any remaining impacts concerning compliance with water quality and waste discharge standards will be less than significant.

2. **Substantially Alter Drainage Patterns.** (*RDEIR*, § 6.8.7.3, pp. 6.8-62 to 6.8-72.)

(a) **Potential Impact.** The Project could substantially alter the existing drainage pattern of the site or area, including alteration of the course of a stream or river, in a manner that would result in substantial erosion or siltation on or off-site as discussed in the Revised Draft EIR in section 6.8.7.3, at pages 6.8-62 to 6.8-72.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.8-5 Prior to grading final for each implementing project, the applicant shall provide a plan for re-routing or connecting to existing irrigation and drainage facilities. This may include use of or alternation to facilities operated by or within the rights-of-way of other entities. The plan shall be submitted to the appropriate agency (US Bureau of Reclamation, Caltrans or Coachella Valley Water District) for review and approval.
- 6.8-6 During grading, the existing under-drainage system (tile drains), shall be preserved, where possible, to reduce potential adverse effects due to groundwater. Light weight excavation equipment shall be used where excavations come near the existing tile drains to prevent damage to the underdrainage system. Where the tile drains are to be disrupted or exposed during grading, a replacement set of drains will be needed. The grading and construction aspects of the underdrainage system shall be performed under the guidance, observation/documentation, and recommendations of the Project Geologist. A formal evaluation of the installed subdrainage system, including the remaining tile drains, shall be evaluated for operation and flow once grading activities are completed. This report shall be prepared by the Project Geologist, the Project Civil Engineer, or the Project Agricultural/Civil Engineer and submitted to Riverside County for review.
- 6.8-7 The location, nature, and importance of the subdrainage system shall be disclosed to the ultimate owners of the property, so that the property owners can avoid damage to the drains' or negatively affect the drains' performance. In addition to disclosure to potential homeowners, tile drains that cross onto private lots shall be protected by one or more of the following mechanisms: the creation of easements, CC&R protocols, identification through flagging or risers, or other suitable mechanisms.
- 6.8-8 Prior to implementing project approval, the applicant shall submit to CVWD for review and approval and hydrologic study that evaluates the potential flows from Un-Named Canyon-Fan 6 and Barton Canyon-Fan 5. This study will identify facilities to be constructed to collect, route and discharge flows in a manner compatible with pre-project/existing conditions across the project site.
- 6.8-9 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to further define flow conditions related to Channel 4 at

SR-86S and for all channels east of SR 86S, and provide for the design of such facilities such that discharge is released in a manner consistent with pre-project/existing conditions, or alternatively, provide for storage or discharge flows within the boundaries of the northern portion of the proposed project or off-site with approval and easements from adjacent property owners.

- 6.8-10 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential erosion issues within the proposed channels to demonstrate that the channels remain stable, maintain their flood conveyance capacity, and do not alter properties upstream of the proposed project.
- 6.8-11 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential sediment depositions in the Salton Sea and downstream properties. The report shall provide for design considerations to be implemented in proposed Channels 1, 2 and 3, as appropriate.
- 6.8-12 Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a plan for the management, operation and maintenance of the flood control system.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning drainage patterns will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will protect the existing under-drainage system, will avoid potentially significant erosion or sedimentation impacts, and will ensure that storm flows are collected, routed, and discharged in a manner compatible with existing conditions.

(2) **Remaining Impacts.** Any remaining impacts concerning drainage patterns will be less than significant.

G. Noise.

1. Cause Exposure to Excess Noise Levels. (RDEIR, § 6.11.7.1, pp. 6.11-29 to 6.11-40.)

(a) **Potential Impact.** The Project could expose people to or generate noise levels in excess of standards established in the local general plan or noise ordinance, or applicable standards of other agencies as discussed in the Revised Draft EIR, section 6.11.7.1, at pages 6.11-29 to 6.11-40.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.11-1 Where feasible and consistent with the Riverside County or Imperial County standards, any paving or repaving of off-site roadways that must be conducted in conjunction with implementation of the specific plan should utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by as much as 3 to 5 dB(A).
- 6.11-2 With permission from the Riverside County and/or Imperial County Transportation Departments, speed limits on arterials experiencing significant noise impacts off-site should be reduced from existing speed limits. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).
- 6.11-3 Prior to implementing project approval for each implementing project, for residential lots located within the 60 dB(A) CNEL or greater noise contour in Imperial County; or 65 dB(A) CNEL or greater noise contour or adjacent to a road that is classified as a secondary or larger in Riverside County, an acoustic analysis shall be required to address requirements for determining and mitigating traffic noise impacts to residential structures. The acoustical analysis must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department). Methods that may be implemented to meet the standards include, but are not limited to, providing noise walls of sufficient size to break the line of sight between roadways and residential areas, providing open-space buffers, providing natural barriers such as hills, berms, boulders, and dense vegetation, or a combination of these methods.

- 6.11-4 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to parking lot noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene). Methods that may be employed to reduce parking lot noise may include a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within residential uses where these uses interface.
- 6.11-5 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to loading dock noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce parking lot noise may include designing loading docks to have either a depressed (i.e., below grade) loading dock area, an internal bay, or a wall to break the line of sight between residential land uses and loading operations.
- 6.11-6 Prior to implementing project approval, a future noise study is required to address the stationary commercial noise standard as it relates to mechanical, electrical, or other related commercial type noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the

Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce mechanical, electrical, or other commercial type noise may include locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into building design.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning exposure to excess noise levels will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that on-site noise levels will not exceed the established maximum thresholds, including those set forth in Riverside County's Noise Element of the General Plan.

(2) **Remaining Impacts.** Any remaining impacts concerning exposure to excess noise levels will be less than significant.

2. **Expose People to Excessive Groundborne Vibration and Noise.**
(*RDEIR, § 6.11.7.2, pp. 6.11-40 to 6.11-42.*)

(a) **Potential Impact.** The Project's construction activities could produce ground vibrations sufficient to be audible, or even felt, near the Project site, as discussed in the Revised Draft EIR, section 6.11.7.2, at pages 6.11-40 to 6.11-42.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.11-7 Prior to grading final for each implementing project, the construction contractors shall use best management practices (BMPs) to reduce vibration due to specific plan construction activities by implementing the following:

- identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment;

- installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment;
- adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would affect structures, the sensitivity of vibration sensitive equipment, and/or human tolerance;
- utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving;
- providing notification to the residential land uses directly adjacent to the project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds;
- conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the project site at the same time;
- selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or
- operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites, using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible.

The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor the conditions to determine that these BMPs are being utilized correctly and efficiently in order to reduce vibration impacts throughout the proposed project.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above-described changes or alterations have been required in, or incorporated into, the Project, which would avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning excessive groundborne vibration and noise will be substantially lessened to a level of less than significant through

implementation of the mitigation measure described above, because it will ensure that groundborne vibration will be reduced to the maximum extent feasible, and will be monitored to avoid impacts to nearby homes and residents.

(2) **Remaining Impacts.** Any remaining impacts concerning groundborne vibration and noise will be less than significant.

3. **Cause A Permanent Increase In Ambient Noise Levels.** (*RDEIR, § 6.11.7.3, p. 6.11-43.*)

(a) **Potential Impact.** The Project could potentially cause a permanent increase in ambient noise levels in the project vicinity above levels existing without the Project, as discussed in the Revised Draft EIR in section 6.11.7.3, at page 6.11-43.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, which are hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

- 6.11-1 Where feasible and consistent with the Riverside County or Imperial County standards, any paving or repaving of off-site roadways that must be conducted in conjunction with implementation of the specific plan should utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by as much as 3 to 5 dB(A).
- 6.11-2 With permission from the Riverside County and/or Imperial County Transportation Departments, speed limits on arterials experiencing significant noise impacts off-site should be reduced from existing speed limits. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).
- 6.11-3 Prior to implementing project approval for each implementing project, for residential lots located within the 60 dB(A) CNEL or greater noise contour in Imperial County; or 65 dB(A) CNEL or greater noise contour or adjacent to a road that is classified as a secondary or larger in Riverside County, an acoustic analysis shall be required to address requirements for determining and mitigating traffic noise impacts to residential structures. The acoustical analysis must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department). Methods that may be implemented to meet the standards

include, but are not limited to, providing noise walls of sufficient size to break the line of sight between roadways and residential areas, providing open-space buffers, providing natural barriers such as hills, berms, boulders, and dense vegetation, or a combination of these methods.

- 6.11-4 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to parking lot noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene). Methods that may be employed to reduce parking lot noise may include a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within residential uses where these uses interface.
- 6.11-5 Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to loading dock noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce parking lot noise may include designing loading docks to have either a depressed (i.e., below grade) loading dock area, an internal bay, or a wall to break the line of sight between residential land uses and loading operations.
- 6.11-6 Prior to implementing project approval, a future noise study is required to address the stationary commercial noise standard as it relates to mechanical, electrical, or other related commercial type noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45

dB(A) – 10-minute noise equivalent level (L_{eq}) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) – 10-minute L_{eq} , between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce mechanical, electrical, or other commercial type noise may include locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into building design.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning ambient noise levels will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure that on-site and off-site ambient noise levels do not exceed the established threshold of significance, and will not increase substantially as a result of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning ambient noise levels will be less than significant.

H. Population and Housing.

1. Induce Substantial Population Growth. (*RDEIR*, § 6.12.7.1, pp. 6.12-30 to 6.12-48.)

(a) **Potential Impact.** The Project will induce substantial population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure), as discussed in the Revised Draft EIR in section 6.12.7.1, at pages 6.12-30 to 6.12-48.

(b) **Mitigation Measures.** 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/Reporting Program.

6.12-1 The specific plan's implementation measures shall be modified as follows:

- Prior to the issuance of building permit for the 3,133th residential unit, 117 affordable housing units or credits shall be available.
- Prior to issuance of building permit for the 6,658th residential unit, 200 (317 cumulative) affordable housing units or credits shall be available.
- Prior to the issuance of building permit for the 9,628th residential unit, 516 (833 cumulative) affordable housing units or credits shall be available.
- Prior to the issuance of building permit for the 15,160th residential unit, 583 (1,416 cumulative) affordable housing units or credits shall be available.
- Prior to the issuance of building permit for the 16,405th residential unit, 250 (1,666 cumulative) affordable housing units or credits shall be available.

6.12-2 The specific plan's implementation measures shall be modified as follows:

- Prior to the issuance of building permit for the 3,250th residential unit, 89,000 square feet of nonresidential development is required to be built and occupied.
- Prior to issuance of building permit for the 6,500th residential unit, 440,500 square feet (529,500 square feet cumulative) of non-residential development is required to be built and occupied.
- Prior to issuance of building permit for the 9,500th residential unit 1,100,000 square feet (1,629,500 square feet cumulative) of non-residential development is required to be built and occupied.
- Prior to issuance of building permit for the 13,500th residential unit, 2,400,000 square feet (4,029,500 square feet cumulative) of non-residential development to be built and occupied.
- Prior to the build out of 15,000th residential unit, 1,000,000 square feet (5,029,500 square feet cumulative) of non-residential development is required to be built and occupied.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR. The County also finds that the Project's reservation of 10% of its total units for affordable housing, approximately 1,665 units, is consistent with the affordable housing policies stated in the County's current General Plan Housing Element and updated draft Housing Element, currently available for public review. See County Counsel testimony at December 13, 2011 Board of Supervisors hearing. Finally, the County finds that it would be financially infeasible to increase the percentage of affordable units from 10% to 40% based on the financial feasibility reports submitted to County Staff, including but not limited to the December 30, 2011 letter from DPF to Matt Straite.

(1) **Effects of Mitigation.** The Project's potential impacts concerning population growth will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that the Project adds both jobs and affordable housing units to the area, commensurate with the population growth caused by the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning population growth will be less than significant.

I. Public Services – Fire Protection.

1. Cause Adverse Impacts by Development of New Fire Facilities.
(RDEIR, § 6.13.7.1, pp. 6.13-20 to 6.13-26.)

(a) **Potential Impact.** The Project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for fire protection services, as discussed in the Revised Draft EIR in section 6.13.7.1, at pages 6.13-20 to 6.13-26.

(b) **Mitigation Measures.** 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/Reporting Program.

6.13-1 Prior to final building inspection for the 2,000th residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.

- 6.13-2 Prior to final building inspection for the 4,000th residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.
- 6.13-3 Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide fire protection services to the portion of the project site within the Salton City Community Service District service area. This agreement shall address the timing of the construction of the fire station to be provided to the Salton City Community Services District.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning fire facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate additional fire facilities will be constructed as the Project is built out, thus providing for sufficient fire protection, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biological, noise and air quality mitigation.

(2) **Remaining Impacts.** Any remaining impacts concerning fire facilities will be less than significant.

2. **Cause Inadequate Fire Protection Services.** (*RDEIR, § 6.13.7.3, pp. 6.13-28 to 6.13-33.*)

(a) **Potential Impact.** The Project could potentially place residents or the general public in situations of endangerment as a result of inadequate services, resources, and/or safety measures, as discussed in the Revised Draft EIR in section 6.13.7.3, at pages 6.13-28 to 6.13-33.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.13-4 Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire-flow plans to the RCFD and SCSD, as appropriate, which include fire-flow requirements within commercial projects to be based on square footage and type of construction associated with development of the structures.
- 6.13-5 Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire flow plans to the RCFD ensuring that all water mains and fire hydrants providing required fire flows would be constructed in accordance with the appropriate development schedule sections of Riverside County Ordinance No. 460 and/or Ordinance No. 787. Each fire flow plan that is submitted would be reviewed and approved by the RCFD prior to final building inspection.
- 6.13-6 Prior to final building inspection for each implementing project within the Imperial County portion of the specific plan, applicants for implementing projects shall submit plans for review for the installation of fire hydrants in residential, commercial, and industrial areas and for the installation of fire protection systems in residential, commercial, and industrial buildings to plan and specifications. These plans shall be submitted to and reviewed by the appropriate water utility agency serving the Imperial County portion of the specific plan, the Imperial County Public Works Department, the Imperial County Fire Department, and the Uniform Fire Code and the SCSD.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning fire protection services will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate fire flows are available to serve the Project development, consistent with the applicable requirements for each type of development within the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning fire protection services will be less than significant.

3. **Cause Development In A High Fire Hazard Area.** (RDEIR, § 6.13.7.4, pp. 6.13-33 to 6.13-37.)

(a) **Potential Impact.** The Project could locate development in a High Fire Hazard Area without a Community Water System, as discussed in the Revised Draft EIR in section 6.13.7.4, at pages 6.13-33 to 6.13-37.

(b) **Mitigation Measures.** 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/Reporting Program.

6.13-7 Prior to grading final, the construction contractor shall provide a plan for review and approval by RCFD and/SCSD to demonstrate that during all grading and site clearance activities, all earth-moving equipment shall be equipped with spark arrestors and at least two portable fire extinguishers per vehicle. All equipment used in the vegetation-clearance phase shall be equipped with spark arrestors and best available fire safety technology. The vegetation-clearance activities shall be coordinated with and approved by the RCFD or SCSD in advance.

6.13-8 Prior to building final permit, the applicant shall submit proof that all structures adjacent to open space shall be designed to satisfy at least a 1-hour fire-resistant rating. Such structures shall incorporate fire retardant features such as boxed-in eaves, reduced overhangs, double-paned windows, convection resistant roof design, non-combustible roofing material, and related design features, as determined necessary by the RCFD and/or SCSD. Building permits shall not be issued until review of fire-retarding architectural features has been completed by the RCFD and/or SCSD. Design standards meeting RCFD and/or SCSD shall be included in the Fire Hazard Reduction Program and incorporated into the Fire Hazard Reduction Design Guidelines for the residential units.

6.13-9 The specific plan shall incorporate provisions for fuel-modification zones to minimize the potential exposure of the developed areas to wildfire hazards consistent with the requirements of RCFD and SCSD. A landscaped/fuel-modification buffer shall be required surrounding each home site and structure in planning adjacent to open space areas. The following fuel-modification design guidelines shall be incorporated:

- The fuel-modification zone shall incorporate a program of brush clearance and thinning of combustible plant materials.
- The fuel-modification zone shall be designated around all structures as measured from face of building.

- Thinned native plants of high habitat value may be located throughout this zone as a transition between open space and developed areas fuel-modification zones shall be maintained by the homeowner's association (HOA) in accordance with the RCFD and SCSD guidelines (except estate lots).

The exact location, dimension, and requirements for the fuel-modification zones would be determined and refined in agreements established between RCFD, SCSD and County staff, and ultimately during the processing of tentative tract maps. The following descriptions provide a conceptual fuel-modification plan with the minimum treatment for the zones:

Zone A – Setback zone from the structure to the property line

Most vegetation in this zone is limited to ground covers, green lawns, and a limited number of selected ornamental plants. This zone provides defensible space for fire suppression that will be maintained by homeowners.

Zone B – Irrigated zone includes manufactured slopes

This 20-foot-wide zone would augment irrigation and planting required, relating to manufactured slopes and landscape requirements. The 20-foot band of irrigation outside the fence line provides defensible space for fire suppression and will be HOA-maintained. This space would adjoin manufactured slope along the property line to provide a band of irrigation prior to Zone A. Special consideration would be given for Rare and Endangered plant species, geologic hazards, tree ordinances, or other conflicting restrictions.

Zone C – Thinning zone

This 80-foot-wide zone would be the beginning of the thinning zone and would be designed to eliminate the spread of fire from one plant to another via ladder fuels and eliminate horizontal continuity by properly spacing remaining vegetation and limiting large masses of unbroken vegetation. Thinning would reduce existing vegetation with removal of the majority of undesirable tall flammable plants species, including trees and tree form shrubs, and would be HOA maintained. Reduction of fuel loading is accomplished by reducing shrubs or trees without substantial decrease in the canopy cover or removal of soil-holding root systems. Natural vegetation is thinned in reduced amounts as the zone moves away from development.

Zone D – Interface Thinning zone

This 100-foot-wide area would be the initial interface between wildland areas and fuel-modification zones. It would consist of native vegetation individually thinned to reduce foliage or fuel loading. This zone does not necessarily require the removal of plants but thinning those that exist. Proper thinning and spacing of remaining tree and tree form native shrubs will reduce fuel load without overly exposing the soil to threat of erosion. Native vegetation is thinned by reduced amounts as the zone moves away from development, depending on fuel type in this area. Typical tree and shrub maintenance is required every 3 to 5 years depending on growth and native grasses; this zone would be maintained as needed annually by the HOA.

- 6.13-10 Prior to building final inspection, the applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to Open Space-Conservation and other off-site undeveloped or natural areas to be notified as to the requirements and maintenance of a brush-clearance radius of 100 feet around all buildings pursuant to Riverside County Ordinance No. 787 and the Imperial County Prevention and Explosives Ordinance as appropriate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning high fire hazard areas will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure implementation of adequate brush clearance and other protective measures in areas of development located adjacent to high fire hazard areas, consistent with the established standards imposed by Riverside and Imperial Counties.

(2) **Remaining Impacts.** Any remaining impacts concerning high fire hazard areas will be less than significant.

J. Public Services – Law Enforcement.

1. Cause Adverse Impacts By Construction of New Police Facilities and Services. (RDEIR, § 6.14.7.1, pp. 6.14-11 to 6.14-15.)

(a) **Potential Impact.** the Project will result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for law enforcement services as discussed in the Revised Draft EIR in section 6.14.7.1, at pages 6.14-11 to 6.14-15.

(b) **Mitigation Measures.** 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/Reporting Program.

6.14-1 Prior to grading final for each implementing project, a designated parking area with a security officer shall be provided for the construction workers during grading and construction operations. A site security plan shall be prepared and submitted to the Riverside County Sheriff's Department by the contractor indicating security features that shall be incorporated on the construction site(s), such as fencing and locked entrances, and construction equipment, tools, and material shall be secured by locking or placing them within sheds and/or other inaccessible areas while not in use.

The following mitigation measures shall be implemented during operation:

6.14-2 Prior to building final inspection for each tract within Imperial County, the applicant(s) to the tentative tract map shall pay the current Imperial County Sheriff Development Impact Fee.

6.14-3 The specific plan shall be modified to include implementation measures that require the construction and operation of at least two sheriff's substations in Riverside County and one in Imperial County, or to the satisfaction of Riverside County Sheriff Depart or Imperial County Sheriff's Department as applicable, as follows:

- Prior to the issuance of building final permits for the 3,249th residential unit in Riverside County, a sheriff's substation shall be constructed and be operational;

- Prior to the issuance of building final permits for the 6,857th residential unit in Riverside County, a sheriff's substation shall be constructed and be operational;
- Prior to the issuance of building final permits for the 750th residential unit in Imperial County, a sheriff's substation, or expansion of the Salton City Substation, to service the project site shall be constructed and be operational.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning police facilities and services will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure the provision of adequate police facilities and additional personnel to serve the Project, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning police facilities and services will be less than significant.

K. Public Services – Education.

1. **Cause Adverse Impacts by Construction of New School Facilities.**
(RDEIR, §§ 6.15.7.1 and 6.15.7.2.)

(a) **Potential Impact.** The Project could result in substantial adverse impacts to schools and school facilities, as discussed in the Revised Draft EIR in sections 6.15.7.1 and 6.15.7.2, at pages 6.15-12 to 6.15-19.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.15-1 Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square footage of development per single-family residential unit, multi-family residential unit, commercial unit and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning school facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because payment of school fees, along with the Specific Plan requirements for the dedication of school sites, will ensure that adequate school facilities will be constructed to serve the Project, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning school facilities will be less than significant.

L. Public Services – Parks and Recreation.

1. Cause Adverse Impacts By Construction of New Park Facilities.
(RDEIR, § 6.16.7.1, pp. 6.16-21 to 6.16-27.)

(a) **Potential Impact.** The Project will result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for parks and recreational services.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.12-1 Prior to the implementing project approval, a final binding Memorandum of Understanding (MOU) shall be executed between the applicant and Desert Recreation District (DRD) for the maintenance and operation of parks, including regional parks, within Riverside County. For the open space areas and other public parks areas within Riverside County not included as part of the final binding MOU between the applicant and DRD, the applicant shall annex into Community Service Area (CSA) 125, or other appropriate CSA, to provide for the maintenance and operation of such areas.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the provisions of park facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it provides for the operation and maintenance of adequate park facilities to serve future Project residents, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning the provision of park facilities will be less than significant.

2. **Cause An Increase Use of Park Lands and Facilities.** (*RDEIR, § 6.16.7.2, pp. 6.16-27 to 6.16-33; and RRDEIR, pp. 6.16-33 to 6.16-36 and 6.16-45 to 6.16-46.*)

(a) **Potential Impact.** The Project could result in temporarily inadequate parkland and sports fields during some build out phases of the Project, until all park facilities are built as required by the Specific Plan. In addition, the Project site's increased population could result in more use of the ABDSP facilities (parking lots, roads, bathrooms, campgrounds, visitor center, etc.) and

nearby habitat conservation areas and nearby mountains, which is deemed a potentially significant adverse impact. These impacts are further discussed in the Revised Draft EIR, section 6.16.7.2, at pages 6.16-27 to 6.16-33.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measures, as described in the Revised Draft EIR, which are hereby adopted and will be implemented by the Mitigation Monitoring/Reporting Program.

6.16-2 The specific plan's implementation measures shall be modified as follows:

- A minimum of 6.6 acres of neighborhood parks shall be developed in conjunction for every 500 residential dwelling units.
- Prior to the issuance of building permit for the 3,250th residential unit, 43 acres of park or credits shall be available;
- Prior to the issuance of building permit for the 6,500th residential unit, 48 acres (91 cumulative) of park or credits shall be available;
- Prior to the issuance of building permit for the 10,000th residential unit, 47 acres (138 cumulative) of park or credits shall be available;
- Prior to the issuance of building permit for the 13,500th residential unit, 68 acres (206 cumulative) of park or credits shall be available;

6.16-3 The specific plans park development standards shall be modified to provide that one out of every four public parks be a sports field and that sports fields be at least 5 acres in size.

6.16-4 The specific plan shall be modified such that development of the trail system within the proposed project shall not allow for the use of motorized vehicles on existing or planned trails/trailheads within or that connect to the Anza-Borrego Desert State Park or the Santa Rosa and San Jacinto Mountains National Monument. (See Mitigation Measure 6.16-6 below, deleting Specific Plan references to connections to off-site trails).

6.16-5 The specific plan shall be modified to restrict trails that are developed adjacent to the Anza-Borrego Desert State Park and the Santa Rosa and San Jacinto Mountains National Monument and shall terminate no closer than 500 feet from the project boundary and include signage discouraging off-trail access.

- 6.16-6 The proposed specific plan shall be modified to remove references to connections of on-site trails to off-site trails and add language stating that access to off-site trails from the project site shall be prohibited.
- 6.16-7 Prior to approval of any subsequent actions to implement the project in planning areas as defined in the specific plan located adjacent to the western boundary of the site, a landscaping plan shall be developed and submitted for drainage channels along the western perimeter of the project site. The landscaping plan shall require the planting of native plant species with thorns, such as cat-claw acacia and mesquite shrubs, adjacent to walls and trails on the western boundary of the site. This plan must be reviewed and approved by the Riverside or Imperial County Planning Director for the portions of the project located in each county.
- 6.5-6 In order to ensure that residents of the project to 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 conservation/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.
 - (2) Provide authorization for the TMDCI patrols to access the applicant's property and patrol the edge of the project.
 - (3) Create a volunteer Citizen Patrol, similar to the successful volunteer patrols in other Coachella Valley cities and communities, to supplement the TMDCI patrols along the boundary of the project with adjacent park lands. A local Community Policing office would be located on the Travertine Point Specific Plan site to support this program.
 - (4) Create a volunteer docent program, similar to the successful volunteer programs in other Coachella Valley cities and communities, to assist in educating residents on the importance and sensitivity of nearby cultural resources and park lands.
- 6.4-45 Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include

information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.

(c) **Findings.**

(1) **Effects of Mitigation.** The Project's impacts to parks and recreational facilities in the Project vicinity will be substantially lessened to a level of less than significant through the implementation of the mitigation measures described above, because new park facilities will be developed in a timely manner to meet the needs of the Project's residents. To the extent that some Project residents use the nearby ABDSP, they will pay user fees and pay state income taxes that offset the expenses associated with operating and maintaining that state park.

The County finds that the ABDSP can and should modify its existing user fees, as and when necessary in the future, to address any impacts from visits to the park by existing and future residents in the region, which is within the jurisdiction of the ABDSP/Cal. Department of Parks. The County finds this to be the most efficient and precise way of addressing an unknown number of potential visits by future Project residents to the ABDSP. Furthermore, the County finds that the evidence showing the existing range of annual visits to ABDSP, *i.e.*, 500,000 to 800,000, renders the potential visit of some unknown portion of the approximately 45,000 Project residents, a less than significant impact upon the Park's facilities, *i.e.*, roads, parking, campgrounds, bathrooms, visitor center, etc., because it is likely to fall within the existing range of annual visitors, *i.e.*, between 500,000 and 800,000. The County further finds that visitors from the Project may or may not be existing annual visitors, making it impossible to determine – based on substantial evidence – that there will be a significant net increase in annual visitation from Project residents. Based on these uncertainties, the County further finds this potential indirect impact to be speculative.

In addition, mitigation measures 6.16-4 to 6.16-7, 6.5-6 and 6.4-45, create multiple layers of effective obstacles to intrusion into adjacent sensitive parkland areas by future residents and their pets. The County finds that expanded Tribal patrols on the perimeter of the Project site, along with the other mitigation measures listed above, will deter attempts by residents to intrude upon adjacent ABDSP lands, and other adjacent lands. The County finds the Final EIR Responses to Comments at pp. 2.0-18 to 2.0-25 to be persuasive, and based on substantial evidence, in establishing that the Project will not cause any direct or indirect significant adverse

impacts upon adjacent lands, including ABDSP lands, with respect to habitat, sensitive species and cultural resources, that may be present. Consequently, the County finds the request in the Friends of the Desert Mountains letter dated 10/25/11, for expanded mitigation measures, to address indirect impacts to off-site cultural and biological resources to be unnecessary, including the request for a ½ mile buffer along the Project's western perimeter. In addition, the proposed ½ mile buffer would not be financially feasible, as explained in the March 23, 2011 letter submitted by Van Stephens of FORMA, and *see* Memorandum from Impact Sciences to Matt Straite dated 11/28/11, at pp. 99-100, in Appendix B to Final EIR, and expert financial feasibility analysis summarized therein.

(2) **Remaining Impacts.** Any remaining impacts to parks and recreational facilities in the Project vicinity will be less than significant.

M. Public Services – Libraries.

1. Cause Substantial Adverse Impacts By Construction of New Library Facilities. (*RDEIR, § 6.17.7.1, pp. 6.17-8 to 6.17-13.*)

(a) **Potential Impact.** The Project could result in substantial adverse physical impacts associated with the provision of new or physically altered governmental facilities, or a need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, or other performance objectives for library services, as discussed in the Revised Draft EIR in section 6.17.7.1, at pages 6.17-8 to 6.17-13.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.17-1 The specific plan shall be modified to adjust the implementation measures to assure that libraries are developed in the following manner:

- Phase I – Prior to issuance of a building permit for the 3,500th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System;
- Phase II – Prior to issuance of a building permit for the 7,000th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System.

- Phase III – Prior to issuance of a building permit for the 10,500th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System.
- Phase V – Prior to issuance of a building permit for the 14,000th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System and/or the Imperial County Free Library System. The applicant shall execute a joint Memorandum of Understanding with both the Riverside County Library System and Imperial County Free Library System that provides for the location of this library site in either Riverside or Imperial county and that this library will provide services to both systems. Regardless of the location of this library, the applicant shall participate in development fees for library services as required by each county.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen this significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning library facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that adequate new library facilities will be constructed in a timely manner to serve the Project residents, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning library facilities will be less than significant.

N. Public Services – Medical.

1. Cause Substantial Adverse Impacts By Construction of New Medical Facilities. (RDEIR, § 6.18.7.1, pp. 6.18-9 to 6.18-15.)

(a) **Potential Impact.** The Project could result in substantial adverse physical impacts associated with the provision of new or physically altered medical facilities, or a need for new or physically altered medical facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for medical services, as discussed in the Revised Draft EIR in section 6.18.7.1, at pages 6.18-9 to 6.18-15).

(b) **Mitigation Measures.** 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/Reporting Program.

6.18-1 Prior to grading final for each implementing project, the contractors for construction activities for the applicants of implementing projects shall prepare a construction safety plan and submit it to the appropriate County Planning Department and Fire Department for review and approval. The plan shall include provisions for safety activities, including prevention, work-related injuries, on-site safety equipment, notification procedures, and other activities to prevent, reduce, and respond to injuries during construction.

6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.

6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning medical facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because once the hospital and other required medical

facilities are completed and operational, these facilities will be adequate to serve the Project and its residents, and the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning medical facilities will be less than significant once the required hospital and other medical facilities are completed and operational.

2. **Exceed Existing Medical Services.** (*RDEIR, § 6.18.7.2, pp. 6.18-15 to 6.18-17.*)

(a) **Potential Impact.** The Project could exceed the existing or planned future ability to provide services and supplies to the current and future residents of Riverside and/or Imperial Counties, as discussed in the Revised Draft EIR in section 6.18.7.2, at pages 6.18-15 to 6.18-17.

(b) **Mitigation Measures.** 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/Reporting Program.

6.18-2 Prior to building final inspection for the 2,500th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational.

6.18-3 Prior to building final inspection for the 5,000th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the ability to provide adequate medical services will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate medical facilities will be constructed in a

timely manner, which will be sufficient to serve the Project and its residents.

(2) **Remaining Impacts.** Any remaining impacts concerning the ability to provide adequate medical services will be less than significant.

O. Transportation and Traffic.

1. **Exceed Levels of Service Standards.** (*RDEIR, § 6.19.7.4, pp. 6.19-105 to 6.19-133.*)

(a) **Potential Impact.** The Project could potentially exceed either individually or cumulatively, a level of service standard established by the County congestion management agency for designated roads, intersections or highways, as discussed in the Revised Draft EIR in section 6.19.7.4, at pages 6.19-105 to 6.9-133.

(b) **Mitigation Measures.** 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/Reporting Program.

6.19-42 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall prepare a financial plan to make mainline improvements to add one lane in each direction on SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County and to construct interchanges at SR-86S/62nd Avenue, SR-86S/66th Avenue, SR-86S/70th Avenue, SR-86S/74th Avenue, SR-86S/81st Avenue, SR-86/Town Center Way North, SR-86/Desert Shores Drive, SR-86/Brawley Avenue, SR-86/Sea Oasis Boulevard, and SR-86/Marina Drive. The financial plan shall identify the cost of the improvements based on a Preliminary Engineering study. In addition to fair share developer contributions, the financial plan shall consider funding that may be available through CVAG, RCTC, or other agencies. The County will assist in obtaining available funding that is, or may become available, through CVAG, RCTC, and other agencies, as appropriate.

6.19-43 Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall conduct a Nexus Study, based on the financial plan, and establish an RBBB or other funding mechanism in accordance with the Nexus Study recommendations.

If the County has not formed an RBBB or other area-wide funding mechanism for SR-86/SR-86S improvements at the time the proponent

of SP00375 or any subsequent implementing agencies are ready to request building permits, the project proponent shall establish a Community Facilities District (CFD) or other funding mechanism, prior to the issuance of any building permit within SP00375, to help fund its share of the cost of SR-86S/SR-86 mainline improvements (SP00375's fair share is estimated preliminarily as 37 percent of the total cost of the SR-86 additional lane improvements) and its share of interchange construction at SR-86S/81st Avenue and at SR-86/Town Center Way North (SP00375's share is estimated preliminarily as 95 to 100 percent of the total cost).

- 6.19-44 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall deposit with Riverside County the funds necessary for the County to prepare the Preliminary Engineering Study, the Financial Plan, and the Nexus Study ("the Studies"). The project proponent shall be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBB or other corridor-wide funding mechanism.
- 6.19-45 After building permits for 1,608 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the project proponent, or implementing projects within SP00375, have deposited funds for Riverside County to prepare an environmental document for adding one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. The project proponent, or the implementing projects, will be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBB or other area-wide funding mechanism. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.
- 6.19-46 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until Riverside County obtains environmental clearance to add one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted. TUMF credit, where eligible, shall be provided in accordance with CVAG's policies and approvals.

- 6.19-47 After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86 has been improved to add one lane in each direction between the northern boundary of SP00375 and Town Center Way North. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.
- 6.19-48 After building permits for 11,864 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until a construction contract, or contracts shall have been let to improve SR-86S/SR-86 to add one lane in each direction between 62nd Avenue and Marina Drive in Imperial County.
- 6.19-49 After building permits for 12,788 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until SR-86S/SR-86 shall have been constructed to provide three lanes in each direction between 62nd Avenue and Marina Drive in Imperial County. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential long-term impacts concerning traffic levels of service will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures, along with mitigation measures 6.19-1 through 6.19-40, will ensure that the necessary improvements to roadways, intersections, and SR-86 are completed to maintain acceptable levels of service, as these improvements are completed. The Project may, however, have significant and unavoidable short-term impacts, which are discussed in Section III of these Findings.

(2) **Remaining Impacts.** Any remaining impacts concerning traffic levels of service will be less than significant.

2. **Conflict with Adopted Alternative Transportation Policies.** (*RDEIR, § 6.19.7.9, pp. 6.19-135 to 6.19-137.*)

(a) **Potential Impact.** The Project could conflict with adopted policies, plans or programs supporting alternative transportation (e.g., bus turnouts, bicycle racks), as discussed in the Revised Draft EIR in section 6.19.7.9, at pages 6.19-135 to 6.19-137.

(b) **Mitigation Measures.** 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/Reporting Program.

Pedestrian Paths

6.19-50 The project proponent and individual implementing projects within SP00375 shall implement the system of Travertine Point Walkways/Pedestrian Paths as illustrated in Exhibits 3.1-A and 3.1-B of the TSS.

Bikeways

6.19-51 The project proponent and individual implementing projects within SP00375 shall implement the system of Travertine Point Bikeways Plan as illustrated in Exhibits 3.2-A and 3.2-B of the TSS.

Transit Features

6.19-52 The project proponent and individual implementing projects within SP00375 shall implement the Travertine Point Transit Features as illustrated in Exhibits 4.1-A and 4.1-B of the TSS.

NEV Accommodations

6.19-53 The project proponent and individual implementing projects within SP00375 shall implement the Travertine Point Neighborhood Electrical Vehicle Accommodations as illustrated in Exhibit 6.1-I of the TIA. State legislation will be required to allow NEVs to use roadways that have a speed limit higher than 35 mph. The applicant shall assist the County in obtaining legislative approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning compliance with alternative transportation policies will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because these measures will ensure implementation of alternative transportation plans (*i.e.*, pedestrian paths, bikeways, etc.), which comply with and support existing plans and policies.

(2) **Remaining Impacts.** Any remaining impacts concerning compliance with alternative transportation policies will be less than significant.

3. **Cumulative Traffic Impacts.** (*RDEIR, § 6.19.9.1, pp. 6.19-137.*)

(a) **Potential Impact.** The Project could result in cumulative transportation and traffic impacts, as discussed in the Revised Draft EIR in section 6.19.9.1, at pages 6.19-137. In assessing the scope of potential cumulative impacts to regional freeways, the County finds the methodology of the expert studies prepared by Urban Crossroads to be appropriate and persuasive, including the expert's definition of an appropriate geographic scope for analyzing regional freeway impacts, *i.e.*, the study's conservative doubling of the County's existing 5 mile standard for measuring impacts. The Urban Crossroads' study uses a 10-mile scope north and south of the Project site. *See* Urban Crossroads' response to comment dated August 23, 2011, re traffic study's geographic scope, and Final EIR, at pp. 2.0-70 to 2.0-71, Response 10-3. County Transportation Department Staff reviewed and approved the 10-mile geographic scope for the Urban Crossroads study. The County further finds that a larger geographic scope, in excess of 10 miles from the Project site in either direction on SR-86S, would inappropriately dilute the Project's fair share contribution towards regional highway improvements, *i.e.*, reduce the Project's current fair share contribution of 37% of estimated costs (approximately \$46.6 million) towards such highway improvements, by significantly expanding the land area covered by the fair share calculation. With respect to general comments on the EIR's methodology in assessing cumulative development, *see* § VIII(C) below.

(b) **Mitigation Measures.** 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/Reporting Program.

General:

6.19-1 All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of

Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.

- 6.19-2 The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.
- 6.19-3 During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The District-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project.

Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project.

Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.

- 6.19-4 All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards.

All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.

- 6.19-5 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-86S and 81st Avenue.

- 6.19-6 Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-86 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-86) is constructed at this location.
- 6.19-7 Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86S and 81st Avenue, and shall construct eastbound and westbound left turn lanes.
- 6.19-8 Prior to the issuance of the 659th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.
- 6.19-9 After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).
- 6.19-10 Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86S/SR-86 (between 62nd Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.

Regional Highways:

Mitigation Measures 6.19-42 through 6.19-49 are incorporated by reference, regarding mitigation impacts to regional highways.

Traffic Signals:

- 6.19-11 The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.
- 6.19-12 Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list, since they will help accommodate external traffic.
- 6.19-13 Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational:
- SR-86S (NS) at:
81st Avenue (EW)
 - SR-86 (NS) at:
Lincoln Street (EW)
- with no credit given for Traffic Signal Mitigation Fees.
- 6.19-14 Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational:
- 81st Avenue (EW) at:
Paseo Street (NS)
- 6.19-15 Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following signals shall be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation:

- Harrison Street (NS) at:
62nd Avenue (EW)
- Harrison Street (NS) at:
66th Avenue (EW)
- Harrison Street (NS) at:
70th Avenue (EW)
- Harrison Street (NS) at:
74th Avenue (EW)
- Harrison Street (NS) at:
Pierce Street (EW)

Unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-16 Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- 81st Avenue (EW) at:
Harrison Street/SR-86 (NS)

with no credit given for Traffic Signal Mitigation Fees.

6.19-17 Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational:

- SR-86 (NS) at:
Town Center Way (EW)

with no credit given for Traffic Signal Mitigation Fees.

6.19-18 Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation.

- Harrison Street (NS) at:
72nd Avenue (EW)
- Harrison Street (NS) at:
78th Avenue (EW)
- SR-86S (NS) at:
70th Avenue (EW)
- SR-86S (NS) at:
74th Avenue (EW)
- SR-86 (NS) at:
Desert Shores Drive (EW)
- SR-86 (NS) at:
Brawley Avenue (EW)
- SR-86 (NS) at:
Sea Oasis Boulevard (EW)
- SR-86 (NS) at:
Marina Drive (EW)

unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.

6.19-19 Prior to the issuance of any certificates of occupancy that would result in more than 13,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010, with no credit given for Traffic Signal Mitigation Fees.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential long-term cumulative traffic impacts will be substantially lessened to a level of less

than significant through implementation of the mitigation measures described above, because once the improvements specified in these measures are constructed, the potentially affected roadways and intersections will have sufficient capacity for the cumulative increases in traffic. The Project mitigation measures and conditions of approval require payment of the Project's fair share of regional highway improvements within the expanded geographic scope of the traffic study. To the extent that the Project contributes vehicle trips beyond the expanded 10 mile study scope, any cumulative contribution to the future need for additional improvements at more distant locations, would be addressed through payment of regional traffic fees, and resident tax payments, in addition to other state and federal funding over the 40-year buildout of the Project. Nevertheless, the Project may have short-term cumulative traffic impacts that are significant and unavoidable, until the improvements are completed, as discussed in Section III of these Findings.

(2) **Remaining Impacts.** Any remaining impacts concerning long-term cumulative traffic impacts will be less than significant.

P. Utilities – Water.

1. **Cause Substantial Adverse Impacts By Construction of New Water Treatment Facilities.** (*RDEIR, § 6.20.7.1, pp. 6.20-63 to 6.20-65.*)

(a) **Potential Impact.** The Project could require or result in the construction of new water treatment facilities or expansion of existing facilities, construction of which could cause significant environmental impacts, as discussed in the Revised Draft EIR in Section 6.20.7.1, at pages 6.20-63 to 6.20-65.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.20-1 Prior to implementing project approvals, future applicants for development permits must submit plans for water delivery systems to CVWD for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the construction of water treatment facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that any water treatment facilities necessary to serve the Project will be subject to review and approval by CVWD, including appropriate CEQA review of any potentially significant environmental effects that have not been fully disclosed, analyzed or mitigated in connection with the EIR prepared and certified for this Project. In addition, the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, to the extent feasible, given what is currently known and unknown concerning the design and location of these facilities, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning the construction of water treatment facilities will be less than significant.

Q. Utilities – Wastewater Services.

1. **Exceed Wastewater Treatment Requirements.** (*RDEIR, § 6.21.7.1, pp. 6.21-15 to 6.21-17.*)

(a) **Potential Impact.** The Project could exceed wastewater treatment requirements of the applicable Regional Water Quality Control Board, as discussed in the Revised Draft EIR in section 6.21.7.1, at pages 6.21-15 to 6.21-17.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid this potentially significant impact by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.21-1 The applicant shall prepare and submit to CVWD, SCSD, the County of Riverside and/or the Imperial County Public Works Department, as appropriate, a Wastewater Management Plan (WMP) that provides for the final location, development, and funding mechanisms of the wastewater conveyance infrastructure system and wastewater treatment system associated with development of the entire project. This WMP shall describe and finalize the design parameters and locations of piping necessary to convey wastewater originating within the project site for the specified tract. Each WMP shall also be submitted to the Regional Water Quality Control Board for approval and to ensure that the wastewater

infrastructure conveyance system meets their requirements for collection and treatment of wastewater. The Wastewater Management Plan shall be reviewed and approved by the CVWD and Riverside County for the portion of the project in Riverside County prior to the recordation of any final subdivision map in Riverside County and by the SCSD and Imperial County prior to the recordation of any final subdivision map in Imperial County.

- 6.21-2 Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide wastewater collection and treatment services for the portion of the project site within the Salton Community Service District service area, consistent with the approved Wastewater Management Plan.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning wastewater treatment requirements will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because it will ensure that the wastewater treatment and conveyance system for the Project meets all applicable requirements of the Colorado River Basin RWQCB.

(2) **Remaining Impacts.** Any remaining impacts concerning wastewater treatment requirements will be less than significant.

2. **Cause Substantial Adverse Impacts By Construction of New Wastewater Treatment Facilities.** (*RDEIR, § 6.21.7.2, pp. 6.21-17 to 6.21-23.*)

(a) **Potential Impact.** The Project will require or result in the construction of new wastewater treatment facilities or expansion of existing facilities, the construction of which could cause significant environmental effects as discussed in the Revised Draft EIR in section 6.21.7.2, at pages 6.21-17 to 6.21-23.

(b) **Mitigation Measures.** 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/Reporting Program.

- 6.21-3 Prior to building final inspection for the first residential unit and/or commercial unit within the Riverside County portion of the proposed project, the applicant shall execute a Special Agreement, with CVWD to design, permit, construct, operate, and maintain an expandable wastewater treatment plant and nonpotable water storage and distribution system. The agreement shall provide for the initial size of the treatment plant to meet the initial development requirements of the project. The agreement shall provide for the plant to be expanded as the project proceeds to meet the project's full wastewater flow requirements within Riverside County and CVWD jurisdiction (estimated to be 3.0 mgd). Wastewater treatment and reuse facilities are provided for in Planning Area 4-3 or alternately an off-site location as provided for in the Wastewater Master Plan (see Figure 3.0-21). The project applicant shall provide necessary funding for the construction of this facility.
- 6.21-4 The proposed specific plan shall be modified so that a land use overlay designation for a wastewater treatment plant can be located in a planning area within the Imperial County portion of the proposed project. If it is found that an appropriate location cannot be determined for the development of an expandable wastewater treatment plant on the project site, the applicant through a Special Agreement with SCSD shall establish an area off site where a modular wastewater treatment plant could be located and be within the service boundaries of the SCSD. This may require additional CEQA review in the future.
- 6.21-5 The proposed specific plan shall be modified so that prior to building final inspection for the first residential unit and/or commercial unit within the Imperial County portion of the proposed project, the applicant shall execute a Special Agreement providing for SCSD to design, permit, construct, operate, and maintain a modular wastewater treatment plant and nonpotable water storage and distribution system. Such system shall be sized according to the Wastewater Management Master Plan for the portion of the proposed project within Imperial County. The project applicant shall provide necessary funding for the construction of this plant. All wastewater treatment facilities will be creditable toward the facilities component of SCSD's Sanitation Capacity charge for all residential, commercial and industrial structures within the SCSD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project's and its associated effluent.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described

changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning wastewater treatment facilities will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that the wastewater treatment facilities needed to serve the Project will be funded and constructed, and will be subject to review and approval by CVWD and SCSD, including appropriate CEQA review of all potentially significant environmental effects, if any, that were not disclosed, analyzed and mitigated in connection with the EIR that was prepared and certified for this Project. In addition, the potential environmental impacts of constructing these facilities have been disclosed and analyzed in the EIR for this Project, to the extent feasible, given what is currently known and unknown concerning the design and location of these facilities, and have been mitigated by the other mitigation measures applicable to general development of the Project site, including but not limited to biology, noise, and air quality mitigation measures, which are incorporated by this reference.

(2) **Remaining Impacts.** Any remaining impacts concerning wastewater treatment facilities will be less than significant.

3. **Cause Inadequate Wastewater Treatment Capacity.** (*RDEIR, § 6.21.7.4, pp. 6.21-24.*)

(a) **Potential Impact.** The Project could result in a determination by the wastewater treatment provider which serves or may serve the project that it does not have adequate capacity to serve the project's projected demand in addition to the provider's existing commitments, as discussed in the Revised Draft EIR in section 6.21.7.4, at page 6.21-24.

(b) **Mitigation Measures.** 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/Reporting Program.

6.21-2 Prior to building final inspection for the first residential unit and/or commercial unit within the Riverside County portion of the proposed project, the applicant shall execute a Special Agreement, providing for CVWD to design, permit, construct, operate, and maintain an expandable wastewater treatment plant and nonpotable water storage and distribution system that shall be sized to initially accommodate approximately 3.0

mgd. These wastewater treatment and reuse facilities are provided for in Planning Area 4-3 or alternately an off-site location as provided for in the Wastewater Master Plan (see Figure 3.0-21). The project applicant shall provide necessary funding for the construction of this facility. All wastewater treatment facilities will be creditable toward the facilities component of CVWD's Sanitation Capacity charge for all residential, commercial and industrial structures within CVWD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project and its associated effluent.

6.21-3 The proposed specific plan shall be modified so that a land use overlay designation for a wastewater treatment plant can be located in a planning area within the Imperial County portion of the proposed project. If it is found that an appropriate location cannot be determined for the development of an expandable wastewater treatment plant on the project site, the applicant through a Special Agreement with SCSD shall establish an area off site where a modular wastewater treatment plant could be located and be within the service boundaries of the SCSD. This may require additional CEQA review in the future.

6.21-4 The proposed specific plan shall be modified so that prior to building final inspection for the first residential unit and/or commercial unit within the Imperial County portion of the proposed project, the applicant shall execute a Special Agreement providing for SCSD to design, permit, construct, operate, and maintain a modular wastewater treatment plant and nonpotable water storage and distribution system. Such system shall be sized according to the Wastewater Management Master Plan for the portion of the proposed project within Imperial County. The project applicant shall provide necessary funding for the construction of this plant. All wastewater treatment facilities will be creditable toward the facilities component of SCSD's Sanitation Capacity charge for all residential, commercial and industrial structures within the SCSD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project's and its associated effluent.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the adequacy of treatment capacity will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adequate wastewater facilities to serve the Project will be funded and constructed, and will be subject to appropriate review and approval by CVWD and SCSD.

(2) **Remaining Impacts.** Any remaining impacts concerning the adequacy of treatment capacity will be less than significant.

R. Utilities – Solid Waste.

1. **Exceed Existing Landfill Capacity.** (*RDEIR, § 6.22.7.1, pp. 6.22-18 to 6.22-29.*)

(a) **Potential Impact.** The Project could be served by a landfill with insufficient permitted capacity to accommodate the project's waste disposal needs, as discussed in the Revised Draft EIR in section 6.22.7.1, at pages 6.22-18 to 6.22-29.

(b) **Mitigation Measures.** 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/Reporting Program.

6.22-1 Prior to implementing project approval, a Waste Recycling Plan (WRP) shall be submitted to the appropriate County Waste Management Department or Planning Department for approval. At a minimum the WRP shall identify the materials (e.g., concrete, asphalt, wood, etc.) that would be generated by construction and development, the project amounts, measures/methods that would be implemented to recycle, reuse, and/or reduce the amount of materials, the facilities and haulers that would be utilized, and the targeted recycling or reduction rates to be achieved.

6.22-2 The project proponent shall make every effort feasible to recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete the Riverside County Waste Management Department Construction and Demolition Waste Diversion Program Form B or and Form C process as evidence to ensure compliance. Form B (Recycling Plan) must be submitted and approved by the Riverside County Waste Management

Department and provided to the Department of Building and Safety prior to the issuance of building permits. Form C (Reporting Form) must be approved by the Riverside County Waste Management Department and submitted to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection.

- 6.22-3 Applicant(s) shall dispose of any hazardous wastes, including paint, used during construction and grading at a licensed facility in accordance with local, state, and federal guidelines.

The following mitigation measures shall be implemented during operation:

- 6.22-4 All commercial and residential refuse generated from the proposed project within Riverside County portion of the proposed project shall be delivered to the Coachella Valley Transfer Station or the Edom Hill Transfer Station; any residual waste that these transfer stations could not accept shall be disposed of at the Lamb Canyon Landfill or Badlands Landfill or other locations as determined by the Riverside County Waste Management Department. All commercial and residential refuse generated from the proposed project within the Imperial County portion of the proposed project shall be delivered to Salton City Landfill or other locations as determined by the Imperial County Waste Management Department.
- 6.22-5 The Homeowners Association established for the proposed development shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the HOA shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CC&Rs.
- 6.22-6 Prior to issuance of Building Permits for any multi-unit residential, commercial or industrial facilities, clearance from the Riverside County Waste management Department is needed to verify compliance with California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials.
- 6.22-7 Prior to implementing project approval, applicant(s) shall submit for review and approval landscape plans that provide for the use of xeriscape

landscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning landfill capacity will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that the Project reduces its contribution of refuse to landfills, to the maximum extent feasible, through recycling and reuse programs and requirements, and will ensure that all refuse generated by the Project is delivered to the appropriate transfer station or landfill, as determined by the Riverside County Waste Management Department.

(2) **Remaining Impacts.** Any remaining impacts concerning landfill capacity will be less than significant.

2. **Limit Oasis Landfill Expansion.** (*RDEIR, § 6.22.7.3, pp. 6.22-30 to 6.22-37.*)

(a) **Potential Impact.** The Project could potentially influence solid waste disposal so that there is no expansion capability, or expansion project, or new waste facility that can be approved due to environmental constraints, land use conflicts, or political factors, and thus not able to support the influx of solid waste from the proposed project, as discussed in the Revised Draft EIR in section 6.22.7.3, at pages 6.22-30 to 6.22-37.

(b) **Mitigation Measures.** 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/Reporting Program.

6.22-8 Prior to implementing project approval for Planning Areas 2-17, 2-21, 2-19, and 2-20, the applicant(s) shall provide for a buffer and restrict development adjacent to the active or closed landfill from the Oasis Landfill property line for a distance of a minimum of 1,000 feet and a maximum of 1,320 feet originating at the Oasis Landfill disposal footprint, until the landfill is closed, to provide adequate spacing for monitoring probes, as recommended by the RCWMD and in accordance

with the Southern California Air Quality Management District's Rule 1150.1.

- 6.22-9 Prior to implementing project approval for Planning Areas 2-18 and 2-19, the Oasis landfill shall be closed by the RCWMD in accordance with CalRecycle guidelines for closure with waste in place.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning the Oasis Landfill will be substantially lessened to a level of less than significant through implementation of the mitigation measures described above, because they will ensure that adjacent development does not interfere with the continued operation of the Oasis Landfill, until it reaches its permitted capacity or is otherwise closed by RCWMD, and will ensure that any closure is completed consistent with all applicable requirements of SCAQMD and CalRecycle. Furthermore, these measures will ensure that the Project does not interfere with RCWMD's ability to seek to expand operations at the Oasis Landfill in the future, although RCWMD has expressed no present plans to do so.

(2) **Remaining Impacts.** Any remaining impacts concerning the Oasis Landfill will be less than significant.

3. **Disrupt Solid Waste Services.** (*RDEIR, § 6.22.7.4, pp. 6.22-37 to 6.22-39.*)

(a) **Potential Impact.** The Project could cause the existing solid waste services to be significantly disrupted (e.g., natural disasters, land use constraints, political factious), as discussed in the Revised Draft EIR in section 6.22.7.4, at pages 6.22-37 to 6.22-39.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

- 6.22-10 Prior to implementing project approval in Planning Area 2-18, the applicant shall consult with officials from RCWMD and agree on a circulation plan for roads that would be developed around and adjacent to the Oasis Landfill site. Best Management Practices (BMPs) shall be

developed and implemented within the circulation plan for Planning Areas 2-18 and 2-19 to avoid the restricting of roadways around and adjacent to the Oasis Landfill.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning solid waste services will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that the circulation plan for the areas surrounding the Oasis Landfill will not unduly disrupt its operations.

(2) **Remaining Impacts.** Any remaining impacts concerning solid waste services will be less than significant.

S. Utilities – Energy.

1. **Cause Increased Use of Energy.** (*RDEIR, § 6.23.8.1, pp. 6.23-21 to 6.23-25.*)

(a) **Potential Impact.** The Project's energy requirements and its energy use efficiencies by amount and fuel type for each stage of the project's life cycle, including construction, operations, maintenance and/or removal, is discussed in the Revised Draft EIR in section 6.23.8.1, at pages 6.23-21 to 6.23-25.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23-1 Prior to building final, residential and commercial buildings shall be conditioned to participate in any future programs, such as green pricing programs which allow customers to support the development of renewable energy sources by paying a small premium on their electric bills, established by the Imperial Irrigation District. If the district establishes a green pricing program whereby energy generated from renewable resources either exclusively or at a higher proportion may be purchased, the proposed project shall participate in the program. Proof of participation (enrollment) shall be submitted to the Planning Department within 30 days of occupancy

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning energy use efficiencies will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that Project residents and businesses can participate in any green pricing programs that may be developed.

(2) **Remaining Impacts.** Any remaining impacts concerning energy use efficiencies will be less than significant.

2. **Cause Increased Use/Need For Energy Supplies and Transmission Capacity.** (RDEIR, § 6.23.8.2, pp. 6.23-25 to 6.23-28.)

(a) **Potential Impact.** The effects of the project on local and regional energy supplies and on requirements for additional capacity are discussed in the Revised Draft EIR in section 6.23.8.2, at pages 6.23-25 to 6.23-28.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23-2 Prior to implementing project approval, the applicant shall submit plans showing the proposed locations of electricity transmission and distribution infrastructure to the Imperial Irrigation District for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning energy supplies and transmission capacity will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that adequate

additional transmission capacity will be constructed, subject to appropriate review and approval by the Imperial Irrigation District.

(2) **Remaining Impacts.** Any remaining impacts concerning energy supplies and transmission capacity will be less than significant.

3. **Cause Increased Electricity Demands.** (*RDEIR, § 6.23.8.3, pp. 6.23-28 to 6.23-30.*)

(a) **Potential Impact.** The effects of the project on peak and base period demands for electricity and other forms of energy are discussed in the Revised Draft EIR in section 6.23.8.3, at pages 6.23-28 to 6.23-30.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23-3 The Travertine Point Specific Plan shall be modified to require the installation, prior to initial building construction, of rooftop solar power generation equipment on all new development when economically feasible and cost competitive. Should more efficient technology become available and economically feasible, that technology may be used in place of rooftop solar power generation equipment. The installation of solar equipment shall be considered feasible and cost competitive when the addition of rooftop solar increases the cost of construction by no more than 5 percent.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning electricity demands will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure that additional electricity is generated through rooftop solar panels or other technologies, to partially offset the electricity demands of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning electricity demands will be less than significant.

4. **Transportation Energy Use.** (*RDEIR, § 6.23.8.6, pp. 6.23-32 to 6.23-34.*)

(a) **Potential Impact.** The project's projected transportation energy use requirements and its overall use of efficient transportation alternatives is discussed in the Revised Draft EIR in section 6.23.8.6, at pages 6.23-32 to 6.23-34.

(b) **Mitigation Measures.** The Project has been modified to mitigate or avoid these potentially significant impacts by the following mitigation measure, which is hereby adopted and will be implemented as provided in the Mitigation Monitoring/Reporting Program.

6.23 Prior to the first implementing project approval for each development phase, the project applicant shall submit a plan for providing local transit services within the project site to the Riverside County Planning Department for review and approval.

(c) **Findings.** Based upon the Revised Draft EIR, the Final EIR and the entire record of proceedings, the County finds that the above described changes or alterations have been required in, or incorporated into, the Project which avoid or substantially lessen the significant environmental effect as identified in the Final EIR.

(1) **Effects of Mitigation.** The Project's potential impacts concerning transportation energy use will be substantially lessened to a level of less than significant through implementation of the mitigation measure described above, because it will ensure the provision of transit services to all phases of the Project.

(2) **Remaining Impacts.** Any remaining impacts concerning transportation energy use will be less than significant.

V. **Findings Regarding Impacts and Potential Impacts Determined To Be Less Than Significant.**

A. **Aesthetics.**

(1) **Potential Conflict With Riverside County and Imperial County Policies Regarding Community Design.** (*RDEIR, § 6.1.7.7, pp. 6.1-68 to 6.1-75.*)

(a) **Potential Impact.** The Project will establish design guidelines and community standards, as discussed in the Revised Draft EIR, section 6.1.7.7, at pages 6.1-69 to 6.1-75. All of the Specific Plan standards and policies are consistent with Riverside County and Imperial County standards and policies, including in those Counties' General Plans, as explained in the Revised Draft EIR,

at pages 6.1-68 to 6.1-75. Consequently, the potential for any conflict with County policies regarding community design is less than significant.

(b) **Mitigation Measures.** No mitigation is required, because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Specific Plan development standards and required implementation measures would assist in creating a community within the proposed Project that would be consistent with Riverside County and Imperial County policies regarding community design.

(2) Potential conflicts with Riverside and Imperial County General Plans.

(a) **Potential Impact.** The Project Specific Plan establishes community design policies and standards as discussed in the Revised Draft EIR, section 6.1.9, at pages 6.1.-79 to 6.1-96. All of the Specific Plan standards and policies are consistent with the policies, goals and standards in both Counties General Plans. Consequently, the potential for any conflict with either County's General Plans is determined to be less than a significant impact.

(b) **Mitigation.** No mitigation is required, because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the relevant County General Plan policies, goals and standards have been compared to the Specific Plan policies, goals and standards, and have been determined to be consistent. See discussion in Revised Draft EIR, section 6.1.9, at pages 6.1-78 to 6.1-94.

B. Agricultural Resources.

(1) Conflict with existing zoning or Williamson Act contract on and adjacent to the Project site. (*RDEIR, § 6.2.7.2, pp. 6.2-56 to 6.2-60.*)

(a) **Potential Impact.** Part of the Project site, in Riverside County, is currently zoned A-1-10, A-1-20 Light Agricultural Zone (649 acres) and A-2-20 Heavy Agricultural Zone (37 acres). Upon approval of the proposed Specific Plan, the existing zoning designations would be changed to non-agricultural zoning designations. In addition, the northern boundary of the proposed project site is adjacent to zoning designated as A-2-10, A-2-20 Heavy Agricultural Zone, which could result in conflicts with zoning designated under the proposed project.

The proposed Specific Plan contains provisions allowing legal, non-conforming land uses, including farming operations, to continue within and

adjacent to the Project site, as discussed at pages 6.2-56 to 6.2-60. Consequently, there are no conflicts with existing agricultural operations on or adjacent to the Project site.

With respect to Williamson Act contracts, approximately 632.85 acres of the Project site are subject to Williamson Act contracts. The proposed Specific Plan has provisions to allow lands under Williamson Act contracts to continue as such until the Williamson Act contract has been removed by a filing of notice of non-renewal or cancellation.

In addition, there are lands on the Project site designated as agricultural preserves, pursuant to Riverside County Ordinance 509. The Specific Plan would remove the agricultural preserve designation, and the land would no longer be subject to the requirements of Riverside County Ordinance 509.

(b) **Mitigation.** No mitigation is required, because the Project Specific Plan allows for the continuation of existing agricultural operations on and adjacent to the Project site and allows for the continuation of the Williamson Act contracts.

(c) **Findings.** This potential impact is determined to be less than significant because the Specific Plan allows for the continuation of existing Williamson Act contracts, and for other agricultural operations both on the Project site and adjacent to it.

(2) Result in conversion of off-site farmland to non- agricultural uses.

(a) **Potential Impact.** The proposed project site consists of approximately 3,129 acres under agricultural production, much of which would be converted to urban development and non-agricultural uses. The Project site also abuts land to the northwest with active agricultural operations, which will be adjacent to urban uses upon Specific Plan implementation. However, provisions have been established in the proposed Specific Plan which will reduce impacts on adjacent agricultural lands, thus reducing the potential that adjacent lands will be converted to urbanized uses. See discussion in Revised Draft EIR, section 6.2.7.2, at pages 6.2-56 to 6.2-60.

The proposed Project does not involve any other changes, such as the extension of infrastructure into adjacent agricultural lands, which would directly or indirectly cause the conversion of agriculturally active lands – outside the Project site – to urbanized uses. See discussion in Revised Draft EIR, section, at page 6.2-61.

Given the Specific Plan provisions to reduce conflicts with agricultural operations adjacent to the Project site, and the absence of actions to indirectly

place pressure on such agricultural operations, such as the extension of infrastructure into adjacent farmland, the Project's impacts related to the conversion of farmland to non-agricultural uses are deemed less than significant.

- (3) Consistency with Riverside County and Imperial County General Plans regarding agricultural operations. (*RDEIR*, § 6.2.9.1, pp. 6.2-76 to 6.2-92.)

- (a) **Potential Impact.** The proposed Project site consists of approximately 3,219 acres under agricultural production, much of which would be converted to urban development and non-agricultural uses. The Project site also abuts land to the northwest with active agricultural operations, which would be adjacent to urban uses upon Specific Plan implementation.

The Riverside County General Plan, Eastern Coachella Valley Area Plan and the Imperial County General Plan, contain policies designed to preserve productive agricultural lands, whether due to direct conversion and/or indirect impacts as a result of the encroachment of land uses that are potentially inconsistent with agricultural operations. See Revised Draft EIR, sections 6.2.9.1 to 6.2.9.2, at pages 6.2-76 to 6.2-92. The proposed Project is consistent with the goals and policies stated in Riverside County General Plan, Eastern Coachella Valley Area Plan and Imperial County General Plan, as discussed in the Memorandum from Matt Straite to Carolyn Luna, dated August 25, 2011. Under the goal and policies statements in those documents, conversion of any specific parcel would not necessarily conflict with the overall intent of the Riverside County General Plan and Eastern Coachella Valley Area Plan to preserve productive agricultural operations, while allowing controlled conversion of less productive agricultural lands to other uses. Conversion of the Project site to more urbanized uses would not necessarily cause an overall reduction of agricultural uses in Riverside County, given (1) the amount of non-designated land in the County that is actually in agricultural production and produces higher crop values than those on the Project site; and (2) the extensive areas of designated agricultural land that are currently fallow but are available for active agriculture.

As discussed in the Revised Draft EIR, at pages 6.2-76 to 6.2-77, the agricultural production on the Project site is limited to certain types of crops (approximately 1,272 acres of citrus crops and 665 acres of row crops) because of the poor soil conditions and water supply. These crops have limited economic viability and generally use more water than urban uses. Replacement crops and more efficient irrigation technologies would not be effective because of these limitations. Consequently, the proposed Project would be broadly consistent with the Riverside County General Plan and Eastern Coachella Valley Area Plan in that the current agricultural uses on the Project site are not viable in the long run, and thus would not be able to fulfill the long term objectives of conserving productive agricultural land in Riverside County.

With respect to the Imperial County portion of the Project site, analysis using the Department of Conservation LESA Model, determined that development of the Imperial County portion of the proposed Project site scored a 39.1, which is considered not significant. There is no Prime Farmland on the Imperial County portion of the Project site, and only 266 acres of Unique Farmland.

With respect to active agricultural land on adjacent property to the northwest of the Project site, the Specific Plan would implement measures to provide adequate transitional buffers, to separate residential and commercial uses on the Project site from adjacent ongoing agricultural land uses. See discussion in Revised Draft EIR at page 6.2-79 to 6.2-80.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact, *i.e.*, inconsistency with General Plan policies to preserve productive agricultural land uses, is determined to be less than significant, because the Project is generally consistent with the goals and policies set forth in the Riverside County General Plan, Eastern Coachella Valley Area Plan, and Imperial County General Plan, for the reasons set forth above under Section V.B.3(a)(1). Furthermore, the County specifically finds that the proposed Project, including its General Plan amendment, is consistent with the County General Plan Agricultural Foundation Element's 7% conversion limitation within any 2.5 year cycle, as explained in the Final EIR, at pp. 2.0-54 to 2.0-55, Responses 9-8 to 9-12, and in the Matt Straite Memorandum to Carolyn Luna, dated August 25, 2011.

C. Air Quality.

(1) Consistency with Imperial and Riverside County General Plans. (*RDEIR*, § 6.3.9.1, pp. 6.3-131 to 6.3-143.)

(a) **Potential Impact.** The Riverside County General Plan Air Quality element contains a host of policies that are designed to protect and improve the region's air quality. Development policies are set forth in the Revised Draft EIR, section 6.3.9.1, at pages 6.3-131 to 6.3-143. Similarly, the County of Imperial addresses air quality in the County's West Shores/Salton Sea Urban Area Plan, which also sets forth goals and objectives for the maintenance of air quality in the region. The Riverside County and Imperial County policies are set forth on pages 6.3-131 through 6.3-143 of the Revised Draft EIR, and the project is analyzed with respect to those policies to address its consistency. In each case, the Project is deemed consistent with the relevant policies of the Riverside County General Plan and the Imperial County General Plan, including Imperial County's West

Shores/Salton Sea Urban Area Plan. Generally, the Project would adhere to all applicable rules, regulations and plans for the region, including but not limited to those prepared by: ICAPCD, SCAQMD, Riverside County, Imperial County and SCAG.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the Riverside County and Imperial County General Plans.

(c) **Findings.** This potential impact, potential inconsistency with the Riverside County and/or Imperial County General Plan, is determined to be less than significant because the Project will comply with all applicable policies, rules and regulations with respect to air quality, including but not limited to those established by ICAPCD, SCAQMD, Riverside County, Imperial County and SCAG. In fact, the Project will go beyond the minimum applicable requirements by establishing an integrated community system of trails, bike ways, and pathways, that provide pedestrian and bicycle connections from essential areas, parks, schools and nearby commercial areas. Additionally, the Travertine Point Specific Plan provides a mobility plan that links roadways, trails, and future mass transit stops in an effort to reduce vehicle miles traveled within the valley and to effectively create a live/work environment where residents may use alternative travel modes that are environmentally superior to heavy reliance on traditional automobiles. In doing so, the proposed Specific Plan encourages alternatives modes of travel and thereby improves air quality. The proposed Specific Plan will also facilitate and incentivize the use of NEVs, which is analyzed in the Revised Draft EIR, which will materially reduce vehicle miles traveled by future residence of this Specific Plan area.

With respect to stationary emission sources, the Project will exceed Title XXIV (2008) building standards by 30% for residential uses, and 15% for commercial uses. In addition, the Project's Climate Action Plan embodies a combination of systems, objectives, and ways of implementation for developers and builders to substantially reduce greenhouse gas emissions that would be expected to occur from a development of this magnitude. All of these provisions in the Specific Plan support the County's determination that any potential impact with respect to consistency with the Counties' General Plans, regarding air quality, is less than significant.

With respect to locating Project residents adjacent to the Salton Sea, and its exposed sea playa that generates dust impacts and occasional odor events, the County finds that the impacts upon Project residents are not materially different than those for residents in the region due to prevailing wind patterns and the nature of the playa, *i.e.* the formation of hard crusts. (See discussion in RDEIR, at § 6.3, pp. 6.3-37 to 6.3-73; and 6.3-106 to 6.3-117), and consequently finds the Project consistent with all applicable Riverside and Imperial County policies, including Riverside County policy LU.2.1.

D. Biology.

- (1) Interference with wildlife corridors, or nursery sites. (*RDEIR*, § 6.4.7.4, pp. 6.4-150 to 6.4-159.)

(a) **Potential Impact.** Although the Project contains vegetation communities that provide movement opportunities and nursery sites for native resident wildlife species, which would be destroyed by development of the Project, nevertheless, through the availability of open space areas to the west and south of the Project site and the general availability of open space in the Project vicinity, impacts to wildlife movement and nursery sites across those Project sites, would be considered less than significant.

With respect to operational impacts, the implementation of the Specific Plan could result in indirect impacts to wildlife movement corridors and potential nursery areas adjacent to the Project site. However, due the availability of natural open space lands to the west and south, indirect impacts to wildlife movement/migration areas resulting from operation of the proposed Project site after implementation, would not be considered significant. Similarly, due to the availability of open space in the Project vicinity, operational impacts to wildlife usage of the proposed Project site for nursery sites would be considered less than significant. See Final EIR, pp. 2.0-86 to 2.0-87, Response 11-6. In addition, the Project Specific Plan has been modified to discourage human access to nearby sensitive areas, for example, terminating on-site trails at least 500 feet from Anza-Borrego Desert State Park. See Section III(J) above re Parks and Recreation Findings, and Revised Draft EIR Mitigation Measures 6.16-5 and 6.16-6.

Finally, the entire Project site will be required to pay the applicable MSHCP fees for mitigation of disturbed habitat on the Project site, including on Tribal land and Imperial County lands through the required MOU's between Riverside County, and Imperial County and the Tribe.

(b) **Mitigation.** No further mitigation is required because impacts to wildlife corridors and native wildlife nursery sites resulting from construction and operation of the proposed Project is considered less than significant. But see Section III(I) above, re Parks and Recreation Findings, regarding capacity impacts on park trails and facilities from new residents.

(c) **Findings.** Any potential impact to wildlife movement corridors and nursery sites is determined to be less than significant due to the availability of natural open space lands to the west and south of the Project site and the amount of open space lands in the Project vicinity. Furthermore, mitigation measures imposed for Parks and Recreation impacts, specifically mitigation measures 6.16-5 and 6.16-6, are designed to discourage human/pet intrusion into immediately

adjacent sensitive areas. *See* discussion in Section III(I) above. Section III(I) (Park and Recreation) determines – conservatively – that even with the imposition of feasible mitigation, residual impacts to immediately adjacent park lands, trails and facilities could potentially be significant and unavoidable due to increased population at the Project site. This Biological Finding, however, focuses on the broader open space areas in the general area around the Project site rather than the immediately adjacent border, and determines that there is sufficient open space to allow wildlife movement corridors and nursery areas to shift, without any significant adverse impact. Furthermore, mitigation measures 6.4-1 through 6.4-49 also provide mitigation, including approximately \$30 million in MSHCP fees for off-site acquisition of habitat, that would further mitigate any impacts.

(2) Conflict with local policies or ordinances protecting biological resources. (RDEIR, § 6.4.7.5, pp. 6.4-159 to 6.4-164.)

(a) **Potential Impact.** No local policies or ordinances, other than the Coachella Valley MSHCP, discussed in V.D.3 below, with respect to protection of biological resources, apply to the proposed Project site area. *See* discussion in Revised Draft EIR, section 6.4.7.5, at pages 6.4-159 through 6.4-164.

(b) **Mitigation.** No mitigation is required because no local policies or ordinances designed to protect biological resources, other than the Coachella Valley MSHCP discussed below, apply to the proposed Project site area.

(c) **Findings.** This potential impact is determined to be less than significant, with respect to any potential conflict with local policies or ordinances protecting biological resources, because no such local policies or ordinances apply to the proposed Project site area, other than the Coachella Valley MSHCP discussed below, in section V.D.3.

(3) Conflict with the provisions of an adopted Habitat Conservation Plan. (RDEIR, § 6.4.7.6, pp. 6.4-164 to 6.4-171.)

(a) **Potential Impact.** The Riverside County portion of the proposed Project site is governed by the Coachella Valley Multi-Species Habitat Conservation Plan ("CVMSHCP"). The Imperial County portion of the Project site is not located within an adopted habitat conservation plan. Although the implementation of the Project will impact lands governed by the CVMSHCP, the Project's mitigation measures are in accordance with the provisions of the CVMSHCP, and consequently, there will be no conflict between implementation of the Project and the adopted CVMSHCP.

With respect to operational impacts from implementation of the proposed Project, the Project's Specific Plan contains requirements that comply with the CVMSHCP's guidelines for minimizing "edge effects" that may include noise,

lighting, drainage, intrusion of people and the introduction of non-native plants and non-native predators, just dogs and cats. See discussion in Revised Draft EIR, section 6.4.7.6, at pages 6.4-160 through 6.4-170.

(b) **Mitigation.** No mitigation is required because the impacts are deemed less than significant as the result of the Project's consistency with the requirements of the adopted CVMSHCP, both with respect to construction impacts and operational impacts after Specific Plan implementation.

(c) **Findings.** This potential impact is determined to be less than significant, because the Project and its mitigation measures for "edge effects" on nearby sensitive habitat are in compliance with the adopted CVMSHCP.

(4) **Cumulative Biological Impacts.** (*RDEIR, § 6.4.8.1, pp. 6.4-171 to 6.4-175.*)

(a) **Potential Impact.** Cumulative impacts to biological resources over the life of the Specific Plan build out are likely to be adverse on a project specific basis, but with the implementation of long range planning efforts, such as the adopted CVMSCHP and the Salton Sea Restoration Plan, these impacts are not likely to be cumulatively considerable, and therefore would not be significant. See discussion in Revised Draft EIR, section 6.4.8.1, at pages 6.4-171 to 6.4-175. Furthermore, Riverside County, and the Tribe must enter into an MOU applying all mitigation to the entire Project site before any development occurs. (See Specific Plan § 3.5.).

For those species not covered by the adopted CVMSCHP, they will receive protection within the conservation areas identified in the Specific Plan in the same manner as the species targeted within the CVMSCHP, since many of these species have similar habitat requirements or preferences. In addition, those species not specifically covered under CVMSCHP, will have their impacts analyzed on a project by project basis, and the individual projects will be required to provide appropriate mitigation.

With respect to cumulative biological impacts associated with the restoration of the Salton Sea, construction activity associated with the cumulative projects is either already completed or would not occur within the footprint of the Salton Sea, where the combined effects of the projects could be magnified. However, construction activities that increase the overall activity in the areas surrounding the Salton Sea could increase the magnitude of impact on biological resources. However, impacts of these cumulative projects on biological resources are generally expected to be minor or mitigated to less than significant level, as related projects in the region comply with Riverside and Imperial County's existing requirements for CEQA compliance and mitigation.

(b) **Mitigation.** The Project will comply with the adopted CVMSCHP designed to address cumulative impacts, and will abide by the guidelines established to reduce "edge effects" with respect to nearby habitat, including restrictions on noise, lighting, drainage, intrusion of people, and the introduction of non-native plants and non-native predators, such as dogs and cats.

In addition, with respect to tribal land, the Riverside County portion of the Project may not be implemented until the tribe has adopted the Specific Plan and the mitigation measures associated with the Revised Draft EIR, as part of a Memorandum of Understanding with the County, thereby ensuring that cumulative mitigation measures, such as payment of the CVMSCHP fee, will apply to tribal land. *See* § IV(B)(1) herein.

With respect to that part of the Project in Imperial County, cumulative biological impacts are determined to be less than significant because large areas of the Project site within Imperial County will remain undeveloped natural open space after project implementation. Other areas that will be disturbed, have already been repeatedly disturbed by existing agricultural operations and/or are of marginal habitat value. It is also anticipated that Imperial County will impose project specific mitigation measures if and when tract maps are ultimately submitted for approval in the latter phases of Specific Plan build out, *i.e.*, between 2030 and 2040, as part of project specific CEQA compliance. Furthermore, the Project has been conditioned to prohibit any grading on the Imperial County portion of the Project site until Imperial County has adopted a MSHCP fee to address cumulative impacts or its equivalent in terms of on-site and off-site habitat preservation. *See* § IV(B)(1) herein, and Mitigation Measure 6.4-24. With respect to challenges to the County's methodology in assessing cumulative impacts, *see* § VIII(C) below.

(c) **Findings.** This potential impact is determined to be less than significant because of the reasons states above, including but not limited to the required payment of CVMSHCP fees on the entire Project site in Riverside County, the current disturbed condition of the Imperial County portion of the Project site, and the requirement of future CEQA compliance on the Imperial County portion when it is scheduled to be developed in Phase V, between 2030 and 2040.

(5) Consistency with Riverside and Imperial County General Plans. (*RDEIR*, § 6.4.9.1, pp. 6.4-175 to 6.4-183.)

(a) **Potential Impact.** The Riverside County General Plan Multipurpose Open Space Element contains a number of goals, objectives, and policies that are intended to provide for the conservation, preservation, and reservation of natural resources, including for biological resources. *See* discussion in Revised Draft EIR, section 6.4.9.1, at pages 6.4-175 to 6.4-183. The

proposed Project is consistent with each of the Riverside County Open Space Policies set forth at page. 6.4.175 to 6.4-177, because the Project and the mitigation measures imposed upon the Project are consistent with the County of Riverside's goals to preserve natural resources, including biological resources.

With respect to Imperial County's General Plan, its Open Space Element also identifies goals and policies to encourage the managed use of environmental resources, while encouraging economic development and growth. Large portions of the natural habitats located in the southern portion of the proposed project site, within Imperial County, will remain undeveloped natural open space. The proposed project addresses the need to properly manage scarce resources by providing mitigation for impacts to such sensitive resources, and thus is consistent with the goals provided in the Imperial County General Plan.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the goals and policies stated in the Riverside County and Imperial County General Plans with respect to impacts upon biological resources.

(c) **Findings.** This potential impact, *i.e.*, potential inconsistency with policies in the Riverside County and Imperial County General Plans, is determined to be less than significant, because the Project's restrictions on development in the Specific Plan and compliance with mitigation measures imposed, is consistent with the biological resources protection measures in the Riverside County and Imperial County General Plans.

E. Cultural Resources.

(1) Cumulative Impacts Upon Cultural Resources and Paleontological Resources. (*RDEIR, § 6.5.8.1, pp. 6.5-67 to 6.5-68.*)

(a) **Potential Impact.** Cumulative impacts upon cultural resources tend to be site specific and are assessed on a site-by-site basis as future projects are proposed. Where such resources exist, build out of the Project site, together with other development in Riverside and Imperial Counties and the region, would result in an incremental adverse impact to cultural resources. In this case, the cumulative impact would be to unknown historic resources. However, provided that proper mitigation, as defined by State CEQA Guidelines Section 15126.4(b) is implemented in conjunction with cumulative development in the area, no significant cumulative impacts are anticipated with future projects. *See* discussion in Revised Draft EIR, section 6.5.8.1, at pages 6.5-67 to 6.5-68.

(b) **Mitigation.** No additional mitigation is required because cumulative impacts to cultural resources and paleontological resources are deemed to be less than significant.

(c) **Findings.** This potential impact, *i.e.*, cumulative impacts to cultural and paleontological resources, is deemed to be less than significant because impacts to such resources tend to be site specific rather than cumulative, and it is anticipated that future projects in the region will comply with the same mitigation measures imposed upon this Project, including those defined by State CEQA Guideline Section 15126.4(b).

(2) Consistency with the Riverside County and Imperial County General Plans. (*RDEIR*, § 6.5.9.1, pp. 6.5-68 to 6.5-73.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans contain policies designed to protect cultural resources, which could be potentially impacted by the implementation of the proposed Project. *See* discussion in Revised Draft EIR, sections 6.5.9.1 and 6.5.9.2, at pages 6.5-68 to 6.5-73. The proposed Project is consistent with policies set forth in both Counties' General Plans in that the proposed Project includes a 152-acre area in the northern portion of the TMDCI Reservation land planned to be maintained as a cultural preserve and living desert, which is designed to protect significant archeological artifacts known to be present. The Specific Plan also includes Open Space-Conservation land use designations, which generally prohibit structures in such areas, with limited exceptions for example, facilities related to health and safety.

With respect to historic structures, there are no historic buildings located on the Project site.

Furthermore, the proposed Project has undertaken intensive surveys of representative portions of the Project site, approximately 1,836 acres of the total project acreage, to assess potential cultural resources impacts. Various protective features of the Project's Specific Plan with respect to cultural resources ensure that the Project is consistent with both Counties' General Plans.

(b) **Mitigation.** No further mitigation is required, for the reasons explained above.

(c) **Findings.** This potential impact, *i.e.*, consistency with General Plan policies with respect to cultural resources, is determined to be less than significant, because provisions in the Project Specific Plan protect cultural resources in a manner consistent with the Counties' General Plan policies, and the Project does not contain any known historical buildings.

F. Geology and Soils.

- (1) Expose people/structures to known earthquake fault. (*RDEIR, § 6.6.7.1, pp. 6.6-35 to 6.6-36.*)

(a) **Potential Impact.** Surface rupture on the Project site can result in the loss, injury or death of construction personnel during construction and residents, visitors and employees after implementation of the Project. However, the Project is not located within an earthquake fault zone, and therefore the risk of surface rupture on the Project site is deemed to be less than significant. See discussion in Revised Draft EIR, section 6.6.7.1, at pages 6.6-35 to 6.6-36.

(b) **Mitigation.** No mitigation measures are required because the Project is not located within an earthquake fault zone.

(c) **Findings.** This potential impact, *i.e.*, exposure to an earthquake fault zone is determined to be less than significant because the Project site is not located within an earthquake fault zone.

- (2) Improper soils for septic tanks or alternative wastewater systems. (*RDEIR, § 6.6.7.8, p. 6.6-53.*)

(a) **Potential Impact.** The Project does not use septic tanks and will include construction of a sanitary sewer system. Therefore, impacts would be less than significant. See discussion in Revised Draft EIR, section 6.6.7.8, at page 6.6-53.

(b) **Mitigation.** No mitigation measures are required because the Project does not use septic tanks.

(c) **Findings.** This potential impact is determined to be less than significant because the Project does not use septic tanks and because the Project is going to install a sewer system.

- (3) Cumulative Geology and Soils Impacts. (*RDEIR, § 6.6.8.1, pp. 6.6-56 to 6.6-57.*)

(a) **Potential Impact.** General impacts related to geotechnical conditions are site specific, and in this case would be limited to areas near the development boundaries of the Project site. Buildings and facilities proposed under the Project Specific Plan are required to be sited, designed, and constructed in accordance with geotechnical, geologic, and seismic building codes. Future related projects would also be expected to mitigate their respective impacts to a less than significant level with the implementation of site-specific/project-specific mitigation as set forth in their respective soils and geotechnical reports.

Therefore, the contribution to cumulative geological and soils impacts are less than significant. See discussion in Revised Draft EIR, section 6.6.8, at pages, 6.6-56 and 6.6-57.

(b) **Mitigation.** No further mitigation is required to mitigate cumulative impacts to geology and soils.

(c) **Findings.** This potential impact, *i.e.*, cumulative impacts with respect to geology and soils impacts, is determined to be less than significant for the reasons set forth on pages 6.6-56 to 6.6-57 of the Revised Draft EIR, including but not limited to the fact that impacts related to geotechnical conditions are generally site specific.

(4) Consistency with Riverside and Imperial County General Plans. (*RDEIR*, § 6.6.9.1, pp. 6.6-57 to 6.6-63.)

(a) **Potential Impact.** The safety element in the Riverside County General Plan and the Seismic and Public Safety element in the Imperial County General Plan contain policies, goals and objectives designed to minimize potential impacts from earthquakes and other soils related issues. See discussion in Revised Draft EIR, sections 6.6.9.1 and 6.6.9.2, at pages 6.6-57 to 6.6-63. The analysis set forth in the Revised Draft EIR demonstrate that the Project is consistent with the General Plan policies set forth on those pages for several reasons, including but not limited to, the fact that geotechnical investigations have been conducted through a representative portion of the Project site to address various issues, including potential liquefaction. Thus, Specific Plan requirements and applicable mitigation measures ensure that the Project will be developed in a manner that is consistent with the goals, objectives and policies set forth in the Riverside County and Imperial County General Plans. Consequently, any potential impacts from inconsistency is less than significant.

(b) **Mitigation.** No further mitigation is required, for the reasons explained above.

(c) **Findings.** This potential impact, *i.e.*, potential inconsistency with the Counties' General Plans, is determined to be less than significant because the proposed Specific Plan, and the mitigation measures imposed upon implementation of the Project, are consistent with the goals, policies and objectives set forth in the Counties' respective General Plans.

G. Hazards and Hazardous Materials.

- (1) Potential release of hazardous substances during construction. (*RDEIR*, § 6.7.7.2, pp. 6.7-34 to 6.7-35.)

(a) **Potential Impact.** During construction, hazardous building materials, such as asbestos, lead, PCBs, and other substances, would be removed from the Project site. The release of any of these substances into the environment during demolition could constitute a significant hazard to construction personnel and occupants of previously built out portions of the Project site. However, with compliance with state and federal regulations, these hazardous materials can be handled in a safe manner and would not be released into the environment during demolition. Therefore, any potential impact is deemed to be less than significant. With respect to Imperial County, no known structures are located on the Imperial County portion of the Project site, and therefore there is no potential impact. See discussion in Revised Draft EIR, section 6.7.7.2, at pages 6.7-34 to 6.7-35.

(b) **Mitigation.** No mitigation is required because compliance with applicable state and federal regulations would ensure that there would be no hazardous release during the demolition and removal process from the Project site.

(c) **Findings.** This potential impact, *i.e.*, the release of hazardous building materials during the construction process, is determined to be less than significant, because compliance with applicable state and federal regulations would ensure that no such release would occur.

- (2) Emit hazardous substances near a school site during construction. (*RDEIR*, § 6.7.7.3, pp. 6.7-40 to 6.7-43.)

(a) **Potential Impact.** There are no existing school sites located on or within 0.25 miles of the Project site. Therefore construction activities, including demolition of structures containing hazardous substances, would not result in the release of hazardous emissions within 0.25 miles of an existing school. The Project does involve the construction of new school sites, however, which could be within 0.25 miles of demolition activities. However, compliance with state and federation regulations with respect to demolition of existing structures would ensure that these substances will be removed by licensed professionals in accordance with applicable regulations. Therefore, any potential impact would be less than significant.

With respect to Imperial County, no existing school sites are located on or within 0.25 miles of the Imperial County portion of the site, nor are any new schools proposed within the Specific Plan area within Imperial County. Consequently, impacts within Imperial County would be less than significant.

See discussion in Revised Draft EIR, section 6.7.7.3, at pages 6.7-40 to 6.7-41. Note that operational impacts, after Specific Plan implementation, are deemed to be potentially significant until mitigated, and therefore are discussed in Section IV(E) of these Findings.

(b) **Mitigation.** No mitigation is required with respect to construction-related emissions for the reasons described above.

(c) **Findings.** This potential impact is determined to be less than significant because compliance with state and federal regulations will ensure that no hazardous substances are released during the demolition process.

(3) Location of project on a hazardous materials site. (*RDEIR*, § 6.7.7.4, pp. 6.7-43 to 6.7-44.)

(a) **Potential Impact.** There are several sites in the project area, including one on the Project site, that are listed on a hazardous materials site list. These sites include a World War II era bomb target site, identified within the Salton Sea approximately two miles east of the Project site. However, it is determined that no listed sites, identified pursuant to Government Code Section 65962.6, would create a hazard to occupants on the Project site. Consequently, impacts are deemed less than significant. See discussion in Revised Draft EIR, section 6.7.7.4, at pages 6.7-42 to 6.7-44.

(b) **Mitigation.** No mitigation is required because none of the sites identified has a potential to cause a significant impact upon future project residents.

(c) **Findings.** This potential impact is determined to be a less than significant impact because the proposed Project includes a buffer zone between the on-site landfill and any project residences. In addition, off-site hazardous materials sites are of a sufficient distance, at least one mile from the Project boundary, so as not to pose a significant risk to project residents and employees.

(4) Location within an airport land use plan. (*RDEIR*, § 6.7.7.5, pp. 6.7-44 to 6.7-45.)

(a) **Potential Impact.** The Project site is not located within an airport land use plan or within two miles of a public airport or public use airport. Consequently, there is no significant impact with respect to this issue. See discussion in Revised Draft EIR, section 6.7.7.5, at page 6.7-44.

(b) **Mitigation.** No mitigation is required because the Project is not located within an airport land use planning area.

(c) **Findings.** This potential impact is, *i.e.*, location within an airport land use plan area, is determined to be a less than significant because the Project is not located in such an area.

(5) Located within close proximity to a private airstrip. (*RDEIR*, § 6.7.7.6, pp. 6.7-45.)

(a) **Potential Impact.** The Project site is not located within the vicinity of a private airstrip, and consequently, hazards associated with aircraft are not anticipated to occur during construction or operation of the proposed Project. See discussion in Revised Draft EIR, section 6.7.7.6, page 6.7-45.

(b) **Mitigation.** No further mitigation is required for the reasons explained above.

(c) **Findings.** This potential impact is determined to be a less than significant because the Project is not located within the vicinity of a private airstrip.

(6) Impair implementation of an emergency response plan. (*RDEIR*, § 6.7.7.7, pp. 6.7-46 to 6.7-47.)

(a) **Potential Impact.** The existing emergency response plans that apply to the Project site are the Riverside County Multi-Hazard Functional Plan and the Imperial County OAEOP. Implementation of the proposed Project would not involve interference with any roadways or highways that would be required for an emergency response plan. Therefore, construction of the proposed Project would not impair implementation of, or physically interfere with, the adopted emergency response plans identified above. Consequently, impacts would be less than significant. Furthermore, with respect to operational impacts, after the Project is implemented, compliance with applicable Riverside County and Imperial County requirements would ensure that any potential impact is reduced to less than significant level.

(b) **Mitigation.** No mitigation is required because the Project does not interfere with or hinder implementation of any emergency response plans.

(c) **Findings.** This potential impact is determined to be a less than significant because the Project does not interfere with or hinder either the Riverside County or Imperial County emergency response plans.

(7) Expose people or structures to wildland fire risk. (RDEIR, § 6.7.7.8, pp. 6.7-47 to 6.7-48.)

(a) **Potential Impact.** Given the fact that the proposed project site is located within a low wild fire susceptibility zone, and given the fact that the Project includes various measures to address the potential for wild fires, including various brush clearance requirements, impacts related to wild fires are deemed to be less than significant. See discussion in Revised Draft EIR, section 6.7.7.8., at pages 6.7-47 to 6.7-48.

(b) **Mitigation.** No additional mitigation is required because potential wildland fire impacts are less than significant as described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is located in a low wildfire susceptibility zone, and compliance with applicable Riverside and Imperial County requirements will ensure that various wildfire management practices, including brush clearance, would reduce any potential risk to a less than significant level.

(8) Cumulative Hazard Impacts. (RDEIR, § 6.7.8.1, pp. 6.7-55 to 6.7-56.)

(a) **Potential Impact.** Hazard impacts usually occur on a project specific level, rather than a cumulative basis. The proposed Project itself would not create a significant hazard to the public or environment and would comply with regulatory controls to abate any on-site hazards. All related projects would be required to abate on-site hazards prior to construction that comply with adopted emergency response and evacuation plans. Consequently, cumulative hazard impacts are deemed to be less than significant. See discussion in Revised Draft EIR, section 6.7.8.1, at pages 6.7-55 to 6.7-56.

(b) **Mitigation.** No additional mitigation is required for the reasons set forth above.

(c) **Findings.** This potential impact, relating to cumulative hazards impact, is determined to be a less than significant because hazards impacts typically occur on a project-by-project basis, rather than a cumulative basis, and the proposed Project and nearby related projects, will be required to comply with Riverside County and Imperial County standards for the abatement of hazards prior to construction and with respect to emergency response and evacuation plans.

- (9) Consistency with Imperial and Riverside County General Plans. (*RDEIR*, § 6.7.9.1, pp. 6.7-56 to 6.7-59.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans contain policies, goals and objectives to address the potential release of hazardous substances and the risk of wild fire hazards. See discussion in Revised Draft EIR, section 6.7.9.1 to 6.7.9.2, at pages 6.7-56 to 6.7-59. The Project is consistent with the policies, goals and objectives set forth in the Revised Draft EIR, and consequently, any potential impact is determined to be less than significant.

(b) **Mitigation.** No additional mitigation is required because any potential impact with respect to consistency with both Counties' General Plans is determined to be less than significant for the reasons set forth above.

(c) **Findings.** This potential impact, *i.e.*, potential inconsistency with either Counties' General Plans, is determined to be less than significant because the Project would be constructed consistent with applicable building and fire codes of Riverside and Imperial Counties, and buffers will surround the Oasis Sanitary Landfill to the extent that it continues in operation during Project implementation.

H. Hydrology and Water Quality.

- (1) Substantially interfere with groundwater recharge. (*RDEIR*, § 6.8.7.2, pp. 6.8-59 to 6.8-62.)

(a) **Potential Impact.** The Coachella Valley Water Management Plan ("CVWMP"), shows the total water demand from all uses in the Coachella Valley, including agricultural, was 668,900 acre-feet per year in 1999, is projected to increase 723,00 acre-feet by 2015, and may reach 890,000 acre-feet by 2035. The proposed Project has been designed to maximize the infiltration of on-site generated runoff by incorporating design concepts that promote infiltration of stormwater runoff facilitating recharge of the aquifer. The Project would have design features, such as vegetated open channels or grass swales, that further promote infiltration of generated runoff. In addition, the proposed Project provides over 1,486 acres of open space in undeveloped land. These areas represent approximately 30% of the Project site, and will provide for groundwater recharge. Based upon the foregoing, and the discussion set forth in the Revised Draft EIR, section 6.8.7.2, at pages 6.8-59 to 6.8-62, the Project's impacts with respect to groundwater recharge are determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the Project does not have a significant impact, with respect to interfering with groundwater recharge.

(c) **Findings.** The potential impact with respect to groundwater recharge is determined to be less than significant for the reasons set forth above, including but not limited to project design features that will facilitate recharge of the aquifer.

(2) Substantially alter an existing drainage pattern. (*RDEIR*, § 6.8.7.3, pp. 6.8-73 to 6.8-77.)

(a) **Potential Impact.** The Project site was historically used for various agricultural uses. Implementation of the proposed Project will result in the alteration of the site's use and will introduce additional asphalt, concrete, and other impervious surfaces that do not currently exist on site. The drainage plan for the proposed Project provides for four major channel systems, that will convey stormwater flows from west to east across the project site for discharge into the Salton Sea. The proposed drainage systems would not alter upstream flood patterns within watersheds that contribute flows to the Project site and off-site drainage characteristics would remain unchanged after project build out. The proposed Project would construct flood control facilities in locations that would incorporate the existing drainage characteristics, rather than modifying off-site drainage patterns. Consequently, the Project is not anticipated to have an adverse effect on off-site drainage conditions, and the on-site drainage system is expected to be an adequate method of stormwater conveyance through the life of the Project. Therefore, both on-site and off-site flooding impacts are determined to be less than significant, as discussed in the Revised Draft EIR, section 6.8.7.4, at pages 6.8-73 to 6.8-77.

(b) **Mitigation.** No mitigation is required with respect to this potential impact for the reasons set forth above.

(c) **Findings.** This potential impact, *i.e.*, alteration of an existing drainage pattern resulting in flooding on or off-site, is determined to be less than significant, as explained above. The Project's drainage plan ensures that the proposed drainage system would not alter upstream flood patterns within watersheds that contribute flows to the Project site, and off-site drainage characteristics would remain unchanged. Expert analysis indicates that the proposed on-site stormwater conveyance system would not result in on-site flooding because the system incorporates existing drainage characteristics and would comply with CVWD and Riverside and Imperial County requirements for management of 100-year storm flows.

(3) Exceed existing or planned stormwater drainage capacity. (*RDEIR*, § 6.8.7.5, p. 6.8-77.)

(a) **Potential Impact.** Expert analysis indicates that the proposed on-site stormwater conveyance system would not result in on-site flooding because

the system incorporates existing drainage characteristics and would comply with CVWD and Riverside and Imperial County requirements for management of 100-year storm flows. Additional expert analysis will be required as the proposed Project is built out, to ensure that the system would effectively convey stormwater flows. However, based upon the preliminary expert analysis, the impacts are determined to be less than significant. Moreover, the proposed Project would not provide substantial sources of polluted runoff, and impacts related to water quality are determined to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.5, at page p. 6.8-77.

(b) **Mitigation.** No further mitigation is required because the impact has been determined to be less than significant, as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed on-site stormwater conveyance system would not result in on-site flooding, for the reasons explained above, and because the proposed project does not provide substantial sources of polluted runoff after implementation of the requirements set forth in the Specific Plan and in County Conditions of Approval.

(4) Otherwise substantially degrade water quality. *RDEIR, § 6.8.7.6, pp. 6.8-77 to 6.8-78.*)

(a) **Potential Impact.** Impacts to water quality are discussed in Revised Draft EIR section 6.8.7.1. The reduction in agricultural operations on the Project site will benefit water quality by reducing nitrate, total dissolved solids and nutrient loads, thus improving the long-term quality of the underlying groundwater basin and surrounding surface waters, including the Salton Sea.

During construction of the proposed Project, the project proponent would be required to prepare a site-specific Stormwater Pollution Prevention Plan (SWPPP) in accordance with the State Water Resources Control Board (SWRCB) General Permit for construction activities requirements. After construction is completed, the project site will be required to comply with the County's requirements for new development. As a result, impacts to water quality are determined to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.6, at pages 6.8-77 to 6.8-78).

(b) **Mitigation.** No further mitigation is required to mitigate this impact to a less than significant level, for the reasons set forth above.

(c) **Findings.** This potential impact, degradation of water quality, is determined to be less than significant, in part because the reduction in agricultural operations on the Project site will, in fact, improve water quality. Furthermore,

the Project will comply with all state and federal water pollution prevention control requirements thereby ensuring that any impact is less than significant.

- (5) Place housing within a 100-year flood hazard area. (RDEIR, § 6.8.7.7, pp. 6.8-78 to 6.8-79.)

(a) **Potential Impact.** The Project will place housing within a 100-year flood hazard area, as determined by FEMA, effective August 28, 2008. However, the proposed drainage system is designed to adequately detain and convey 100-year storm flows in accordance with CVWD and the Riverside and Imperial County requirements. Consequently, impacts are deemed to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.7, at pages 6.8-78 to 6.8-79.

(b) **Mitigation.** No mitigation measures are required because the proposed drainage system, set forth in the Specific Plan, is designed to adequately detain and convey 100-year storm flows in accordance with CVWD, Riverside County and Imperial County requirements, and expert analysis confirms that the proposed drainage system will do so.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed drainage system is designed to adequately convey 100-year storm flows in accordance with CVWD, Riverside County and Imperial County requirements.

- (6) Impede or redirect flood flows. (RDEIR, § 6.8.7.8, pp.6.8-79 to 6.8-80.)

(a) **Potential Impact.** The proposed Project would place structures within a 100-year flood hazard areas mapped on a FEMA map, however, the Project includes a drainage master plan designed to convey flows without substantial modification to existing off and on-site drainage conditions. The proposed drainage systems are also designed to adequately detain and convey 100-year storm flows in accordance with CVWD, Riverside and Imperial County requirements. Since stormwater would be conveyed within the proposed drainage system to the Salton Sea, the proposed structures would not impede or redirect flood flows. Consequently, impacts are deemed less than significant. See discussion in Revised Draft EIR, section 6.8.7.8, at pages 6.8-79 to 6.8-80.

(b) **Mitigation.** No mitigation is required because the Project's proposed drainage system is designed to avoid any substantial impedance or redirection of flood flows on or off the Project site.

(c) **Findings.** This potential impact is determined to be less than significant because the Project includes a master drainage plan designed by

experts to convey flows, without substantial modification to existing off and on-site drainage conditions.

(7) Potential failure of a levee or dam. (*RDEIR, § 6.8.7.9, p. 6.8-80.*)

(a) **Potential Impact.** The Project is not located within a levee or dam inundation zone in either Riverside or Imperial County. Consequently, the proposed Project would not expose people or structures to a significant risk of loss, injury or death involving flooding as the result of a failure of a levee or dam. See discussion in Revised Draft EIR, section 6.8.7.9, page 6.8-80.

(b) **Mitigation.** No mitigation is required because the Project is not located in the vicinity of a dam or levee, which might expose people or structures to a significant risk of loss or injury, as a result of a failure of a levee or dam.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located within a dam or levee inundation zone that might expose residents or structures of a risk of loss, injury or death.

(8) Experience inundation by seiche, tsunami or mudflow. (*RDEIR, § 6.8.7.10, pp. 6.8-80 to 6.8-81.*)

(a) **Potential Impact.** While it is possible that a large earthquake could result in a seiche at the Salton Sea, the likelihood of such an event is very low. First, the magnitude of an earthquake producing a seiche would have to be extremely high. The risk of such high magnitude earthquake is considered very low. Second, the Salton Sea is not of a depth or size that is typically associated with a seiche or tsunami. See discussion in Revised Draft EIR, section 6.8.7.10, at pages 6.8-80 to 6.8-81.

Finally, with respect to mudflows, the adjacent mountain slopes are composed of rock, rather than dirt or sand. Consequently, the risk of a mudflow impacting the Project site is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is not located in a location that is likely to experience a seiche, tsunami or mudflow impacts.

(c) **Findings.** This potential impact is determined to be less than significant because the likelihood of a seiche or tsunami event is very low, and the topography in and around the Project site is not conducive to mudflows.

(9) Create runoff exceeding the capacity of the stormwater drainage system. (RDEIR, § 6.8.7.11, p. 6.8-81.)

(a) **Potential Impact.** Preliminary expert analysis indicates that the stormwater drainage plan would effectively convey stormwater flows to the Project site to the Salton Sea, and would not exceed the system's planned capacity. Consequently, the impact is deemed less than significant. See discussion in Revised Draft EIR, section 6.8.7.11, at page 6.8-81.

(b) **Mitigation.** No mitigation is required because the Project's drainage system has been designed to avoid any exceedance in its capacity.

(c) **Findings.** This potential impact is determined to be less than significant because the Project's stormwater drainage system has been designed to avoid any exceedance in the necessary capacity, as explained in the Revised Draft EIR, at page 6.8-81.

(10) Damage unique hydrologic characteristics. (RDEIR, § 6.8.7.12, pp. 6.8-82 to 6.8-84.)

(a) **Potential Impact.** The Project's proposed drainage system would not alter upstream flood patterns within watersheds that contribute flows to the Project site and off-site drainage characteristics would remain unchanged after Project build out. Furthermore, the proposed Project would construct flood control facilities in locations that would incorporate the existing drainage characteristics rather than modifying off-site drainage patterns. Additionally, the proposed drainage plan would convey flows across the Project site through engineered channels located in areas consistent with current drainage patterns. Consequently, the impact is determined to be less than significant. See discussion in Revised Draft EIR, section 6.8.7.12, at pages, 6.8-82 to 6.8-84.

(b) **Mitigation.** No mitigation measures are required because the Project's design features, as described above, and as more fully set forth at pages 6.8-82 through 6.8-84 of the Revised Draft EIR, demonstrate that any potential impact would be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because various design features in the Project Specific Plan ensure that unique hydrologic characteristics will not be damaged, and further ensure that there will not be changes to unique hydrologic baseline conditions over an extensive area.

(11) **Cumulative Hydrology and Water Quality Impacts.** (*RDEIR, § 6.8.8.1, pp. 6.8-84 to 6.8-86.*)

(a) **Potential Impact.** The proposed Project, along with other past, present and reasonably foreseeable future projects in both Riverside and Imperial Counties could potentially have cumulative impacts on flood flows and water quality. However, development within both Counties must obtain coverage under the National Pollutant Discharge Elimination System permit for stormwater discharges, issued by the Regional Water Quality Control Board. The County currently reviews all plans and developments to ensure compliance with the permit's requirements. With respect to water quality, the Project and each related Project are required to comply with the NPDES permit requirements and local regulations designed to prevent polluted runoff from entering local storm drain systems and receiving water bodies during construction and after build out. Consequently, the cumulative impact to water quality would be less than significant. *See discussion in Revised Draft EIR, section 6.8.8.1, at pages 6.8-84 to 6.8-86.* The various other potential cumulative impacts, with respect to hydrology and water quality, are discussed in the Revised Draft EIR, at the pages indicated above.

(b) **Mitigation.** No mitigation measures are required because the Project's cumulative impacts, with respect to hydrology and water quality, are determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project and related Projects would be required to comply with the existing NPDES permit, the County currently reviews all plans and developments for compliance with that existing permit, and the Project is designed to convey flood flows through the Project site without materially altering either on-site or off-site flows.

(12) **Consistency with Revised Draft EIR and Imperial County General Plans.** (*RDEIR, § 6.8.9.1, pp. 6.8-86 to 6.8-96.*)

(a) **Potential Impact.** The Riverside County General Plan contains several policies relative to water supply, water quality, groundwater resources and floodplain management. The Imperial County General Plan also includes goals and policies designed to address water supply and water quality. *See discussion in Revised Draft EIR, sections 6.8.9.1 and 6.8.9.2, at pages 6.8-86 to 6.8-96.* The Project has been designed to be consistent with the policies set forth by Riverside County and Imperial County on the above-referenced pages, and therefore any potential inconsistency impact is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals, and objectives set forth in the Riverside

County and Imperial County General Plans with respect to hydrology and water quality.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the goals, policies and objectives of the Riverside County and Imperial County General Plans.

I. Land Use and Planning.

(1) **Physically Divide an Established Community.** (*RDEIR, § 6.9.7.1, p. 6.9-35.*)

(a) **Potential Impact.** The proposed Project does not contain any features that would physically divide an established community. To the contrary, the Project contains an underpass connecting the Project site that is currently bisected by SR 86S, thus enhancing connectivity over the existing condition. Consequently, any potential impact is deemed less than significant, and actually net beneficial. See discussion in Revised Draft EIR, section 6.9.7.1, page 6.9-35.

(b) **Mitigation.** No mitigation is required because the Project does not contain any features that would physically divide an established community.

(c) **Findings.** This potential impact is determined to be less than significant because the Project does not contain any features that would physically divide an existing community. To the contrary, the Project better connects the existing Project site, which is currently bisected by SR 86S.

(2) **Conflict with any applicable land use plan, which mitigates an environmental effect.** (*RDEIR, § 6.9.7.2, pp. 6.9-35 to 6.9-40.*)

(a) **Potential Impact.** The Project will require changes to the various land use plans of Riverside County, Imperial County and the TMDCI, and would be zoned Specific Plan by both Riverside and Imperial County General Plans. The TMDCI would include the proposed Project land use designations as part of their General Plan update. To accomplish this, the Project applicant requests approval of a General Plan amendment, including amendment of the East Coachella Valley Area Plan, in Riverside County, a General Plan Amendment, including amendment of the West Shores/Salton City Urban Area Plan, for Imperial County, and incorporation of the Specific Plan into the Tribal General Plan for those portions of the Specific Plan Area under the jurisdiction of the TMDCI. See discussion in Revised Draft EIR, section 6.9.7.2, at pages 6.9-35 to 6.9-40. With approval of the requested discretionary actions, the Project would be consistent with the Riverside County and Imperial County General Plans. Specifically, the Project's consistency with the Land Use element of the Riverside County General Plan is discussed in subsection 6.9.9.1 of the Revised Draft EIR.

Although the Project would result in changes in the land use designations and zoning, the Project is considered to be consistent with the goals and policies of the Riverside County General Plan.

With respect to the Eastern Coachella Valley Area Plan, the proposed Project would develop 1,350 residential units by 2020, based on current absorption projections and current market conditions, which is less than what could be developed within the Project site under existing land uses. Consequently, the Project is consistent with the Eastern Coachella Valley Area Plan.

With respect to agricultural land conversion, the Project is consistent with County policies regulating such conversions, as discussed in the agricultural section of the Revised Draft EIR and in section V(B)(3) of these Findings. *See also* Memorandum of Matt Straite to Carolyn Luna, further explaining the Project's consistency with General Plan policies, dated August 25, 2011.

With respect to the Imperial County General Plan, with approval of the requested discretionary actions, the Project would be consistent with the Imperial County General Plan, as discussed in subsection 6.9.9.2 of the Revised Draft EIR. Although the Project's approval would change existing land use designations on the Project site, approval of the Project would not conflict with the general goals and policies of the Imperial County General Plan.

With respect to the TMDCI, approval of the requested discretionary actions would be consistent with the TMDCI land use designations and zoning for the Project site.

With respect to the Coachella Valley Multi-Species Habitat Conservation Plan, the Project would comply with the land adjacency guidelines, and consequently, impacts would be less than significant. *See* discussion in Revised Draft EIR at page 6.9-43.

(b) **Mitigation.** No mitigation is required because the impact of the Project is less than significant with respect to potential conflicts with existing land use plans applicable to the Project site, after the discretionary actions requested are approved.

(c) **Findings.** This potential impact is determined to be less than significant because the Project as proposed is not in conflict with any applicable land use plan, assuming that the discretionary actions requested from Imperial County, Riverside County and the TMDCI are granted through project approval.

- (3) Conflict with any applicable habitat conservation plan. (*RDEIR*, § 6.9.7.3, pp. 6.9-40 to 6.9-41.)

(a) **Potential Impact.** Part of the proposed Project in Riverside County is located within the CVMSHCP area, and is adjacent to land designated as conservation areas. Through compliance with the CVMSHCP adjacency guidelines, the Project would avoid or minimize indirect effects from development, such as lighting, drainage, intrusion of people, and the introduction of non-native plants and non-native predators, such as dogs and cats on areas adjacent to conservation areas. The Project would also make required payments into the CVMSHCP, which are deemed to be mitigation for accidental take during construction activities. Consequently, the Project would not conflict with the CVMSHCP, and impacts are deemed less than significant. See *RDEIR*, pp. 6.9-40 to 6.9-41.

(b) **Mitigation.** No additional mitigation is required because impacts are deemed less than significant as the result of the Project's compliance with CVMSHCP requirements.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is required to comply with CVMSHCP adjacency guidelines and the fee payment requirements of the CVMSCHP.

- (4) Create adverse changes in the functional role and/or predominant pattern of land uses. (*RDEIR*, § 6.9.7.4, pp. 6.9-41 to 6.9-44.)

(a) **Potential Impact.** The proposed Project would result in the development of the Project site with residential, commercial and open space uses. This would require the conversion of agricultural land and open space to urban uses. While the Project would preserve 1,634 acres of open space within the Project site, nevertheless, the Project would convert 3,129 acres of agricultural land to residential housing, commercial use, mixed use, open space and public facilities.

The proposed Project provides for centralized development in a designated growth area, rather than scattered rural development as would likely occur under existing land use designations. Consequently, while the project would result in a substantial amount of urban development in a concentrated area currently characterized by agriculture and open space, it would, nevertheless, reduce development pressure on surrounding agricultural areas and open space areas by providing for residential and commercial development in a concentrated area, having the critical mass necessary to constitute a more sustainable development plan.

The proposed Project would also support regional efforts toward restoration of the Salton Sea and would be consistent with adjacent open space uses in surrounding land use plans, including the Santa Rosa-San Jacinto Mountains National Monument, Anza-Borrego Desert State Park, and lands within the CVMSHCP. See discussion in Revised Draft EIR, section 6.9.7.4, at pages 6.9-41 to 6.9-44.

In summary, the proposed Project would change the predominant pattern of development within the Project site, however, the changes would not be considered adverse and impacts would be less than significant.

(b) **Mitigation.** No mitigation measures are required because the changes in land use patterns on the Project site are not deemed adverse, and thus any impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because although the Project substantially changes the Project site, from agricultural and open space uses to urban uses, those changes are not deemed adverse as explained above, in that the Project should reduce development pressure outside the Project site and the Project will support Salton Sea restoration efforts.

(5) Result in a negative change in the area's character. (*RDEIR, § 6.9.7.5, pp. 6.9-44 to 6.9-46.*)

(a) **Potential Impact.** The Project would result in an intensification of development density. However, this is not deemed a negative change in the area's character. The Project is consistent with the Eastern Coachella Valley Area Plan's development goals and policies, in that they envision the development of seaside villages and other land uses incorporating sustainable development within an overall cap of 250,000 housing units over a 75-year development period. Similarly, the Riverside County General Plan recognizes that new towns and planned communities will be developed in the eastern portion of Riverside County, including areas of the Eastern Coachella Valley Area Plan that are not adjacent to existing cities or developed areas.

By concentrating development in a smaller area, at relatively high density, the Specific Plan would provide a more sustainable community and relieve development pressure on other agricultural land in the eastern Coachella Valley.

Given the beneficial impacts of the proposed Project on the Oasis Community, in terms of new housing, jobs and additional public facilities and services, any potential impact with respect to change in the area's character is deemed less than significant. See discussion in Revised Draft EIR, section 6.9.7.5, at pages 6.9-45 to 6.9-46.

(b) **Mitigation.** No mitigation is required because the Project does not result in a negative change to the area's character for the reasons described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the Riverside County and Imperial County General Plans with respect to potential impacts on the area's character and because of the beneficial impacts of the Project with respect to the areas surrounding the Project site, including reducing agricultural and open space conversion pressures in the broader region, assisting in the restoration of the Salton Sea, and improving the economic circumstances of one of the poorer communities in California.

(6) **Consistency with the Riverside and Imperial County General Plans.**
(*RDEIR, §6.9.9.1, pp. 6.9-49 to 6.9-84.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans are set forth in Revised Draft EIR, sections 6.9.9.1 and 6.9.9.2, at pages 6.9-49 to 6.9-84. The Project's compliance with the policies, goals and objectives of the Riverside and Imperial County General Plans are set forth at pages 6.9-49 through 6.9-84. The Project as designed, and mitigated, is generally consistent with the General Plans of both Riverside County and Imperial County, and consequently, any impacts are deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the applicable provisions of the Riverside County and Imperial County General Plans.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is generally consistent with the goals, policies and objectives of the Riverside County and Imperial County General Plans.

J. Mineral Resources.

(1) **Loss of known mineral resource.** (*RDEIR, § 6.10.7.1, pp. 6.10-8 to 6.10-10.*)

(a) **Potential Impact.** The Project site is not currently used for the extraction of any mineral or geothermal resources. Additionally, no portion of the site is designated for the protection or planned extraction of mineral or geothermal resources. Therefore, construction activities and development of the proposed Project would not result in the loss of a known mineral or geothermal resource that would be of value to the region. Consequently, this impact is deemed less

than significant. See discussion in Revised Draft EIR, section 6.10.7.1, at pages 6.10-8 to 6.10-10.

(b) **Mitigation.** No mitigation is required because the Project would not result in the loss of a known mineral resource that would be of value to the region.

(c) **Findings.** This potential impact is determined to be less than significant because there are no known mineral resources of value to the region that will be lost as a result of Project implementation.

(2) Loss of a locally important mineral resource recovery site. (*RDEIR*, § 6.10.7.2, p. 6.10-10.)

(a) **Potential Impact.** No land use plans designate the project site as a locally important mineral resource recovery site. Therefore, any impact is deemed less than significant. See discussion in Revised Draft EIR, section at 6.10.7.2, at page 6.10-10.

(b) **Mitigation.** No mitigation measures are required as the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project site is not designated as a local important mineral recovery resource site by either Riverside County or Imperial County.

(3) Establish uses that are not compatible with mineral resource extraction in a MRZ. (*RDEIR*, § 6.10.7.3, p. 6.10-11.)

(a) **Potential Impact.** The Project site is currently unstudied for potential mineral resources, however, the state has not classified any portion of the Project site as a Mineral Resource Zone ("MRZ"), nor are any adjacent areas designated as MRZ. Therefore, the Project would not alter adjacent land uses that result in conflicts with mineral resource extraction, and any impact is deemed less than significant. See discussion in Revised Draft EIR, section 6.10.7.3, at page 6.10-11.

(b) **Mitigation.** No mitigation is required because the Project is not classified as a MRZ. Consequently, the Project's impacts are less than significant as described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located in a MRZ, nor are any adjacent areas located in a MRZ.

- (4) Result in a decrease in revenue to the regional economy. (*RDEIR, § 6.10.7.4, pp. 6.10-12 to 6.10-13.*)

(a) **Potential Impact.** No portion of the Project site is designated as a MRZ or known geothermal resource area, indicating that significant mineral and geothermal resources are not known to occur on the Project site, and the Project site is not currently used for the extraction of any minerals or geothermal resources. Therefore, development of the Project site would not result in the depletion of a regional resource that would decrease revenue to the regional economy. Consequently, the impact is deemed less than significant. *See* discussion in Revised Draft EIR, section 6.10.7.4, at pages 6.10-12 to 6.10-13.

(b) **Mitigation.** No mitigation is required because the impact is deemed less than significant as described above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located in a MRZ or known geothermal resource area, nor is the Project site currently used for the extraction of any mineral or geothermal resources.

- (5) Cumulative Mineral Resource Impacts. (*RDEIR, § 6.10.8.1, p. 6.10-13 to 6.10-14.*)

(a) **Potential Impact.** Impacts to mineral resources generally occur on a project level rather than cumulative basis. Related projects within Riverside and Imperial counties may be located within Mineral Resource Zones or known geothermal resource areas. However, the Project site is not, and is not currently used for mineral resource extraction or geothermal extraction. Consequently, the Project's contribution to cumulative impacts to mineral or geothermal resources would be less than significant. *See* discussion in Revised Draft EIR, section 6.10.8.1, at pages 6.10-13 to 6.10-14.

(b) **Mitigation.** No mitigation is required because the Project does not make a significant contribution to cumulative impacts.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not a MRZ, does not have current extraction activities, and thus does not make a significant contribution to cumulative impacts, as explained above.

- (6) Consistency with the Imperial and Riverside County General Plans. (*RDEIR, § 6.10.9.1, p. 6.10-14 to 6.10-15.*)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans contain policies, goals and objectives regarding mineral resources

as set forth in the Revised Draft EIR, sections 6.10.9.1 and 6.10.9.2, at pages 6.10-14 to 6.10-15. As explained on those pages, the Project is consistent with the General Plans for both Riverside County and Imperial County, and consequently, any potential impact and inconsistency is deemed less than significant.

(b) **Mitigation.** No mitigation is required because any potential impact is deemed less than significant.

(c) **Findings.** This potential impact is deemed less than significant for the reasons explained on pages 6.10-14 through 6.10-15 of the Revised Draft EIR, including but not limited to the fact that no regionally significant mineral resources suitable for extracted uses have been identified on or adjacent to the Project site, nor is the Project site used for extraction of mineral resources or geothermal resources.

K. Noise.

(1) Generate noise levels in excess of applicable standards. (*RDEIR, § 6.11.7.1, p. 6.11-29 to 6.11-40.*)

(a) **Potential Impact.** Development of the proposed Project is expected to occur over a period of 35 years, under five development phases. During the initial stages of development, existing residential units and other sensitive receptors located within the Project boundaries, and outside and adjacent to the Project boundaries, could experience temporary increases in the ambient noise levels due to grading and construction activities. Short-term impacts during construction would therefore be significant, and those impacts are discussed in section III(F) of these Findings.

With respect to operational impacts, future residents of the proposed Project would generate and be exposed to various sources of noise, including people talking, door slamming, parking lot cleaning, air conditioning units, lawn care equipment and domestic animals. The Project also provides land uses that can generate noise, such as schools, parks, reservoirs, commercial and public facilities and police and fire services.

With respect to these noise sources, it is not anticipated that the noise levels established by Riverside and Imperial County would be exceeded, except for occasional situations, such as an emergency vehicle, and consequently, impacts are determined to be less than significant. See discussion in Revised Draft EIR, section 6.11.7.1, at pages 6.11-29 to 6.11-40. Given the Specific Plan's architectural design standards, as described on page 6.11-31, it is not anticipated that non-residential land uses would have a significant impact upon residential land uses within the Project site.

Various potential noise sources, described on pages 6.11-32 through 6.11-35 of the Revised Draft EIR, are considered to be potentially significant and are addressed in sections III(F) and IV(G) of these Findings.

(b) **Mitigation.** With respect to on-site only, noise resulting from roadways, parking lots, loading docks and electrical and mechanical equipment, impacts to nearby residential uses are deemed less than significant.

(c) **Findings.** With respect to on-site noise impacts only, resulting from roadways, parking lots, loading docks, and electrical and mechanical equipment, impacts to nearby residential uses are deemed less than significant because the Specific Plan contains design guidelines to minimize any impact to a less than significant level with respect to both Riverside County and Imperial County noise standards.

(2) Expose people to excessive noise levels from aircraft. (*RDEIR*, § 6.11.7.5, p. 6.11-49.)

(a) **Potential Impact.** The nearest airport is Jacqueline Cochran Regional Airport, located approximately 10 miles north of the Project site in Riverside County. The Project site is not located within the boundaries of any airport land use compatibility plans or within two miles of an airport or airstrip. Consequently, the noise impacts resulting from aircraft in Riverside County and Imperial County are considered to be less than significant. See discussion in Revised Draft EIR, section 6.11.7.5, at page 6.11-49.

(b) **Mitigation.** No mitigation is required because the potential impact is less than significant.

(c) **Findings.** This potential impact is deemed to be less than significant because the Project is not located within two miles of a public airport or airstrip.

(3) Be located within the vicinity of a private airstrip. (*RDEIR*, § 6.11.7.6, p. 6.11-49.)

(a) **Potential Impact.** The Project is not located within two miles of a private airstrip, and consequently, people working or residing on the Project site will not be exposed to excessive noise levels from aircraft. See discussion in Revised Draft EIR, section 6.11.7.6, at pages 6.11-48 to 6.11-49.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not within the vicinity of a private airstrip that would expose people residing or working in the Project area to excessive noise levels.

(4) Cumulative Noise impacts. (RDEIR, § 6.11.8.1, p. 6.11-53.)

(a) **Potential Impact.** With regard to stationary noise sources on the Project site, there could be a cumulative and significant impact resulting from cumulative development. Such sources would include related projects that introduce rooftop equipment, loading docks and parking structures, for example. Since these projects must comply with County noise standards, it is not anticipated that these projects would cause a substantial increase in ambient noise levels. Moreover, given likely distances between these noise point sources, it is unlikely that noise from multiple related projects would interact to create a significant combined noise impact.

(b) **Mitigation.** No mitigation is required with respect to on-site point sources of noise. Off-site noise impacts, in particular with respect to roadways, are discussed in section III(F) of these Findings, and are deemed to be significant and unavoidable.

(c) **Findings.** This potential impact, with respect to on-site noise only, is determined to be less than significant because related projects would be required to comply with Riverside County and Imperial noise standards, and the distances between point sources of noise are such as to make any combined impact less than significant. Other cumulative noise impacts, such as roadway noise, are deemed to be significant and unavoidable, and are discussed in these Findings in Section III(F).

(5) Consistency with Riverside County and Imperial County General Plans. (RDEIR, § 6.11.9.1, pp. 6.11-54 to 6.11-66.)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans has set forth policies, goals and objectives with respect to noise mitigation and compatibility. See discussion in Revised Draft EIR, sections 6.11.9.1 and 6.11.9.2, at pages 6.11-54 to 6.11-66. The Revised Draft EIR analyzes the Project's consistency with those Riverside County and Imperial County General Plan policies, goals and objectives, and has determined that the Project is consistent with them. Consequently, any potential impact from inconsistency with these General Plans is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the Imperial County and Riverside County General Plans with respect to noise, and thus any impacts are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the Riverside County and Imperial County General Plans concerning noise impacts.

L. Population and Housing.

(1) Displace existing housing requiring replacement housing elsewhere. (RDEIR, § 6.12.7.2, pp. 6.12-48 to 6.12-49.)

(a) **Potential Impact.** The proposed Project site does not contain any existing residential development, and therefore does not have an existing residential population that might be displaced by the proposed Project. While the Project site does currently provide an estimated 55 jobs, the persons working in those jobs reside outside the Project site. Even if those current workers are displaced, the proposed Project has triggers for job development that will ensure sufficient commercial and industrial space for employment opportunities exists on the Project site. Since the Project would not displace substantial numbers of people currently residing on the Project site, or working on the Project site, impacts would be less than significant. See discussion in Revised Draft EIR, section 6.12.7.2, at pages 6.12-48 to 6.12-49.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because there is no substantial number of people currently residing on the Project site that would be displaced by implementation of the proposed Project.

(2) Displace substantial numbers of people requiring replacement housing elsewhere. (RDEIR, § 6.12.7.3, pp. 6.12-49 to 6.12-50.)

(a) **Potential Impact.** The proposed Project site does not contain any existing residential development, so no such displacement would occur. See discussion in Revised Draft EIR, section 6.12.7.3, pages 6.12-40 to 6.12-50.

(b) **Mitigation.** No mitigation is required because the impact is deemed less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project will not displace a substantial number of people necessitating the construction of replacement housing elsewhere.

- (3) Exceed existing population and housing projections. (*RDEIR*, § 6.12.7.4, pp. 6.12-50 to 6.12-51.)

(a) **Potential Impact.** The Project would result in the development of up to 16,655 dwelling units, and approximately 45,513 new residents. Added to existing housing, this would result in a total of 22,653 residential units within the Riverside County portion of the Project area, which would not exceed the Eastern Coachella Valley Area Plan build out potential of 63,813 residential units or projected 2035 residential development totaling 84,221 units. Consequently, impacts related to the existing population and housing projections in Riverside County would be less than significant.

With respect to Imperial County, the Project as designed is not projected to begin until 2036, with the first residential development occurring in 2046 and the first residential occupancy in 2047. Development of the Imperial County portion of the project would result in an estimated 33,738 residents. Added to the existing population in the Imperial County portion of the Project site, this would result in a total population of 42,920 residents, which would not exceed the 2035 population forecast of 90,527 residents. Consequently, the impact is less than significant. See discussion in Revised Draft EIR, section 6.12.7.4, pages 6.12-50 to 6.12-51.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project at build out does not exceed the existing population and housing projections for Riverside and/or Imperial Counties, as described in more detail in the Memorandum from Matt Straite to Carolyn Luna, dated August 25, 2011.

- (4) Exacerbate the jobs/housing balance. (*RDEIR*, § 6.12.7.5, pp. 6.12-51 to 6.12-52.)

(a) **Potential Impact.** The Project would provide 12,856 jobs and 16,655 dwelling units at build out. The on-site jobs-to-housing ratio would be 0.77, *i.e.*, 0.77 jobs for every dwelling unit developed. That jobs-to-housing ratio would be substantially higher than the forecast ratio in the Eastern Coachella Valley Area Plan, which is 0.37 jobs per housing unit in 2020, and 0.24 jobs per housing unit 2035.

There are other aspects of the Project, however, that would likely increase the jobs-to-housing ratio. For example, the proposed Project includes residential development types, such as active adult and secondary/seasonal housing, that would not generate residents seeking employment opportunities. Active adult

units are estimated to be occupied 70% of the time, and seasonal/secondary units are estimated to be occupied only 50% of the time. Nevertheless, taking an even more conservative assumption, *i.e.*, that half of the active adult units and one-third of the secondary/seasonal units would be occupied by a job seeker, the jobs-to-housing ratio for the Project site would be approximately 1.06 jobs per housing unit. This would be consistent with the current ratio of 1.05 jobs per housing unit, and would represent a substantial increase over projected future jobs-to-housing ratios in the Eastern Coachella Valley Area Plan.

With respect to Imperial County, the proposed Project would reduce the jobs-to-housing ratio by 0.14, from 2.13 to 1.99. Even though this is a reduction, the ratio is considered acceptable and would be consistent with the projected jobs-to-housing balance in Imperial County. Therefore, this impact is deemed less than significant in Imperial County. *See* discussion in Revised Draft EIR in 6.12.7.5, at pages 6.12-51 to 6.12-52.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the jobs/housing ratios in Riverside and Imperial Counties.

(c) **Findings.** This potential impact is deemed less than significant because the Project is consistent with the jobs-to-housing ratios in Riverside and Imperial Counties. The Project actually improves the jobs-to-housing ratio existing in Riverside County. In Imperial County the change is only a slight reduction from 2.13 to 1.99, which is deemed acceptable and consistent with Imperial County's projected jobs-to-housing balance.

(5) **Cumulative Population and Housing Impacts.** (*RDEIR*, § 6.12.8.1, pp. 6.12-53 to 6.12-55.)

(a) **Potential Impact.** When the estimated population increase of 119,916 residents in Riverside County is added to the current 2009 population estimate for the eastern Coachella Valley Area Plan of 31,955, the resulting total population is 151,871 residents. This is within the Riverside County General Plan 2035 population estimate of 281,116 residents. Consequently, cumulative population and housing impacts would be less than significant.

With respect to Imperial County, when the estimated population increase of 8,812 residents is added to the current population estimate for the subregion, 194,112, the resulting total population is 202,924. This is within SCAG's 2035 population estimate of 320,448 residents. Consequently, the impact is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the population increase is consistent with both Riverside County and Imperial County's projections for population increase.

(d) **Findings.** This potential impact is determined to be less than significant because the population increases are consistent with the assumptions of Riverside County and Imperial County. The County further finds that the Project's reservation of 10% of its total units (approximately 1,655 units) for affordable housing, is a net beneficial impact in this particularly poor area of the County, and is consistent with the County's existing General Plan Housing Element and the revised Housing Element, now available for public review. See County Counsel testimony at December 13, 2011 Board of Supervisors hearing. Finally, the County finds that it would be financially infeasible to increase the percentage of affordable units from 10% to 40% based on the financial feasibility reports submitted to County Staff, including but not limited to the December 30, 2011 letter from DPF to Matt Straite.

(6) **Consistency with Riverside County and Imperial County General Plans.** (RDEIR, § 6.12.9.1, pp. 6.12-55 to 6.12-61.)

(a) **Potential Impact.** Riverside County and Imperial County have policies and goals to address population growth and housing supply. Those policies are set forth in the Revised Draft EIR, sections 6.12.9.1 and 6.12.9.2, at pages 6.12-55 to 6.12-61. Revised Draft EIR at pages 6.12-55 through 6.12-60 analyzes the Project's consistency with the policies and goals of Riverside County and Imperial County with respect to population and housing, and determines that the Project is consistent with the General Plans for both Counties. Consequently, any potential impact from inconsistency is less than significant.

(b) **Mitigation.** No mitigation is required because the impact is less than significant, for the reasons explained above.

(c) **Findings.** This potential impact is deemed less than significant because the Project is consistent with the policies and goals of Riverside and Imperial Counties with respect to population and housing impacts.

M. Public Services – Fire Protection.

(1) Result in an increase in response times. (RDEIR, § 6.13.7.2, pp. 6.13-26 to 6.13-28.)

(a) **Potential Impact.** Until the first fire station is built as provided in the Specific Plan, impacts would be temporarily significant. These impacts are discussed in these Findings at Section III. After construction of the fire station, which is required as part of Phases I and II of the Project, impacts would be less than significant in terms of response times. See discussion in Revised Draft EIR, section 6.13.7.2, at pages 6.13-26 to 6.13-28.

(b) **Mitigation.** No mitigation is required with respect to operational impacts occurring after construction of the first fire station in the Specific Plan, which is scheduled to occur as part of Project Phases I and II.

(c) **Findings.** This potential impact is determined to be less than significant because after construction of the first fire station, required by the Specific Plan thresholds, the response time will be consistent with the 15-minute standard for urban communities. See Section III(H) (Fire Protection, Temporary Short-Term Impact), re short-term impacts.

(2) Create or exacerbate an existing fire hazard. (*RDEIR, § 6.13.7.5, pp. 6.13-37 to 6.13-39.*)

(a) **Potential Impact.** Prior to the construction of the first fire station as part of Phases I and II, potential impacts would be significant as described in Section III(H) of these Findings. After construction of the first fire station, the Project would meet Riverside and Imperial County standards for response times and proximity to development, and impacts thereafter would be less than significant. See discussion in Revised Draft EIR, section 6.13.7.5, at pages 6.13-37 to 6.13-38.

(b) **Mitigation.** No mitigation is required with respect to impacts occurring after development of the first fire station in the Public Facilities Overlay for the Specific Plan.

(c) **Findings.** This potential impact, with respect to fire hazard risk after construction of the first fire station, is determined to be less than significant because with construction of the first fire station, response times for both Imperial County and Riverside County would be satisfied by the Project.

(3) Cumulative Public Services – Fire Protection Impacts. (*RDEIR, § 6.13.8.1, pp. 6.13-39 to 6.13-41.*)

(a) **Potential Impact.** In Riverside County, development of related projects would require an additional 21 fire stations in order to provide adequate fire suppression services. In Imperial County, the development of related projects, located within Imperial County, would require one new fire station in order to provide adequate fire suppression services. With respect to both Counties, the Project and future development associated with related projects, would be required to pay the fire department impact fees for both Counties. These fees would provide funding for the development of new fire facilities as needed and the purchase of new firefighting equipment and hiring of fire fighter personnel. Consequently, the cumulative impact is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the cumulative impact is deemed less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is required to develop fire stations as part of its public safety overlay requirements in the Specific Plan, and because the Project will pay fees to both Riverside County and Imperial County designed to mitigate any cumulative impact.

(4) **Consistency with Riverside and Imperial County General Plans.** (*RDEIR, § 6.13.9.1, pp. 6.13-41 to 6.13-45.*)

(a) **Potential Impact.** The Riverside County and Imperial County General Plans set forth policies, goals and objectives to address fire protection services. The Revised Draft EIR analyzes the Project's consistency with those policies, goals and objectives at pages 6.13-41 to 6.13-45. Based on this analysis, the Project is determined to be consistent with the General Plans of both Riverside County and Imperial County. Consequently, any potential impact from inconsistency is deemed less than significant. *See discussion in Revised Draft EIR, sections 6.13.9.1 and 6.13.9.2, at pages 6.13-41 to 6.13.45.*

(b) **Mitigation.** No mitigation is required because the impact is deemed less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Counties' General Plans.

N. Public Services – Law Enforcement.

(1) **Cumulative Law Enforcement Impacts.** (*RDEIR, § 6.14.8, pp. 6.14-15 to 6.14-17.*)

(a) **Potential Impact.** The Riverside and Imperial County related projects would add approximately 85,215 residents to the regional area that is served by the RCSD Indio Station and the ICSD Salton City Substation, requiring an additional 102 deputies, 15 supervisors, 15 supporting staff, and 34 patrol vehicles. Similar to the proposed Project, each related Project will be required to pay development impact fees. A portion of these fees can be used for the acquisition of land, buildings and equipment necessary to mitigate the impacts to Sheriff services. With payment of development impact fees at the time of project construction, impacts would be deemed less than significant. *See discussion in Revised Draft EIR, section 6.14.8, at pages 6.14.-15 to 6.14-17.*

(b) **Mitigation.** No additional mitigation is required because with the payment of development impact fees the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project and related projects will pay development impact fees that mitigate the cumulative impact of increased demand for law enforcement services.

(2) Consistency with the Imperial and Riverside County General Plans.
(*RDEIR, § 6.14.9.1, pp. 6.14-17 to 6.14-18.*)

(a) **Potential Impact.** Both the Riverside County and Imperial County General Plans set forth policies, goals and objectives with respect to ensuring adequate law enforcement services. Those policies, goals and objectives are set forth and analyzed in the Revised Draft EIR, sections 6.14.9.1 and 6.14.9.2, at pages 6.14-17 to 6.14-18. The analysis concludes that the Project is consistent with both the Riverside County and Imperial County General Plans with respect to law enforcement services. Consequently, the impact to any potential inconsistency is deemed less than significant.

(b) **Mitigation.** No mitigation is required because the Project, as conditioned with the payment of development impact fees, is consistent with both the Riverside and Imperial County General Plans.

(c) **Findings.** This potential impact is determined to be less than significant because the Project, as conditioned with the payment of development impact fees, is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans.

O. Public Services - Education.

(1) Consistency with the Imperial and Riverside County General Plans.
(*RDEIR, § 6.15.9.1, pp. 6.15-21 to 6.15-22.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans, with respect to education, are set forth in sections 6.15.9.1 and 6.15.9.2 of the Revised Draft EIR, at pages 6.15-20 and 6.15-21. The analysis set forth on those pages demonstrates that the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to education. Specifically, the proposed Project provides implementation measures and milestones for schools to be developed to provide educational services to the residents of the Project site, including six elementary schools, one middle school, and one high school. Based upon the implementation measures and milestones set forth in the Specific Plan, the proposed Project is consistent with the General

Plans of both Riverside County and Imperial County. See discussion in Revised Draft EIR, sections 6.15.9.1 and 6.15.9.2, at pages 6.15-21 and 6.15-22.

(b) **Mitigation.** No mitigation is required because the Project is consistent with both Counties' General Plan education policies. Consequently, any impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with both Counties' General Plan education policies, as explained above.

P. Public Services – Parks and Recreation.

(1) Environmental impact of new recreational facilities. (*RDEIR, § 6.16.7.3, pp. 6.16-35 to 6.16-36.*)

(a) **Potential Impact.** The proposed Specific Plan includes areas for the development of neighborhood parks and community parks, private recreational facilities, regional parks, a trails network, and reservoirs. Residents and employees are expected to use the new park facilities on-site rather than park and recreational facilities off-site. Therefore, no new off-site recreational facilities would be required to be developed, nor would existing off-site recreational facilities need to be expanded. The development of parks and recreation facilities within the proposed Specific Plan area have been discussed throughout the EIR, and would be developed in such a way so as not to cause an adverse aesthetic impact. Furthermore, the trail system has been designed in such a way as to avoid impacts to surrounding sensitive land uses. Consequently, this potential impact is deemed less than significant. See discussion in Revised Draft EIR, section 6.16.7.3, at pages 6.16-35 to 6.16-36.

(b) **Mitigation.** No mitigation is required because the Project does not produce a significant environmental impact with respect to the off-site or on-site construction of new or expanded recreational facilities.

(c) **Findings.** This potential impact is determined to be less than significant because the Project has been designed in such a way as to provide sufficient park facilities within the Project site, so as not to increase demand for off-site facilities. Furthermore, the on-site facilities have been designed in such a way so as not to adversely impact surrounding land uses, including sensitive land uses, such as adjacent parkland.

- (2) Require additional parks and recreation staff. (*RDEIR*, § 6.16.7.4, pp. 6.16-37 to 6.16-38.)

(a) **Potential Impact.** In order to maintain equipment and parkland amenities throughout the proposed Specific Plan area, new staff members/employees would need to be hired by the Riverside County Community Service Division, Desert Recreation District, the Imperial County Parks and Recreation Division, and/or the Salton Community Services District. The Riverside County General Plan uses a standard employee per-acre figure of 0.15 employees per acre of open space (recreation) to determine the need for staffing at recreational uses such as golf courses, greenways, parks, etc. Imperial County does not use any such standard. Based on the Riverside County standard, 57 additional staff members would be needed for the proposed Open Space (recreation) areas within the total project site. The Specific Plan more than accounts for this increase need in staffing, *i.e.*, projecting the need for 117 employees. A separate agreement between the project applicant and the Desert Recreation District provides for funding mechanisms to ensure appropriate staffing levels. Consequently, the impact is less than significant.

(b) **Mitigation.** No mitigation is required because necessary park staff funding is addressed in a separate agreement with the Desert Recreation District.

(c) **Findings.** This potential impact is determined to be less than significant because the need for additional staffing will be satisfied by the Project, specifically the funding mechanism set forth in the Memorandum of Understanding between the Desert Recreation District and the applicant.

- (3) Satisfaction of five acres per 1,000 standard for parks. (*RDEIR*, § 6.16.7.5, pp. 6.16-38 to 6.16-39.)

(a) **Potential Impact.** The Riverside County portion of the proposed Specific Plan would require 198.9 acres of parkland to satisfy the parkland dedication standard of five acres of neighborhood community park per 1,000 population. The Imperial County portion of the Project site would be required to dedicate 18.7 acres of parkland to satisfy the same standard of five acres of parkland per 1,000 residents. The proposed Specific Plan would provide 379 acres of land designated as open space (recreation). Although not necessary, the 111-acre proposed regional park would also be applied to satisfy this requirement, subject to DRD's approval. Thus, the Project satisfies the parkland dedication requirements for both Imperial County and Riverside County. Consequently, impacts would be less than significant. *See* discussion in Revised Draft EIR, section 6.16.7.5, at pages 6.16-38 to 6.16-39.

(b) **Mitigation.** No mitigation is required because the Project exceeds the 5-acre per 1,000 population standard for Riverside and Imperial Counties.

(c) **Findings.** This potential impact is determined to be less than significant because the Project provides more parkland than the required standard of five acres per 1,000 population, specifically providing 379 acres of land designated as open space (recreation), and potentially another 111-acre proposed regional park, if approved by DRD.

(4) **Cumulative Parks and Recreation Impacts.** (*RDEIR, § 6.16.8.1, pp. 6.16-39 to 6.16-41.*)

(a) **Potential Impact.** Riverside County related projects would require approximately 400.7 acres of parkland to meet the County's current standard of five acres of parkland per 1,000 residents. It is likely that the related projects in Riverside County would be required to implement mitigation measures similar to those of the proposed Specific Plan. Furthermore, the Riverside County related projects would be required to either pay parkland development impact fees or dedicate parkland as required by Riverside County's parkland dedication requirements. Since each of these projects would be required to undergo its own environmental review, and comply with Riverside County's existing standards with respect to payment of park fees and/or dedication requirements, cumulative impacts would be less than significant.

With respect to Imperial County, related projects would require approximately 25.4 acres of parkland to satisfy the County's parkland dedication requirement of five acres of parkland for every 1,000 residents. Imperial County projects would be required to implement mitigation measures similar to those for the proposed Specific Plan, and related projects would be required to either pay parkland development impact fees or dedicate parkland as required by the County's parkland dedication requirements. Since each of these related projects would undergo its own environmental review, and would be required to comply with Imperial County requirements for parkland fee payment and/or dedication, cumulative impacts would be less than significant. See discussion in Revised Draft EIR, section 6.16.8.1, at pages 6.16-38 to 6.16-40.

(b) **Mitigation.** No additional mitigation is required because cumulative impacts to parks and recreation would be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because all related projects will be required to comply with both Riverside County and Imperial County's existing mitigation requirements for parks and recreation, including the payment of a development impact fee and/or the dedication of parkland.

- (5) Consistency with Riverside County and Imperial County General Plans. (RDEIR, § 6.16.9.1, pp. 6.16-41 to 6.16-48.)

(a) **Potential Impact.** The policies and goals of Riverside County and Imperial County with respect to the provision of adequate parks, open space and recreation, are set forth in the Revised Draft EIR, section 6.16.9, at pages 6.16-40 through 6.16-46. The Revised Draft EIR's discussion of those goals and policies demonstrates that the proposed Project is consistent with the goals and policies set forth by Riverside County and Imperial County in their respective General Plans. Consequently, any potential impact from an inconsistency between the Project and the General Plan requirements for parks, open space and recreation, is determined to be less than significant. See discussion in Revised Draft EIR, sections 6.16.9.1 and 6.16.9.2, at pages 6.16-40 to 6.16-46.

(b) **Mitigation.** No mitigation is required because the proposed Project is consistent with the Riverside County and Imperial County General Plans, with respect to their parks and recreation policies and goals, and therefore, the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to parks, open space and recreation.

Q. Public Services – Libraries.

- (1) Cumulative Library Services Impacts. (RDEIR, § 6.17.8.1, pp. 6.17-14 to 6.17-15.)

(a) **Potential Impact.** Riverside County related projects would require approximately 40,071 square feet of library space and over 200,000 new volumes to adequately serve the residents generated by the related projects. Currently, the seven libraries in the area provide approximately 70,250 square feet of library space, and would require additional books.

With respect to Imperial County, the related projects would require over 25,000 square feet of library space and approximately 12,600 new books to adequately serve the residents generated by the related projects. The Imperial County branches that could provide service to the related projects have a combined size of approximately 8,400 square feet, which is insufficient square footage to provide adequate library services to the increase in population from the related projects.

Similar to the proposed Project, the related projects in Riverside and Imperial Counties, would be required to undergo individual environmental review

and would be subject to the payment of development impact fees, ensuring that both the Riverside County and Imperial County library systems could adequately provide library service to the increased population. Consequently, cumulative are determined to be less than significant. See discussion in Revised Draft EIR, section 6.17.8, at pages 6.17-14 to 6.17-15.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the related projects would pay development impact fees, thereby providing sufficient library space and additional books to mitigate the impact to a less than significant.

R. Transportation and Traffic.

(1) Substantial change in air traffic patterns. (*RDEIR, § 6.19.7.5, pp. 6.19-133 to 6.19-134.*)

(a) **Potential Impact.** The proposed Project is located outside any airport's influence area boundaries, and therefore, no impacts would occur. See discussion in Revised Draft EIR, section 6.19.7.5, at pages 6.19-133 to 6.19-134.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is not located within any airport's influence area, and therefore there will be no significant impact on air traffic patterns.

(2) Design feature hazard. (*RDEIR, § 6.19.7.6, p. 6.19-134.*)

(a) **Potential Impact.** The Project is not expected to substantially increase hazards due to a design feature or incompatible uses, therefore, any impact is considered less than significant. See discussion in Revised Draft EIR, section 6.19.7.6, page 6.19-134.

(b) **Mitigation.** No mitigation is required because the impact is determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because there are no design features that would substantially increase hazards or incompatible uses.

- (3) Inadequate emergency access. (*RDEIR, § 6.19.7.7, pp. 6.19-134 to 6.19-135.*)

(a) **Potential Impact.** All the proposed roads in the Project site would be constructed to meet County requirements for access and turning radius for emergency vehicles. Therefore, impacts would be less than significant. *See* discussion in Revised Draft EIR, section 6.19.7.7, at pages 6.19-136 to 6.19-135.

(b) **Mitigation.** No mitigation is required because the impacts are determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because all roads would be constructed to meet County requirements for access and turning radius for emergency vehicles. In addition, the roadway improvements required in the Specific Plan ensure that the proposed Specific Plan could not result in inadequate emergency access.

- (4) Inadequate parking capacity. (*RDEIR, § 6.19.7.8, pp. 6.19-135.*)

(a) **Potential Impact.** The Specific Plan requires both residential and non-residential uses to provide adequate parking for residents, employees and guests. In addition, as future projects are developed, tentative tract maps considered by the County will be required to meet County parking standards in effect at the time applications are made. Consequently, impacts are determined to be less than significant. *See* discussion in Revised Draft EIR, section 6.19.7.8, at page 6.19-135.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Specific Plan requires adequate parking for residential and non-residential uses and all future implementing tract maps would be required to meet the County's parking standards at the time of application.

- (5) Consistency with Riverside County and Imperial County General Plans. (*RDEIR, § 6.19.9.1, pp. 6.19-138 to 6.19-174.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to transportation and traffic matters are set forth in the revised draft EIR at section 6.19.9, pages 6.19-138 to 6.19-174. The consistency of the proposed Project with the Imperial County and Riverside County General Plan goals, policies and objectives are analyzed therein, and determined to be consistent. Consequently, any potential impact from an inconsistency regarding transportation and traffic is

determined to be less than significant. See discussion in Revised Draft EIR, sections 6.19.9.1 and 6.19.9.2.

(b) **Mitigation.** No mitigation is required because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to transportation and traffic matters.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is determined to be consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to transportation and traffic matters as described in detail at pages 6.19-138 through 6.19-174 of the Revised Draft EIR, and see Memorandum from Matt Straite to Carolyn Luna, dated August 25, 2011, discussing Project consistency with General Plan policies.

S. Utilities – Water.

(1) **Insufficient Water Supplies.** (*RDEIR, § 6.20.7.2, pp. 6.20-66 to 6.20-136.*)

(a) **Potential Impact.** The Revised Draft EIR and Water Supply Assessment analyzed available water supplies and demands under four different water supply conditions, to assess the region's ability to satisfy demands during a normal water year, a single-dry year, and multiple-dry years. Furthermore, the analysis conservatively assumes a 20-year build out of the Project, in addition to a more likely 35-year build out of the Project, resulting in increased demand for water supplies sooner than is actually anticipated by the phased project build out. See Revised Draft EIR discussion in section 6.20.7.2, pages 6.20-66 to 6.20-136.

In summary, the Project would require an estimated 8,369.4-acre afy at project build out. The Project's groundwater demand is reduced by 59% through the substitution and use of Colorado River water for landscape irrigation and a dual-piping system to be constructed throughout the Project. Implementation of these measures are expected to result in the Project meeting or exceeding the water conservation goals outlined in the Coachella Valley Water Master Plan. With respect to the Project's demand on water supplies, vis a vis the existing baseline demand, the estimated amount of indoor water demand (groundwater) would be 3,472 afy. This would result in a surplus of 2,992 afy of groundwater. As shown, the proposed Project would require less water than existing agricultural uses, even before the implementation of indoor water conservation measures, resulting in a surplus of 4,146.6 afy. The proposed Project will use 8,369.4 afy or 66% of the current demand of agricultural water use at build out.

In addition, the proposed Project's total demand is approximately 0.5 acre-feet per unit per year, which is approximately half of CVWD's overall average of

approximately 1.07 acre-feet per unit per year. This estimated demand is within the allowable per connection demand necessary to successfully manage the groundwater basin and its recharge program. The analysis in the Revised Draft EIR, at pages 6.20-1 through 6.20-135, demonstrates that the proposed Project has an adequate supply of water from existing entitlements and resources, and thus the impacts would be less than significant.

(b) **Mitigation.** No mitigation is required because the Project has a less than significant impact with respect to available water supplies.

(c) **Findings.** This potential impact is determined to be less than significant for the reasons set forth above, and at pages 6.20-1 through 6.20-136 of the Revised Draft EIR, namely that the Project has an adequate supply of water from existing entitlements and resources, and draws substantially less water than existing agricultural operations on the Project site.

(2) Conflict with groundwater management plans. (*RDEIR*, § 6.20.7.3, pp. 6.20-137 to 6.20-138.)

(a) **Potential Impact.** The Travertine Point Specific Plan would adhere to the goals of the Coachella Valley Water Management Plan by incorporating conservation programs, such as efficient landscaping practices. In addition, the project will participate via the payment of a Supplemental Water Supply Charge (SWSC), which will be used to offset costs associated with purchasing new water supplies and other activities to reduce the overdraft on the groundwater basin. Through this charge, and the conservation methods outlined above, all project impacts on the groundwater basin are expected to be less than significant. *See* discussion in Revised Draft EIR, section 6.20.7.3, at pages 6.20-137 to 6.20-138.

(b) **Mitigation.** No mitigation is required because the potential impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project's total water demand is estimated to be 0.91% of the total anticipated urban demand in the Coachella Valley through 2035, and represents approximately 0.94% of the total anticipated Coachella Valley Water Master Plan urban demand in the Coachella Valley through 2035. Through payment of a supplemental water supply charge, and implementation of conservation measures consistent with the Coachella Valley Water Master Plan, the Project's impacts on the 30 million acre-feet of combined storage in the groundwater basin is determined to be less than significant. *See* Revised Draft EIR discussion at pages 6.20-1 through 6.20-138.

- (3) Interfere with groundwater recharge. (*RDEIR*, § 6.20.7.4, pp. 6.20-138 to 6.20-139.)

(a) **Potential Impact.** The proposed Project provides over 1,634 acres of open space and undeveloped land for potential recharge. This represents approximately 33% of the Project site. Two direct recharge programs for the groundwater basin are currently operating, as discussed on page 6.20-138 of the Revised Draft EIR. The proposed Project does not interfere with either recharge facility. In fact, the current amount of groundwater demand, based on current baseline land uses on the Project site, would use 4,146 acre-feet more than the proposed Project. Consequently, the Project is a net positive for groundwater recharge as compared to the existing draw of agricultural operations. See discussion in Revised Draft EIR, section 6.20.7.4, at pages 6.20-137 to 6.20-138.

(b) **Mitigation.** No mitigation is required because the Project's impacts on the groundwater basin are less than significant and, in fact, net beneficial.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project does not interfere with any of the existing recharge programs for the groundwater basin. To the contrary, the proposed Project will actually use 4,146 acre-feet less than groundwater than is currently used by agricultural operations on the existing Project site.

- (4) Interfere with existing production wells. (*RDEIR*, § 6.20.7.5, pp. 6.20-139 to 6.20-140.)

(a) **Potential Impact.** There are approximately 28 existing wells on the Project site. Existing well operators will continue to utilize wells until those areas of the Project are developed under the current Specific Plan. Moreover, the proposed Project will draw 4,146 acre-feet less groundwater than current agricultural operations on the Project site. Consequently, any potential impact on existing well users will be less than significant. See discussion in Revised Draft EIR, section 6.20.7.5, at pages 6.20-138 to 6.20-139.

(b) **Mitigation.** No mitigation is required because the impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because existing well operators will continue to use their well sites until subsequent phases of the Project are implemented. In addition, the Project is estimated to use 4,146 acre-feet less of groundwater than current agricultural operations.

- (5) Degrade ground or surface water resources. (*RDEIR*, § 6.20.7.7, pp. 6.20-141 to 6.20-142.)

(a) **Potential Impact.** The current agricultural water demand for the Project site is 12,516 acre-feet, 6,464 acre-feet of which is from groundwater, and 6,052 acre-feet of which is from surface water. The Project's estimated amount of water demand at build out is 8,369.4 acre-feet. The surplus water available, 4,146.4 acre-feet, would be available for other uses, including emergencies or for contingency situations pursuant to CVWD's discretion. The proposed Project does not introduce land uses or other sources that would potentially degrade water quality thereby decreasing the quantity of water available. The Specific Plan also provides for the maintenance and improvement of surface water quality through the use of multiple layers of water quality management systems and treatment processes, which include reservoir water quality measures (biofilters and aeration), urban stormwater runoff controls (water quality filters and wetland planter areas), and reservoir retention of dry weather runoff and detention of stormwater runoff. Consequently, the proposed Project provides for the maintenance and enhancement of surface water quality and does not include any features that would degrade groundwater quality. Impacts are determined to be less than significant.

(b) **Mitigation.** No mitigation is required because impacts are determined to be less than significant as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because the Project generates a net surplus of 4,146.4 acre-feet, as compared to existing agricultural operations on the Project site, and the Specific Plan includes numerous measures for the maintenance and improvement of surface water quality. See discussion in Revised Draft EIR, section 6.20.7.7, at pages 6.20-141 to 6.20-142.

- (6) Degradation of a surface water body. (*RDEIR*, § 6.20.7.8, pp. 6.20-142 to 6.20-143.)

(a) **Potential Impact.** The proposed Project will improve surface water discharges in the Salton Sea, and accordingly, impacts will be potentially beneficial. There are no other surface water bodies that the Project could potentially impact. See discussion in Revised Draft EIR, section 6.20.7.8, at pages 6.20-142 to 6.20-143.

(b) **Mitigation.** No mitigation is required because any potential impact is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project has a net beneficial impact upon the only water

body adjacent to the Project site, *i.e.*, the Salton Sea. The Project has a beneficial impact because the Project will maintain and improve surface water discharges into the Salton Sea, and because as discussed elsewhere in the Revised Draft EIR, the Project will establish a Salton Sea restoration financing district to assist in the funding of the Salton Sea Restoration Plan, and generate revenue for sea restoration through property taxes on enhanced property values.

(7) Degradation in water quality. (*RDEIR*, § 6.20.7.9, pp. 6.20-143 to 6.20-144.)

(a) **Potential Impact.** The proposed Project will remove existing agricultural uses and replace them with more urban uses, which will generate far less nitrate runoff into the Salton Sea. Furthermore, future uses, as provided for in the Project, will include features to maintain or enhance water quality. Consequently, the Project's impact upon the Salton Sea is net beneficial. See discussion in Revised Draft EIR, section 6.20.7.9, at pages 6.20-143 to 6.20-144.

(b) **Mitigation.** No mitigation is required because the Project's impacts are net beneficial on the adjacent water quality of the Salton Sea.

(c) **Findings.** This potential impact is determined to be less than significant and, in fact, net beneficial, because the Project will have a net beneficial impact on the Salton Sea as compared to existing agricultural operations on the Project site.

(8) Affect emergency water supplies. (*RDEIR*, § 6.20.7.10, pp. 6.20-144 to 6.20-145.)

(a) **Potential Impact.** Currently approximately 6,052.6 acre-feet of Colorado River water is used on the Project site for irrigation purposes. The proposed Project would reduce this to approximately 4,894.4 acre-feet, approximately 81% of current usage, thereby allowing the excess surface water from the Colorado River to be available for contingency purposes or emergencies at CVWD's discretion. Since the proposed Project improves water supplies, does not interfere with existing supplies, and sufficient water supplies exist, impacts would be less than significant and, in fact, net beneficial.

(b) **Mitigation.** No mitigation is required because the Project has less than significant impacts with respect to any potential interference with emergency water supplies.

(c) **Findings.** This potential impact is determined to be less than significant and, in fact, net beneficial, because the Project will reduce the Project site's current water usage by 4,897.4 acre-feet, and does not interfere with existing supplies.

- (9) Cumulative Water Impacts. (*RDEIR*, § 6.20.8.1, pp. 6.20-145 to 6.20-151.)

(a) **Potential Impact.** Supply and demand for CVWD's service area were analyzed to assess the region's ability to satisfy demands during three scenarios: a normal water year, single dry year, and multiple dry years. The tables in the Revised Draft EIR, concerning cumulative analysis, present the supply-demand balance for the various drought scenarios for the 25-year planning period 2005 to 2030. Based on the analysis set forth in the Revised Draft EIR, it is expected that the region will be able to meet 100% of its dry-year domestic water demand under all three scenarios. *See e.g.*, Revised Draft EIR at page 6.20-149, Table 6.20-68. The Revised Draft EIR concludes that all CVWD waters supply sources can provide for 100% of the demand in the Coachella Valley for substantial periods of time, and that therefore cumulative impacts on water supply would be less than significant. *See* Revised Draft EIR, at page 6.20-149. *See* Revised Draft EIR cumulative impacts analysis at section 6.20.8, at pages 6.20-145 through 6.20-151.

(b) **Mitigation.** No mitigation is required because impacts upon cumulative water supply are determined to be less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the analysis in the Revised Draft EIR demonstrates that CVWD's water supply can provide 100% of demand in the Coachella Valley under even the worst case scenario, for a substantial period of time, and therefore the cumulative impacts on water supply would be less than significant. *See* discussion in Revised Draft EIR, at pages 6.20-145 through 6.20-151.

- (10) Consistency with the Imperial County and Riverside County General Plans. (*RDEIR*, § 6.20.9.1, pp. 6.20-151 to 6.20-158.)

(a) **Potential Impact.** The Revised Draft EIR set forth the policies, goals and objectives of both Riverside County and Imperial County with respect to water demand and supply. *See* discussion in Revised Draft EIR, section 6.20.9, at pages 6.20-150 to 6.20-157. The Revised Draft EIR also analyzes the consistency of the Project with each of the policies set forth therein, and concludes that the proposed Project is consistent with the water demand and supply policies in the Riverside County and Imperial County General Plans. Consequently, any potential impact with respect to a inconsistency between the Project and the Riverside County and Imperial County General Plans is determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the impacts of the Project with respect to water demand and supply are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with policies, goals and objectives of the Riverside County and Imperial County General Plans as set forth in the Revised Draft EIR, at pages 6.20-151 to 6.20-158.

T. Utilities – Wastewater Services.

(1) Require construction of new storm drainage facilities. (*RDEIR, § 6.21.7.3, pp. 6.21-23 to 6.21-24.*)

(a) **Potential Impact.** The proposed Project will result in the construction of stormwater detention areas and linear drainage channels. These drainage corridors may also serve to incorporate additional off-road segments to the bicycle and hiking trail network. With respect to water quality, the drainage channels are planned to serve multiple functions, including flood control, water harvesting, and stormwater treatment through de-silting, a recreational trail system, a native landscaped habitat, and a visual amenity. As such the proposed Project's new stormwater drainage facilities will have a net positive environmental effect, and any adverse impact would be less than significant. *See* discussion in Revised Draft EIR, section 6.21.7.3, at pages 6.21-23 to 6.21-24.

(b) **Mitigation.** No mitigation is required because Project's impacts from the construction of new stormwater drainage facilities is less than significant and, in fact, net beneficial.

(c) **Findings.** This potential impact is determined to be less than significant because the new stormwater drainage facilities constructed will have positive environmental impacts, such as a cleaner source of water for the Salton Sea.

(2) Cumulative Wastewater Services Impacts. (*RDEIR, § 6.21.8.1, pp. 6.21-25 to 6.21-28.*)

(a) **Potential Impact.** The Specific Plan proposes to develop its own wastewater treatment facilities, and not connect to the existing wastewater treatment plants in the area in Riverside County and Imperial County. The proposed Project would therefore be self-contained, and any potential impact on existing wastewater treatment facilities is less than significant. *See* discussion in Revised Draft EIR, section 6.21.8, at pages 6.21-25 to 6.21-28.

(b) **Mitigation.** No mitigation is required because the Project will be self-contained with its own wastewater treatment facilities, and therefore any impact upon existing facilities is less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project will be self-contained, in that it will develop its own wastewater treatment facilities, and therefore will not cumulatively contribute to any impacts upon existing wastewater treatment facilities.

(3) Consistency with the Riverside County and Imperial County General Plans. (*RDEIR*, § 6.21.9.1, pp. 6.21-28 to 6.21-30.)

(a) **Potential Impact.** The policies, goals and objectives of Riverside County and Imperial County with respect to wastewater demand and services are set forth in the Revised Draft EIR, section 6.21.9, at pages 6.21-28 to 6.21-30. The Revised Draft EIR analyzes the consistency of the proposed Project with those policies, and determines that the proposed Project is consistent with the policies, goals and objectives in the Riverside County General Plan and Imperial County General Plan. *See* Revised Draft EIR, at page 6.21-30. Consequently, any potential impact from an inconsistency between the proposed Project and the policies, goals and objectives of both Counties' respective General Plans, is determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to wastewater treatment services.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans as explained in the Revised Draft EIR, at pages 6.21-28 through page 6.21-30.

U. Utilities – Solid Waste.

(1) Compliance with solid waste statutes and regulations. (*RDEIR*, § 6.22.7.2, pp. 6.22-29 to 6.22-30.)

(a) **Potential Impact.** Existing regulations in Riverside County and Imperial County govern the Project's solid waste handling and diversions. Since the proposed Project would be mandated to adhere to those existing regulations, including those set forth in the Riverside Countywide Integrated Waste Management Plan (CIWMP), impacts would be less than significant, in part because the CIWMP complies with the provisions of Assembly Bill 939 and its diversion mandates section. *See* discussion in Revised Draft EIR, section 6.22.7.2, pages 6.22-29 to 6.22-30.

(b) **Mitigation.** No mitigation is required because the Project will comply with all applicable federal, state and local statutes and regulations concerning solid waste, and therefore, the impact is less than significant.

(c) **Findings.** The Project must comply with all applicable federal, state and local statutes and regulations related to solid waste, including the County's CIWMP, and therefore any potential impact with respect to non-compliance is less than significant.

(2) **Cumulative Solid Waste Impacts.** (*RDEIR, § 6.22.8.1, pp. 6.22-39 to 6.22-42.*)

(a) **Potential Impact.** Development of the proposed Project would result in the cumulative addition of 17,834.3 tons per year of solid waste to the Riverside County landfills. This would represent a cumulative contribution of 0.4 percent of the estimated solid waste generated by the County of Riverside by its expected build out in the year 2040, *i.e.* 4,148,156 tons per year. The related projects are estimated to generate 13,971.6 tons of solid waste per year, which constitutes 0.62% of overall landfill annual intake capacity at the Lamb Canyon Landfill and Badlands Landfill combined. The proposed Project and related projects would contribute to the cumulative amounts of solid waste that is disposed of within the Riverside County landfill system. However, the total amount of waste generated by the proposed Project and related projects could be accommodated by existing landfills, and would not contribute to cumulatively significant impacts to landfill capacity such that all landfills would exceed their capacity. Consequently, in light of the available capacity, and in light of recycling on-site to reduce project operational waste impacts to the existing landfills, cumulative impacts are deemed less than significant. *See discussion in Revised Draft EIR, section 6.22.8.1, at pages 6.22-39 to 6.22-42.*

With respect to Imperial County, the Imperial County related projects would contribute approximately 6.3% of the annual yearly intake capacity of the Salton City Solid Waste site. However, that facility has received a conditional use permit to expand its intake capacity to 1,926,000 tons of solid waste per year. The Imperial County related projects would contribute approximately 0.05% of that annual yearly intake after expansion. Consequently, this Project in conjunction with other projects within the area will not contribute to cumulatively significant impacts to Imperial County landfill capacity such that landfills exceed their capacity. Due to available capacity and implementation of recycling on site, to reduce project operational waste, cumulative impacts to existing landfills are considered to be less than significant. *See discussion in Revised Draft EIR, section 6.22.8, at pages 6.22-39 to 6.22-42.*

(b) **Mitigation.** No mitigation is required because cumulative impacts are determined to be less than significant as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because, as explained above, the proposed Project and any related

Projects generate a total amount of waste that could be accommodated by existing landfills, and would not contribute to cumulatively significant impacts to landfill capacity, such that landfills exceed their capacity.

- (3) Consistency with the Imperial County and Riverside County General Plans. (*RDEIR*, § 6.22.9.1, pp. 6.22-42 to 6.22-45.)

(a) **Potential Impact.** The policies, goals and objectives in the Riverside County and Imperial County General Plans concerning solid waste services are set forth in the Revised Draft EIR, at sections 6.22.9.1 and 6.22.9.2, pages 6.22-42 to 6.22-45. The Revised Draft EIR analyzes the consistency of the proposed Project with the policies, goals and objectives of Riverside County and Imperial County with respect to solid waste services, and determines that the Project is consistent with those policies, goals and objectives. Consequently, any potential impact is less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to solid waste demand and services.

(c) **Findings.** This potential impact is determined to be less than significant because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to solid waste demand and services, and consequently, any potential impact is less than significant.

V. Utilities – Energy.

- (1) Compliance with existing energy standards. (*RDEIR*, § 6.23.8.4, pp. 6.23-30 to 6.23-31.)

(a) **Potential Impact.** The proposed project is designed to comply with existing energy standards and will implement design features that meet or exceed the California energy efficiency standards, including Title 24 for energy efficiency requirements. The Specific Plan Climate Action Plan requires that project development exceed 2008 Title 24 energy efficiency standards by 30% for residential development and 15% for commercial development. Consequently, impacts would be less than significant. See discussion in Revised Draft EIR in 6.23.8.4, at pages 6.23-30 to 6.23-31.

(b) **Mitigation.** No mitigation is required because the Project will meet or substantially exceed energy efficiency standards.

(c) **Findings.** This potential impact is determined to be less than significant because the Project will meet or substantially exceed energy efficiency standards, as explained above.

(2) Effects on energy sources. (*RDEIR*, § 6.23.8.5, p. 6.23.-31.)

(a) **Potential Impact.** The proposed Project would increase overall energy demand in the project area by approximately 109 megawatts, which could be accommodated by IID's current system capacity of 1,445 megawatts with an available capacity of 466 megawatts. As explained previously, the Specific Plan Climate Action Plan requires that Project development exceed 2008 Title 24 energy efficiency standards by 30% for residential development, and 15% for commercial development. The Specific Plan would require the installation of solar energy systems in all land designations as soon as economically feasible, which could further reduce Project energy demand. Because the proposed project's demand for energy resources can be met by existing energy resources, impacts would be less than significant.

(b) **Mitigation.** No mitigation is required because impacts are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because IID has sufficient capacity to meet the Project's energy needs. In addition, as explained in the Revised Draft EIR, the area around the Salton Sea has a wealth of renewable energy sources, which are currently receiving substantial investment. As these resources are developed (including geothermal, biodiesel and solar) it is anticipated that IID's system capacity will markedly expand, although such expansion is not necessary to meet the Project's energy needs.

(3) Long-term implications for energy. (*RDEIR*, § 6.23.8.7, pp. 6.23-34 to 6.23-35.)

(a) **Potential Impact.** Both construction and operation of the Project could necessarily lead to the consumption of limited, slowly renewable, and non-renewable resources, committing such resources to uses that future generations would be unable to reverse. Moreover, given existing energy resources available for both stationary and mobile consumers, and given the anticipated expansion in renewable energy resources in the vicinity (including geothermal, biodiesel and solar), long-term energy implications are determined to be less than significant. To the contrary, to the extent that the Project provides housing and other facilities for the development of the burgeoning renewable energy industries in and around the Salton Sea, the Project may have a net beneficial impact on the development of those resources over the long term. See discussion in Revised Draft EIR, section 6.23.8.7, at pages 6.23-34 to 6.23-35.

(b) **Mitigation.** No mitigation is required because project impacts are less than significant.

(c) **Findings.** This potential impact is determined to be less than significant because the Project's consumption of renewable and non-renewable energy resources will not have adverse long-term implications on energy resources in the region as explained above.

(4) **Cumulative Energy Impacts.** (*RDEIR, § 6.23.9.1, pp. 6.23-35 to 6.23-36.*)

(a) **Potential Impact.** The cumulative development of related projects listed in the Revised Draft EIR, Tables 5.0-1 and 5.0-2, would result in substantial growth in energy use in the eastern Coachella Valley. Demand is projected to increase from current demand of slightly less than 1,000 megawatts to approximately 1,100 megawatts for 2015, an increase of approximately 10% over five years. Should development exceed IID's capacity up to 2015, additional power supplies are available to IID by power purchase agreements and spot purchases. Since adequate energy resources would be available to meet cumulative energy demand, impacts are determined to be less than significant. See discussion in Revised Draft EIR, section 6.23.9.1, at pages 6.23-35 to 6.23-36.

(b) **Mitigation.** No mitigation is required because the cumulative impact on energy resources is determined to be less than significant as explained above.

(c) **Findings.** This potential impact is determined to be less than significant because adequate energy resources would be available to meet cumulative energy demand, as explained at pages 6.23-35 to 6.23-36 of the Revised Draft EIR.

(5) **Consistency with the Riverside County and Imperial County General Plans.** (*RDEIR, § 6.23.10.1, pp. 6.23-36 to 6.23-43.*)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to energy demand and resources are set forth in the Revised Draft EIR at section 6.23.10, pages 6.23-36 through 6.23-43. The Revised Draft EIR analyzes each of the policies, goals and objectives with respect to the Project's consistency, and concludes that the Project is consistent with the Riverside County and Imperial County General Plans concerning energy. Consequently, any potential impact is determined to be less than significant.

(b) **Mitigation.** No mitigation is required because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to energy.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to energy use, as explained at pages 6.23-36 through 6.23-43.

W. Greenhouse Gases.

(1) Consistency with the Riverside County and Imperial County General Plans. (*RDEIR*, §§ 6.24.8.1 to 6.24.8.3, pp. 6.24-69 to 6.24-126.)

(a) **Potential Impact.** The policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to greenhouse gas emissions are set forth in the Revised Draft EIR, at pages 6.24-69 through 6.24-125. The Revised Draft EIR analyzes the Project's consistency with respect to those policies, goals and objectives, and concludes that the Project is consistent. Consequently, any potential impact from inconsistency between the Project and the Riverside County and Imperial County General Plans, with respect to greenhouse gas emissions, is determined to be less than significant. *See* discussion in Revised Draft EIR, sections 6.24.8.1 to 6.24.8.3, at 6.24-69 through 6.24-125.

(b) **Mitigation.** No mitigation is required because the proposed Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans.

(c) **Findings.** This potential impact is determined to be less than significant because the Project is consistent with the policies, goals and objectives of the Riverside County and Imperial County General Plans with respect to greenhouse gas issues.

VI. Findings Regarding Alternatives Analyzed in the Revised EIR and Rejected.

(Note: As a prefatory matter, the County finds that the RRDEIR contains several outdated and incorrect references regarding off-site impacts to parks and cultural resources in the Alternatives discussion and thresholds table, incorrectly identifying those project impacts as significant and unavoidable. The more detailed discussion of those two impacts in the RRDEIR has been updated to correctly identify off-site impacts to park lands and facilities and cultural resources as less than significant. These corrections do not change any of the conclusions of the RRDEIR regarding the Alternatives analyzed therein.)

A. Alternative 1: No Project.

[See RDEIR, § 7.5.1, pp. 7.0-23 to 7.0-82.]

Under the No Project Alternative, discussed at pages 7.0-23 to 7.0-82 of the Revised Draft EIR, the proposed project would not be constructed. The current site would remain in its present condition for the near future. Land would continue to be used in agricultural production (non-tribal lands), to the extent that continued agricultural production remains economically viable. Tribal land would likely remain vacant.

The No Project Alternative would result in less or similar impacts as the proposed project in both Riverside and Imperial counties except for those impacts related to Public Services, specifically medical facilities and water supply. For these issues the No Project Alternative would result in greater adverse impacts as follows:

Medical Facilities: Under Alternative 1, there would be no new medical facilities provided in the area that would serve existing local residents. The closest hospital to the Alternative 1 site is John F. Kennedy Memorial Hospital located 19 miles to the north in the City of Indio. Existing residents in the area would continue to travel to other portions of the Coachella and Imperial Valleys for such services. As existing facilities are at substantial distances from the area, this would be a continuing impact.

Water: Alternative 1 would consume 6,464 afy of groundwater while the proposed project would require 3,472 afy of groundwater. Additionally, under Alternative 1, agricultural uses in the area would continue resulting in a continuation of runoff into the Salton Sea of agricultural chemicals, which have contributed to the Sea's deterioration, including oxygen depletion and fish kills. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future restoration efforts.

Alternative 1 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, land use, noise, transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative, including certain air quality/dust impacts associated with the Salton Sea's continued shrinkage.

By not developing the proposed project, the applicant would not achieve the following objectives:

- Respect and celebrate the region's heritage – No additional site surveys would occur and no further examination of the cultural heritage features of the area would occur. Under this alternative, no areas would be set aside for cultural resource protection.

- Stimulate economic development and employment opportunities – No new industry would be developed and existing agricultural operations would continue for the foreseeable future, or until they become economically infeasible. The ability to introduce alternative industries to replace agricultural, as it becomes more difficult, would not occur.
- Provide a diverse array of housing types, including affordable housing – No new housing opportunities would be introduced into the area and the existing housing stock would remain.
- Provide public facilities and community amenities – With no increase in population in the area, there would not be the critical mass necessary for major investments to improve public facilities. This would include no new parks.
- Balance and integrate land uses – There would be no change in land use and the area would continue with agricultural uses, to the extent they remain viable.
- Create special places – There would be no new places created (no town center, resort, marina).
- Create walkable neighborhoods – No new neighborhoods would be created and existing residents would continue to travel long distances to other locations for services.
- Incorporate principles of smart growth, sustainable development, and green building – No new development would occur, thereby precluding development of a more sustainable model town, that is more consistent with the state's efforts to materially reduce per capita greenhouse gas emissions.

Further, the No Project Alternative does not further the goals of federal, state, and local agencies to restore the Salton Sea. As proposed by both the Department of Water Resources and Salton Sea Authority, the restoration of the Salton Sea is predicated on reducing agricultural flows and changing land use patterns in the areas surrounding it. Alternative 1 would not provide for any potential increase in the local tax base to allow local funding from a benefit assessment district to assist in meeting the substantial Sea restoration costs.

Finally, the No Project Alternative would not provide for an improvement to the local economic conditions that could benefit the TMDCI. The tribe, which is considered one of the poorest and economically depressed in the state, would not benefit from the partnership with private development, as would occur with Project implementation.

B. Alternative 2: Build out Under Existing Land Use Designations.

[See RDEIR, § 7.5.2, pp. 7.0-82 to 7.0-182; and RRDEIR § 7.4.2, pp. 7.0-5; and pp. 7.0-83 to 7.0-86; 7.0-89 to 7.0-93; 7.0-95 to 7.0-96; 7.0-108 to 7.0-115; 7.0-130; 7.0-137 to 7.0-141; 7.0-144 to 7.0-148; 7.0-151; and 7.0-154 to 7.0-157.]

Under Alternative 2, "Build out Under Existing Land Use Designations," discussed in section 7.5.2, at pages 7.0-82 to 7.0-182 of the Revised Draft EIR, the Project site would be built out according to the existing land use designations provided by Riverside County and Imperial County. The existing land uses within Riverside County and Imperial County would allow for the development of up to 9,532 residential units and 1,278,486 square feet of commercial uses. The information provided below conservatively assumes a maximum case development intensity scenario, *i.e.*, that all 9,532 residential units would be developed and all 1,278,486 square feet of commercial use would be developed.

The Build out Under Existing Land Use Designations (Alternative 2) would result in less or similar impacts as the proposed project in both Riverside and Imperial Counties except for those impacts related to Public Services – Medical Facilities, Water, and Wastewater. For these issues the Alternative 2 would result in greater impacts as follows:

Medical Facilities: Under the Alternative 2, there would be no new medical facilities provided in the area that would serve local residents, including very poor residents for whom travel is difficult. Existing residents in the area would continue to have to travel to other portions of the Coachella and Imperial Valleys for such services. As the existing facilities are at substantial distances from the area (19 miles), this would be a continuing impact.

Water: Under Alternative 2, many agricultural uses in the area would continue resulting in a continuation of chemical runoff into the Salton Sea, furthering its deterioration, including further oxygen depletion and fish kills. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future restoration efforts.

Wastewater: Under Alternative 2, existing wastewater treatment providers would be required to provide services to the area. For the Coachella Valley Water District, this would require extension of services into an area that is currently only served by septic systems. Further, it may require either upgrades to existing wastewater treatment facilities, or the development of on-site treatment systems. For the Salton Community Services District, extension of services to the area as well as upgrades to existing plants in Desert Shores or Salton City would be required as both of these are at or near capacity.

Alternative 2 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, land use, noise,

transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

By developing Alternative 2, rather than the proposed Project, the applicant would not achieve the following objectives to the same degree as the proposed project:

- Respect and celebrate the region's heritage – No additional site surveys would occur and no further examination of the cultural heritage features of the area would occur. Under this alternative, no areas would be set-a-side for cultural resource protection.
- Stimulate economic development and employment opportunities – The area would remain rural in nature and the existing land use designations and zoning would remain. Under this alternative, the area would continue in agricultural uses, so long as they remain financially viable. As permitted under existing zoning, future development would provide for very little density increase (1 unit per 2 acres) and thereby would not create sufficient population to encourage new industry and employment. In summary, this objective would not be achieved because the number of employment opportunities anticipated under this alternative would be substantially less than the proposed project.
- Provide a diverse array of housing types, including affordable housing – While some new housing (1 unit per 10 acres average in Riverside County) may develop, it would most likely be very low density and not encourage subdivisions that would provide for a range of housing types and the ability to include affordable units. Housing development under Alternative 2 would be limited to the requirements under existing land use designations, and would not include the variety of housing densities proposed by the project.
- Provide public facilities and community amenities – The need for future public facilities would be limited and would be based on what population growth occurred. Most likely, no new schools would be developed but existing schools may be expanded. No new sewer or water infrastructure would be developed.
- Balance and integrate land uses – Under this alternative there would be no change in land use designations or zoning. The land uses allowable under the existing general plan land use designations would not allow for a balance and integration of housing, commercial, and public uses, creating a more sustainable model for new town development. Therefore, Alternative 2 would not achieve this objective to the same extent as the proposed project.
- Establish alternative development standards to implement sustainable development and environmentally sensitive principles. Under Alternative 2,

existing planning concepts would continue in a "business-as-usual" mode. Development would mostly likely occur on a piece meal basis with no master planning to integrate individual tract map applications.

- The Salton Sea area is currently receiving a substantial influx of investment capital (\$5 billion currently) to develop renewable energy development (geothermal, biodiesel (algae) and solar, that will generate employment and the need for nearby housing, for a diverse range of income levels (from highly compensated professional engineers to low wage employees). Development under Alternative 2 would not satisfy this need. In addition, rather than short local commutes, workers serving in the rapidly expanding renewable energy industries would commute long distances to their residences, thus worsening greenhouse gas emissions.

Although some level of future development could occur under Alternative 2, it is anticipated that it would not be at a level that would further the goals of federal, state and local agencies to restore the Salton Sea. As proposed by both the Department of Water Resources and Salton Sea Authority, the restoration of the Sea is predicated upon reducing agricultural flows and changing land use patterns in the areas surrounding it. While some level of development under existing land use designations and zoning could occur, the probability of such development without associated commercial and industrial development to provide local jobs, that are not part of the declining agricultural industry, would probably not occur. As such, Alternative 2 would not provide for a substantial enough tax base to allow for a substantial increase in local funding to assist in meeting the Sea's restoration costs.

Finally, Alternative 2 would not provide for an improvement to the local economic conditions, that could benefit the TMDCI, one of the poorest tribes in the state, and one of the most economically depressed areas in the nation. While the tribal General Plan provides for some development, there would be no incentive for significant private development, and thus little material change in the local economy.

C. Alternative 3: Riverside County Only.

[See RDEIR, § 7.5.3.1, pp. 7.0-182 to 7.0-303; and RRDEIR, pp. 7.0-128 to 7.0-220 and 7.0-265 to 7.0-266.]

Under Alternative 3, the Riverside County Only development scenario, discussed in section 7.5.3, at pages 70-182 to 7.0-303 of the Revised Draft EIR, only the Riverside County portion of the Project site would be developed as currently proposed. Alternative 3 would result in development of 3,938 acres of land (3,175 acres of non-tribal land and 763 acres of tribal land). At build out, Alternative 3 would include the development of up to 15,409 residential units (14,640 on non-tribal land and 769 on tribal land) and 4,862,000 square feet of commercial (3,580,600 square feet on non-tribal land and 1,281,400 square feet on tribal land).

Alternative 3, the Riverside County Only scenario, would result in less or similar impacts for all issues as the proposed project within Riverside County. As there would be no development in Imperial County, the impacts would be similar or less for all issues except for Water.

For this issue, Alternative 3 would result in greater impacts as follows:

Water: Under Alternative 3, agricultural uses in Imperial County would continue resulting in a continuation of adverse runoff into the Salton Sea of agricultural chemicals, a factor in the Sea's continued deterioration. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future restoration efforts.

Alternative 3 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, land use, noise, transportation and traffic, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

By developing Alternative 3 as opposed to the proposed project, the applicant would not achieve the following objectives to the same extent as the proposed project:

- Preserve and enhance culturally sensitive resources – Portions of the site (such as Travertine Point and other significant cultural features) located in Imperial County would not be included in the project and thereby not become part of a comprehensive cultural heritage preservation program for the Torres-Martinez. As such, significant aspects of the tribal heritage would not be included in the project. Alternative 3 would not conserve open space that are proposed as part of the Imperial County portion of the project. The alternative would not develop the Cultural Preserve and Living Desert that is proposed as part of the project. Therefore, the alternative would not achieve this objective to the same extent as the proposed project.
- Stimulate economic development and employment opportunities – The ability to include important economic opportunities, such as the hotel/resort complex and potential golf course, would be eliminated or severely restricted. This objective would not be achieved because the number of employment opportunities anticipated under this alternative would be substantially less than the proposed project.
- Provide diverse array of housing types, including affordable housing – The ability to provide a large diversity of housing type would be restricted and would include less housing on tribal land. Since Alternative 3 would not develop the Imperial County portion of the project, it would reduce the array of housing types that would be available under the proposed project. Thus the

alternative would not achieve this objective to the same extent as the proposed project.

- Provide public facilities and community amenities – While it would provide increased opportunity for new facilities in Riverside County, the project would not include an opportunity for Imperial County to participate. This Alternative would not provide an opportunity for a more regional approach to service and infrastructure improvement.
- Balance and integrate land uses – Development of uses proposed for the Riverside County portion of the project would not result in the same array of land uses as are proposed by the proposed project. Therefore, Alternative 3 would not achieve this objective to the same extent as the proposed project.
- Advance the implementation of the joint Riverside/Imperial County transportation plans – since there would be no development in Imperial County, this Project benefit could not be realized.

While Alternative 3 would indirectly further the goals of federal, state and local agencies to restore the Salton Sea, it does not provide the same level of potential financial support as the proposed project. As proposed by both the Department of Water Resources and Salton Sea Authority (SSA), the restoration of the sea is predicated upon reducing agricultural flows and changing land use patterns in the areas surrounding it. Under the Salton Sea Authority Plan, it is anticipated that approximately 250,000 new dwelling units would be needed to provide an adequate base for a potential benefit district for restoration of the Sea. Alternative 3 would provide for increases in the local tax base in Riverside County but would not promote similar development in Imperial County. As such, local funding to assist in meeting the restoration costs would be more limited.

D. Alternative 4: Decreased Land Use Intensity Project.

[See RDEIR, § 7.5.4.1, pp. 7.0-303 to 7.0-420; and RRDEIR, pp. 7.0-341 to 7.0-344; and 7.0-387.]

Alternative 4, the Decreased Land Use Intensity Project, discussed in section 7.5.4, at pages 7.0-303 to 7.0-420 of the Revised Draft EIR, would decrease residential units from 16,655 to 12,300 and commercial square footage would decrease from 4,982,330 square feet to 3,404,800 square feet.

Alternative 4 would result in less or similar impacts as the proposed project within Riverside County and Imperial County, except for greenhouse gases.

For this issue Alternative 4 would result in greater impacts as follows:

Greenhouse Gases: Under Alternative 4, the proposed project would be developed at an overall lower density but would not include the mixed-use and trip reduction features of the proposed project, that are more viable with the critical mass created by the Project, *i.e.*, a new town of approximately 43,500 persons. Under Alternative 4, per capita vehicle miles traveled would be 65.4 miles per day per person (1.85 million miles per day for a population of 28,300 persons) versus 42.9 miles per day per person (1.87 million miles per day for a population of 43,500 persons) for the proposed project. As a result, greenhouse gases associated with Alternative 4 would be approximately 50 percent more per person. As such, this Alternative would not comply with the requirements of AB32 to reduce greenhouse gas emissions, and would certainly not achieve the Project's major per capita reductions in greenhouse gas emissions compared to the business as usual benchmark for new development.

Alternative 4 would reduce the significant and unavoidable impacts of the proposed project related to air quality and noise. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

Alternative 4 would not achieve many of the project objectives. It would not achieve the following:

- Develop a range of transportation/mobility options, pedestrian- friendly circulation; encourage energy conservation and alternative energy uses; and implement attractive design with a strong sense of place, and appropriate human scale design. Under Alternative 4, many of the features that provide for a walkable community and encourage energy conservation would not be as prevalent. There would likely be far less mixed-use areas within the Town Center, the circulation network would not include an extensive NEV friendly street system, and the decreased amount of commercial and light industrial space would not generate as many on-site jobs.
- Establish sustainable principles that reduce carbon footprints and promote sustainable watershed management. As noted above, while this alternative would generate fewer greenhouse gases in total, it would not provide for a reduction in future emissions to meet AB32 requirements on a per capita basis.
- The Salton Sea area is currently receiving a substantial influx of investment capital (\$5 billion) for renewable energy development (geo-thermal, biodiesel (algae) and solar), that will generate employment and the need for nearby housing, for a diverse range of income levels (from highly compensated professional engineers to low wage employees). Development under Alternative 4 would help to satisfy this need, but not to the same extent as the Project.

Although this Alternative would indirectly further the goals of federal, state and local agencies to restore the Salton Sea, it does not provide the same level of potential financial support as the proposed project. Alternative 4 would provide for increases in the local tax base but at much reduced levels compared to the proposed project.

E. Alternative 5: Alternate Site.

[See RDEIR, § 7.5.5, pp. 7.0-420 to 7.0-529; and RRDEIR, pp. 7.0-492 to 7.0-493.]

Alternative 5, the Alternate Site alternative, at section 7.5.5, pages 7.0-420 to 7.0-530 of the Revised Draft EIR, provides an alternative site scenario approximately 6.9 miles northwest of the proposed Project site. Alternative 5 would be completely developed within Riverside County and would include the development of 16,655 residential units and 5,029,00 square feet of commercial uses. Alternative 5 would be approximately 5,140 acres in size, which is approximately 222 acres larger than the proposed Project site. Alternative 5 contains approximately 1,216 acres of Torrez Martinez Tribal Land, with the remaining 3,924 acres owned by nearly 100 different land owners.

Alternative 5 would result in similar impacts for all issues in Riverside County except for Hazards/Hazardous Materials, Hydrology and Water Quality, Land Use, Population and Housing, Water, and Solid Waste. Under Alternative 5, there would no development in Imperial County; therefore all impacts would be similar or less than the proposed project except for Hydrology and Water Quality, and Population and Housing.

For these issues Alternative 5 would result in greater impacts as follows:

Hazards/Hazardous Materials: Currently, the Alternative 5 site provides for a private recycling/transfer facility that would require relocation. The relocation of such a facility would require the closure (and possible relocation) of the California Bio-Mass Composting Facility and the reclamation of the 40-acre parcel where it is located.

Land Use: Under this Alternative 5, development would convert agricultural open space to urban uses. The site contains approximately 4,100 acres of agricultural land, and the Alternative 5 land use plan would provide 827 acres of open space. Thus, Alternative 5 would result in a net loss of 3,273 acres of open space.

Agricultural Land: The Alternative 5 site contains twice as much prime farmland as the Project site, 3,080 acres for the Alternative 5 site versus 1,550 acres for the Project site. The Alternative 5 site also contains 140 acres of Farmland of Statewide Importance versus 0 acres of such land on the Project site. Although the Project site contains more Unique Farmland than the Alternative 5 site, 1,553 acres versus 13 acres, Prime Farmland and Farmland of Statewide Important is far more valuable for agricultural production.

Consequently, the conversion of agricultural land on the Alternative 5 site would have a far more significant adverse impact than the Project's conversion of farmland.

Population and Housing: Alternative 5 would develop 16,655 residential units in Riverside County, which would generate an estimated maximum population of 43,513 residents. However, under Alternative 5 all of the residential growth would occur in Riverside County, as Alternative 5 proposes no development in Imperial County. Therefore, certain impacts for Alternative 5 would be greater than the proposed project for Riverside County. As the project would provide neither housing nor jobs in Imperial County, certain economic impacts would be adverse for Imperial County.

Utilities – Water: Under Alternative 5, agricultural uses in both Riverside County and Imperial County would continue resulting in a continuation of runoff into the Salton Sea of agricultural chemicals, a factor in the Sea's continued deterioration. As the Salton Sea is an impaired water body, this runoff would continue to contribute to the existing water quality issues and further complicate future Salton Sea restoration efforts.

Alternative 5 would reduce the significant and unavoidable impacts of the proposed project related to aesthetics, agricultural resources, air quality, noise, and greenhouse gases. While these impacts would be reduced, significant and unavoidable impacts may remain under this alternative.

By developing the same uses on an alternate site, this alternative would achieve many of the same objectives as the proposed project, but not in the same location nor with the benefits of a sea side location. However, development on the alternate site would be infeasible for the following reasons:

- The alternate site consists of parcels owned by several property owners who may not be willing sellers. The project applicant does not own any parcels on this site.
- The Vista Santa Rosa community has adopted a policy that restricts development to a maximum residential density of 3 units per acre and prohibits commercial uses.
- Tribal property contains significant housing and population that would have to be relocated.
- The site is not accessible from a major arterial such as SR-86.

Further, Alternative 5 does not further the goals of federal, state, and local agencies to restore the Salton Sea. Alternative 5 is not located near the Salton Sea and as such would not provide for any potential increase in the local tax base to allow local funding from a benefit assessment district to assist in meeting the restoration costs.

F. Additional Findings Regarding Alternatives.

1. The Environmentally Superior Alternative.

The findings in the alternatives impact analysis discussed above are summarized in **Table 7.0-50, Comparison of Alternatives to the Proposed Project**. However, the No Project Alternative would not meet the objectives of the proposed project.

The State *CEQA Guidelines* require that an environmentally superior alternative be identified among the selected alternatives (excluding the No Project alternative).¹³ If the No Project Alternative is determined to be the environmentally superior alternative, an environmentally superior alternative must also be identified among the remaining alternatives.

The environmentally superior alternative among the remaining alternatives would be Alternative 3 – Riverside County Only. This alternative would result in less or similar impacts for all issues. As there would be no development in Imperial County, the impacts would be similar or less for all issues except adverse runoff into the Salton Sea from agricultural operations in Imperial County. Such runoff is a contributing factor to the Sea's continued deterioration, which would not occur after Project implementation. See discussion in Revised Draft EIR, section 7.5.3, at pages 7.0-182 to 7.0-303.

As discussed above, by developing Alternative 3, as opposed to the proposed project, the applicant would not achieve the following objectives to the same extent as the proposed project:

- Preserve and enhance culturally sensitive resources to the same degree,
- Stimulate economic development and employment opportunities in a very poor community to the same degree,
- Provide a diverse array of housing types, including affordable housing to the same degree,
- Provide public facilities and community amenities to the same degree,
- Balance and integrate land uses to the same degree,
- Advance the implementation of the joint Riverside/Imperial County transportation plans; and

¹³California Public Resources Code, Title 14, Division 6, Chapter 3, *California Environmental Quality Act Guidelines*, Section 15126.6(e)(2).

- Facilitate Salton Sea restoration to the same degree as the Project, with respect to Sea restoration funding and eliminating agricultural run-off into the Sea from the Project site in Imperial County.

Therefore, this Alternative, while environmentally superior to the proposed project, but is not considered as beneficial as the Project with respect to the objectives/factors stated above. In addition, Alternative 3 would materially reduce the Project's overall financial return in relation to the substantial infrastructure investment required, and thus not be as financially feasible/viable as the Project.

VII. Statement of Overriding Considerations.

The Project will have unavoidable significant adverse environmental impacts, as described in Section III above. However, the County hereby adopts this Statement of Overriding Considerations concerning the Project's unavoidable significant impacts, so as to explain why the Project's benefits and objectives override and outweigh its unavoidable impacts.

The Revised Draft EIR for the Project recognizes that certain specific adverse environmental impacts will be caused by the approval and construction of the Project, which will not be mitigated to a level of insignificance by the application of feasible mitigation measures or an alternative to the Project. Despite the finding in the Revised Draft EIR that such unavoidable adverse environmental impacts will be caused by the Project, the County nevertheless finds, after a thorough review and consideration of such potentially adverse environmental impacts, that the economic, legal, social, technological and other benefits of the Project, as more specifically defined herein, outweigh those unavoidable adverse environmental impacts. Those impacts are therefore deemed to be acceptable to the County. Each of the benefits and objectives set forth below constitutes an independent overriding consideration, warranting approval of the Project despite its unavoidable impacts. Furthermore, the County finds that even if any other environmental impacts were determined to be significant, the County would nevertheless still find that such additional impacts are also outweighed by the Project's benefits and objectives as stated below.

In general, the Project site provides an appropriate location for the proposed residential, recreation and commercial uses that will provide employment, housing, recreation, and increased property and sales tax revenue opportunities for both Riverside County and Imperial County, its residents and visitors, and includes the following benefits:

- (1) The Project will facilitate formation of a special financing district to help fund the Restoration Plan for the Salton Sea, which is vital in preserving various migratory bird species that rely upon the Sea, and in protecting humans from adverse air quality impacts associated with the current shrinkage of the Salton Sea.
- (2) The Project will provide significant employment and economic opportunities for one of the poorest areas of the state, including for Native Americans and farm worker immigrants.

- (3) The Project will provide a mix of housing and office space to serve the burgeoning renewable energy industries currently being developed around the Salton Sea, including geo-thermal, bio-diesel (algae) and solar resources. Currently, the lack of such housing and office space require workers to commute long distances to the Northern Coachella Valley or the San Diego suburbs, thus creating adverse Greenhouse Gas Emission impacts.
- (4) The Project will provide a regional and statewide model for the development of a sustainable new town, designed from inception to significantly reduce Greenhouse Gas Emissions from both stationery and mobile sources.
- (5) The Project will provide infrastructure and other public facilities to serve the Project site, and in some instances, the surrounding areas. In particular, the Project will ultimately result in new police, fire, library and medical facilities, that will serve other existing and future residents and businesses.
- (6) The Project will contribute to the circulation and other infrastructure needed within the County, including funds to facilitate regional improvements to Highway SR 86s interchanges and County roadways.
- (7) The Project will provide a diversity of housing types, including active adult and affordable housing.
- (8) The Project will provide extensive recreational facilities for use by its residents, and will provide a new public 18-hole golf course, a boat marina, and potentially a hotel/casino, creating recreational opportunities for the general public.
- (9) Implementation of the Project will facilitate the development of transmission lines to bring renewable energy (in particular geothermal energy), north from Imperial County to Riverside County, by creating nearby demand in Riverside County at the north end of the Salton Sea.
- (10) Implementation of the Project will enhance the County's economic base from revenues derived from increased sales taxes, property taxes, and other fees, taxes and exactions.

In addition, the Project is consistent with the County's growth and development concepts and policies, including the following points that support additional public benefits:

- The Project is located near the intersection of three Counties, Riverside, Imperial and San Diego Counties, along a designated NAFTA corridor, SR 86s, facilitating potential commercial and industrial development opportunities that might not be available at a different location.

- The Project is uniquely located along the largest inland water body in California, that was previously a significant draw for tourists and associated revenue for the region. This Project is designed to kick start the rebirth of the Salton Sea, and its associated tourist industry.
- The Project is uniquely located to create beach front residences within the Inland Empire, that are only currently available in the coastal areas along the Pacific Ocean.

These Findings are based upon all of the documents and records contained within the County's files with respect to the Project, including but not limited to the entire record of proceedings defined in Section II(C) above.

VIII. Other General Findings.

A. The Project's Long Term Buildout/Phasing.

The County finds that this a phased project, with potential buildout occurring over four decades. Certain future components of the Project, such as a potential marina or casino, may or may not be developed based on circumstances that are not currently knowable, including the economic conditions over the next 40 years and the timing of adopting and implementing a Salton Sea restoration plan. The County finds that the future delay or omission of certain land uses allowed within the Specific Plan area does not render the Project infeasible, because the Project as conditioned can be successful without them. The County further finds that the various development thresholds stated in the Project's Specific Plan, Conditions of Approval and mitigation measures, particularly with respect to job creation, ensure that the Travertine Project will be developed in a sustainable manner, with a viable balance of housing, jobs, and needed services. Similarly, the County finds that the delay of future phases, due to applicant's delay in satisfying any particular threshold in the Specific Plan, for example, occupied commercial space requirements, does not render the overall Project infeasible, but rather may delay its estimated buildout.

The County further finds that the RRDEIR and Final EIR adequately analyze the potential impacts of a project with less density than full buildout of the proposed Project, including Project Alternative 4, and that it would be too speculative and too burdensome to meaningfully evaluate every potential scenario where not every housing unit and approved land use in the Specific Plan is developed.

The County further finds that successful Salton Sea restoration is not a necessary precondition to the implementation of the Project as a whole, although the lack of successful restoration may impede certain small component parts, such as the proposed Marina.

B. Affordable Housing.

The County finds that the applicant's commitment to reserve 10% of the Project's total units for affordable housing, approximately 1,655 units, is (1) consistent with the County's

current and pending General Plan Housing Element policies regarding affordable housing, and (2) is a net beneficial impact with respect to the existing need for affordable housing in the Southeast Coachella Valley, which has been identified as one of the poorest areas in the United States. See County Counsel testimony at December 13, 2011 Board of Supervisors hearing. Finally, the County finds that it would be financially infeasible to increase the percentage of affordable units from 10% to 40% based on the financial feasibility reports submitted to County Staff, including but not limited to the December 30, 2011 letter from DPF to Matt Straite.

C. EIR Cumulative Impacts Methodology.

The Sierra Club and Center for Biological Diversity has generally commented on the methodology used by the County's EIR consultant in preparing the cumulative impacts analysis in the EIR for multiple subjects, including loss of open space, loss of farm land, biological impacts, etc.

With respect to the November 8, 2011 and December 9, 2011 letters submitted by the Shute Mihaly firm on behalf of Sierra Club and Center for Biological Diversity, the County finds that the RRDEIR and the Final EIR adequately explain the cumulative impacts analysis and methodology, in that the EIR conservatively assessed cumulative impacts for several topics, including but not limited to open space, agricultural lands, and biological impacts, by both methods authorized by CEQA Guideline § 15130, *i.e.*, a list of past, present and probable future projects (§ 15130(b)(1)(A)) and the summary of projections method (§ 15130(b)(1)(B)), either of which would have been adequate under CEQA. With respect to the "list method," the County finds the geographic scope employed to be reasonable as to location and project type, and finds that the lengthy list of other projects presented in the late Shute Mihaly letters are at such distances (in excess of 30 miles), and of such different types (mostly energy related projects), as to make them inappropriate for inclusion in the EIRs cumulative projects list per Guideline § 15130(b)(1)(A). Even if additional cumulative projects were to be deemed appropriate for inclusion in the "list method," the County finds the EIR's "Summary of Projections" method (§ 15130(b)(1)(B)) to be independently sufficient for compliance with CEQA's cumulative impact analysis requirements under § 15130. See Final EIR Response to Comments, pp. 2.0-50 to 2.0-52, Responses 9-1 to 9.5; and the Memorandum from Impact Sciences to Matt Straite, re cumulative impacts study methodology.

D. Growth Inducing.

The County finds that the Project would remove existing barriers to growth and development and would be a catalyst for economic growth and development in the southeast Coachella Valley, including Riverside and Imperial County. (RDEIR, § 8.3, p. 8.3-1 to 8.3-7.) Such growth inducement could significantly affect the environment.

The County finds that the RDEIR complies with CEQA Guideline 15126.2(d), by providing a discussion of how the Project could be growth inducing, without assuming "that growth in any area is necessarily beneficial, detrimental, or of little significance to the environment."

Under this standard, an EIR is not required to provide a detailed analysis of a project's effects on growth; a general analysis of how the project may facilitate growth is sufficient. See *Napa Citizens for Honest Gov't v. Napa County Bd. of Supervisors* (2001) 91 Cal.App.4th 342, 349.

The County further finds that any effort to determine the location, extent and timing of project induced growth, and its impacts, would be unduly speculative and unreasonable, at this programmatic level of entitlement approval and EIR analysis (*Napa Citizens*, 91 Cal.App.4th at 371. See also *Defend the Bay v. City of Irvine* (2004) 119 Cal.App.4th 1261, 1266), and that CEQA does not require the forecasting and mitigation of future development resulting from Project induced growth.

The County further finds that future growth induced by this Project will be subject to CEQA compliance, and thus the disclosure and mitigation of growth induced impacts when the details of those future projects are known, and can be more appropriately analyzed under CEQA's requirements.

See generally the Final EIR, at pp. 2.0-198 to 2.0-202, Response 13-17.

E. Programmatic Level of Review.

The County finds that the Program-level EIR prepared for this Project contains an appropriate and adequate level of detail, given the very long projected buildout of the Project, the level of detail contained within the Specific Plan, and the information reasonably available at this time. The County further finds that sufficient information regarding the precise location of certain components of the Project, including on-site and off-site infrastructure improvements, is not presently available to allow detailed project level environmental review at this time. However, the County finds that the District Refinement Plan process will provide an adequate opportunity to analyze potentially significant environmental effects, and measures to mitigate those effects, relating to the location, construction and operation of such Project components, and each District Refinement Plan must be reviewed under CEQA prior to approval. In addition, certain off-site infrastructure, including certain SR-86s improvements and a regional wastewater treatment plant, will be approved by other public agencies and subject to independent CEQA review prior to implementation. See *PRC* § 21081(a)(2).

TRAVERTINE POINT TIMELINE

December 2007 May 2008 July 2008 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



EXHIBIT A



MITIGATION MONITORING AND REPORTING PROGRAM

for the

TRAVERTINE POINT SPECIFIC PLAN

EXHIBIT B TO RESOLUTION NO. 2012-040

4.0 MITIGATION MONITORING PROGRAM

This document constitutes the Mitigation Monitoring and Reporting Program for the Riverside County General Plan in Riverside County, California. It has been prepared pursuant to the requirements of Public Resources Code 21081.6, which states, among other things, that when a governmental agency adopts or certifies a California Environmental Quality Act (CEQA) document that contains the environmental review of a proposed project:

[T]he public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Pursuant to Section 15094 (c), a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to written compliance review that will be presented to the responsible parties included in the table below. A report can be required at various stages throughout project implementation or upon completion of the mitigation measure. The following table provides the required information that includes identification of the potential impact, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified.

The following clarifies the meaning of each column in the following table:

Impact Category:	Identifies potentially affected resource/environmental condition.
Mitigation Measure:	Those measures that will be implemented to minimize possible significant environmental impacts.
Level of Impact:	Level of significance of possible significant environmental impact prior to mitigation measures.
Implementation Timing:	The phase of the project in which implementation and compliance will be monitored.
Responsible Party:	Identifies the entity responsible for monitoring implementation of the mitigation measure.
Monitoring/Reporting Method:	Identifies mechanism by which implementation will be verified.

4.0 MITIGATION MONITORING PROGRAM

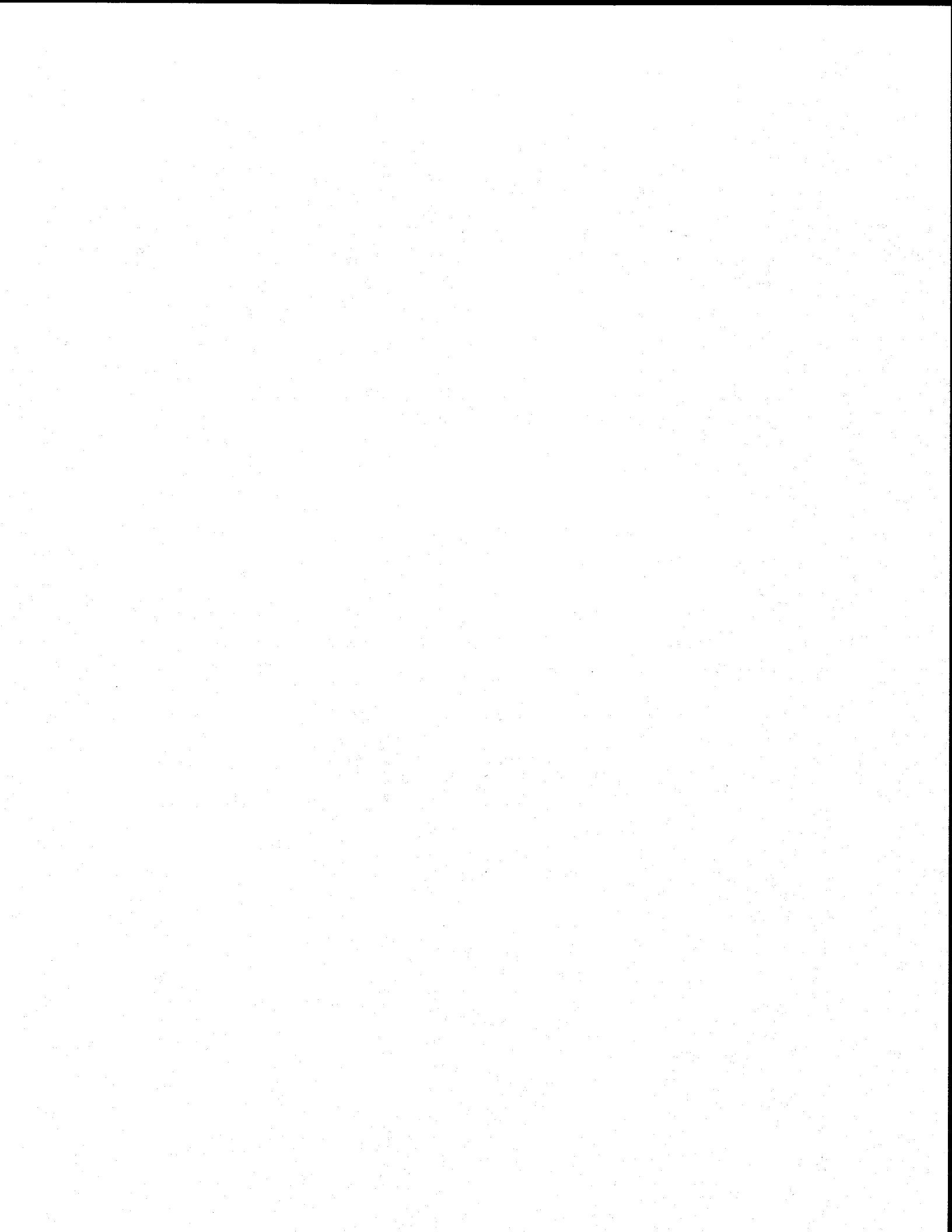
This document constitutes the Mitigation Monitoring and Reporting Program for the Riverside County General Plan in Riverside County, California. It has been prepared pursuant to the requirements of Public Resources Code 21081.6, which states, among other things, that when a governmental agency adopts or certifies a California Environmental Quality Act (CEQA) document that contains the environmental review of a proposed project:

[T]he public agency shall adopt a reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment. The reporting or monitoring program shall be designed to ensure compliance during project implementation.

Pursuant to Section 15094 (c), a written monitoring and reporting program has been compiled to verify implementation of adopted mitigation measures. "Monitoring" refers to the ongoing or periodic process of project oversight. "Reporting" refers to written compliance review that will be presented to the responsible parties included in the table below. A report can be required at various stages throughout project implementation or upon completion of the mitigation measure. The following table provides the required information that includes identification of the potential impact, the various mitigation measures, applicable implementation timing, identification of the agencies responsible in implementation, and the monitoring/reporting method for each mitigation measure identified.

The following clarifies the meaning of each column in the following table:

Impact Category:	Identifies potentially affected resource/environmental condition.
Mitigation Measure:	Those measures that will be implemented to minimize possible significant environmental impacts.
Level of Impact:	Level of significance of possible significant environmental impact prior to mitigation measures.
Implementation Timing:	The phase of the project in which implementation and compliance will be monitored.
Responsible Party:	Identifies the entity responsible for monitoring implementation of the mitigation measure.
Monitoring/Reporting Method:	Identifies mechanism by which implementation will be verified.



4.0 Mitigation Monitoring Program

Impact After Mitigation: Level of significance of possible significant environmental impact following implementation of mitigation measures.

Comments/Completion Date: To be noted and dated by the Planning Department upon receipt of verification of each mitigation measure.

The program outlined in Table 4.0-1 has been designed to be flexible. As monitoring progresses, changes to compliance procedures may be necessary based on recommendations by those responsible for the program. If changes are made, new monitoring compliance procedures and records will be developed and incorporated into the program.

The following mitigation measures contain several acronyms that are defined in the Draft EIR, but may not be defined in the following mitigation measures. As used in the mitigation measures, these acronyms are defined as follows:

CDFG	California Department of Fish and Game
MSHCP	Multiple Species Habitat Conservation Plan
NPDES	National Pollutant Discharge Elimination System
CNEL	Community Noise Equivalent Level
EMWD	Eastern Municipal Water District
CC&R	Covenant, Condition and Restriction document
CRMP	Cultural Resources Management Plan

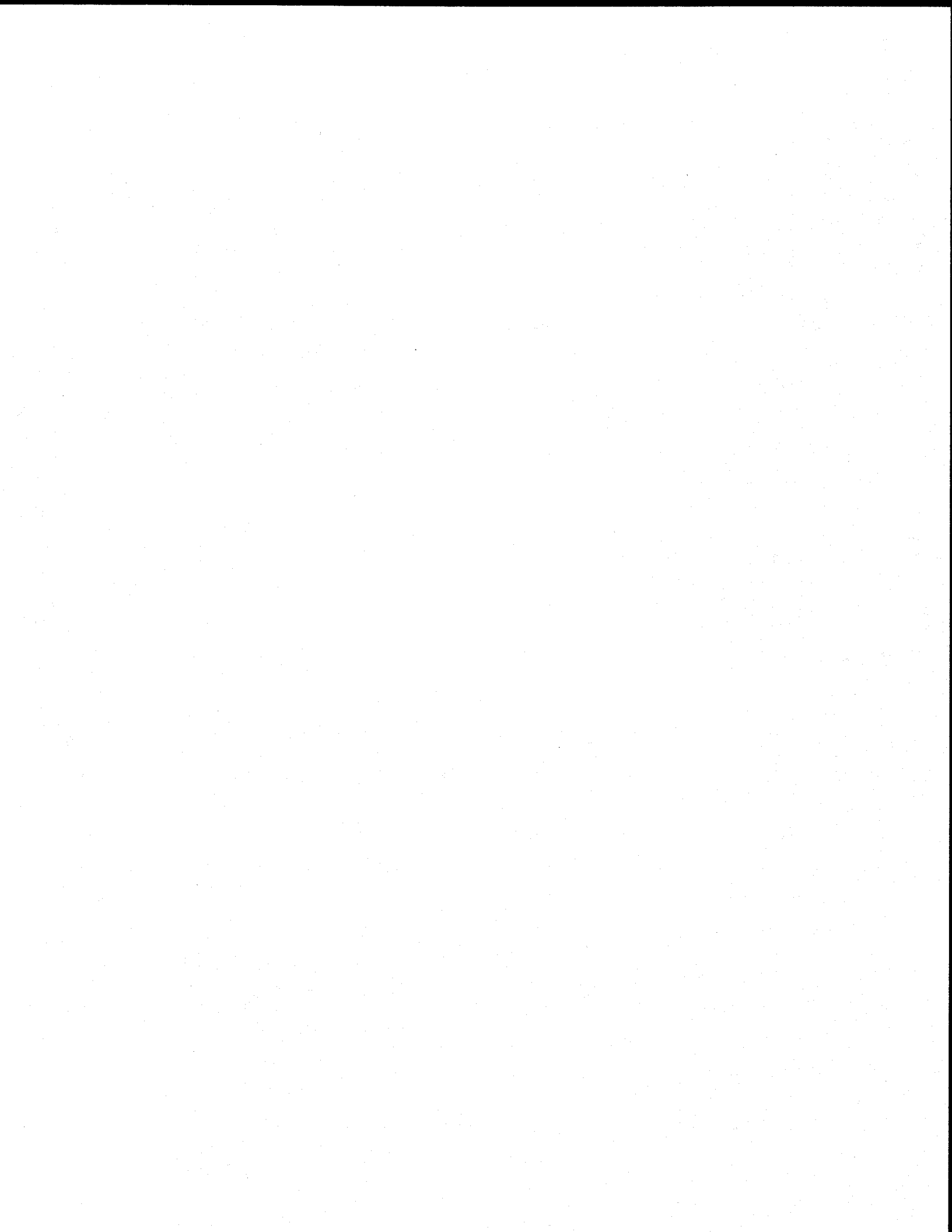
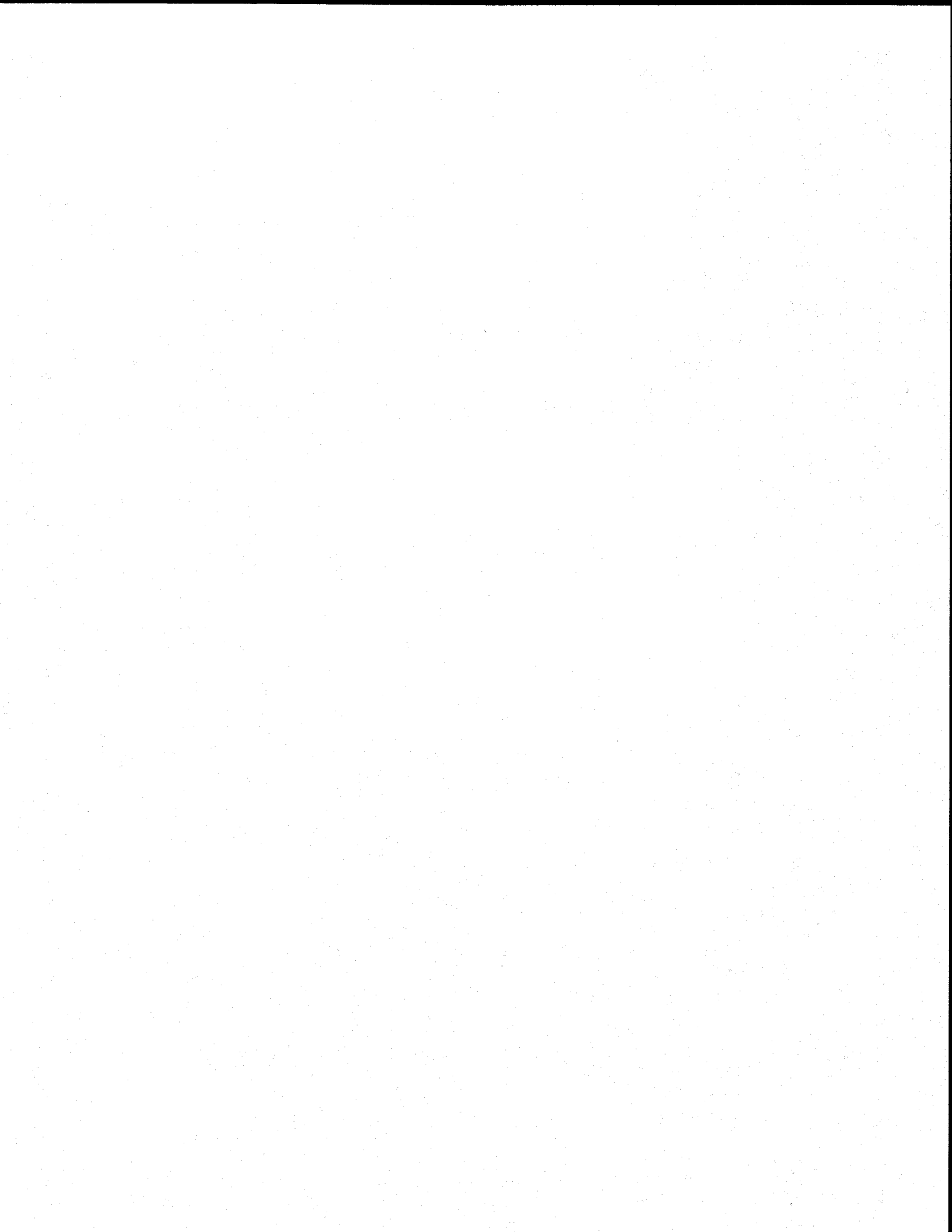
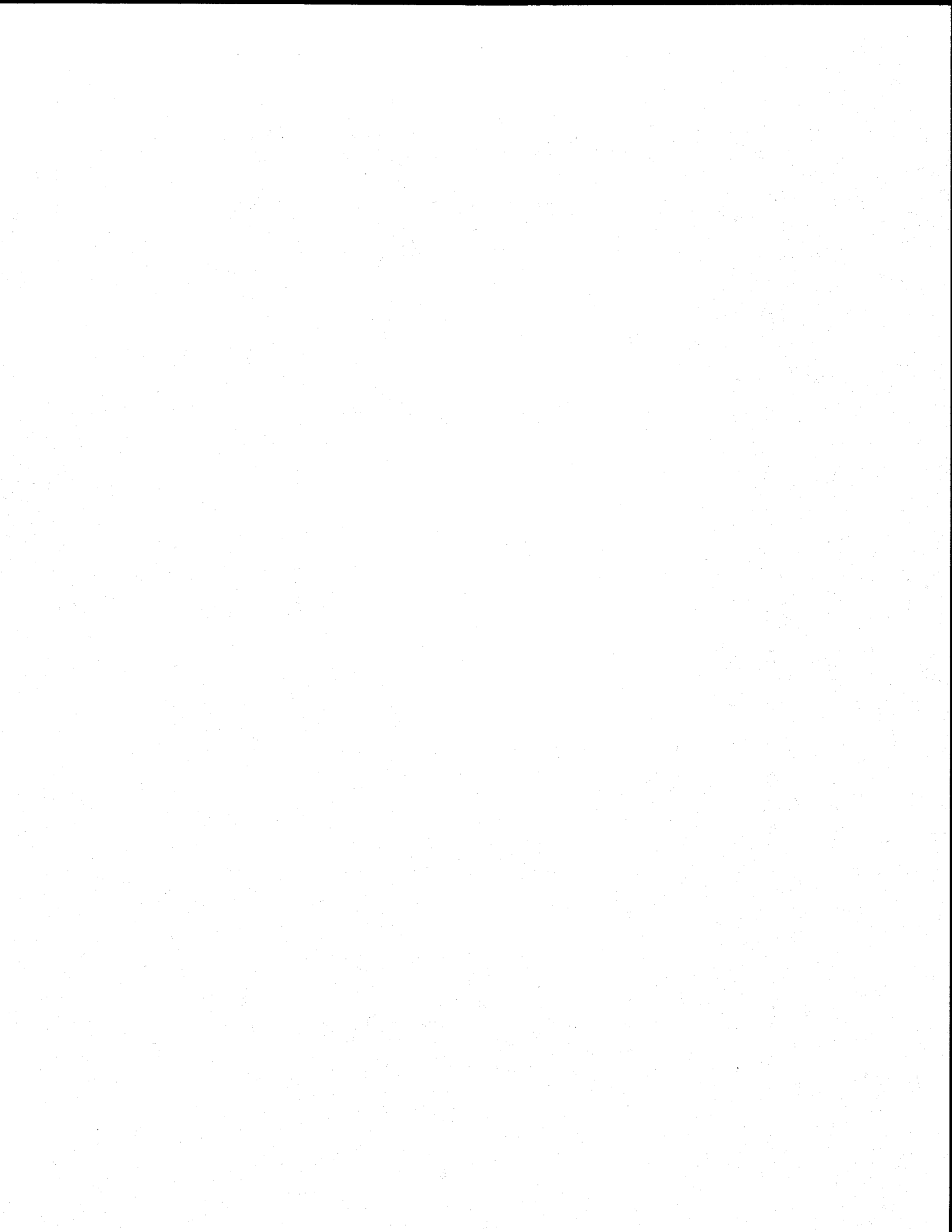


Table 4.0-1
Mitigation Monitoring Program for the Travertine Point Specific Plan

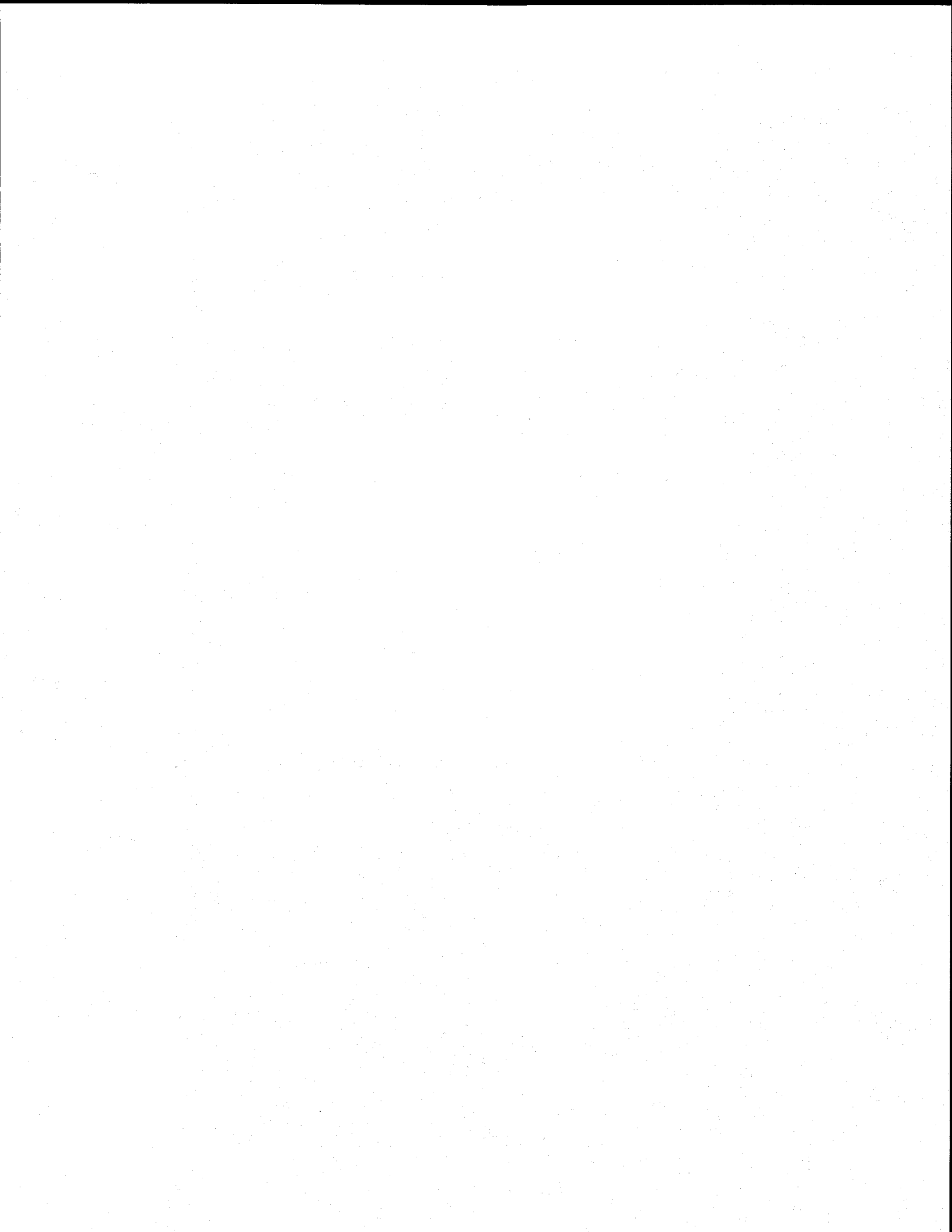
Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
Aesthetics 6.1-1 Prior to tentative tract map approval for the first development in the Imperial County portion of the project site, modern graffiti shall be carefully removed from Travertine Rock in coordination with the Torres-Martinez Desert Cahuilla Indians and under the supervision of an archaeological preservation specialist. Where modern graffiti cannot be removed without damage to prehistoric rock art, the archaeological preservation specialist shall determine feasibility of appropriate measures for the preservation of the prehistoric art.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.1-2 The specific plan shall be modified to provide for protective fencing consistent with standards provided in the wall and fencing plan for planning areas adjacent to Travertine Rock and that such fencing shall be placed no closer than 500 feet around the perimeter of physical outcropping of Travertine Rock.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.1-3 The specific plan shall be modified to restrict trails within planning areas adjacent to Travertine Rock, requiring that such trails and associated parking, trailheads, rest, and/or picnic areas shall be located no closer than 500 feet from the perimeter of physical outcropping of Travertine Rock, and shall provide for signage discouraging off-trail access.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.1-4 Prior to grading final, the project applicant shall develop a lighting plan to reduce off-site and nighttime lighting impacts that shall be subject to approval by the Riverside or Imperial County Planning Department. The plan shall require all lighting adjacent to open space areas to be downcast luminaires with light patterns directed away from and shielded so that light is not directed into open space areas. Mercury vapor and halide lighting shall not be used on the perimeter of the developed areas and in areas adjacent to undeveloped open space. Security lighting throughout the project shall be controlled to limit light shine to necessary periods.	Significant	Prior to grading final	County Building and Safety Department		Significant and Unavoidable	



Impact Category/Mitigation Measures Agricultural Resources	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.2-1: The specific plan shall include for the development of a vegetative screen within the 150-foot-wide transitional agricultural buffer. The minimum standards for the vegetative screen shall include the following:</p> <ul style="list-style-type: none"> • Two staggered rows of trees and shrubs characterized by evergreen foliage that extends from the base of the plant to the crown • Trees and shrubs should be vigorous, drought tolerant and at least 6 feet in height at the time of installation. • Plants should have 50 percent to 75 percent porosity (i.e., approximately 50 percent to 75 percent of the plant is air space) • Plant height should vary in order to capture drift within 4 feet of ground applications • A mature height of 15 feet or more is required for trees • To ensure adequate coverage, 2 staggered rows should be located 5 feet apart and consist of minimum 5 gallon plants at least 6 feet tall planted 10 feet on center. • Recommended plants include Toyon (<i>Heteromeles arbutifolia</i>), Sugarbush (<i>Rhus ovata</i>), Laurel Sumac (<i>Malosma laurina</i>), and Italian cypress (<i>Cupressus sempervirens</i>). • A long-term plan shall be in place for maintaining the vegetative shelterbelt. <p>If the development of a 500-foot-wide transitional agricultural buffer is used between intensive agricultural land uses and sensitive residential and commercial land uses, the transitional agricultural buffer shall include the development of an 8-foot-tall chain link fence, placed nearest the agricultural side to deter pilferage and vandalism of crops and agricultural uses.</p>	Significant	Prior to project approval	County Planning Department		Less than Significant	
<p>6.2-2: Prior to building final inspection, applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to active agricultural land (either active agricultural land within the project site or adjacent to the project site's boundaries) to be notified pursuant to either the Right-To-Farm notice for Riverside County (Ordinance No. 460) and/or Imperial County (Right-to-Farm Ordinance) as appropriate.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	

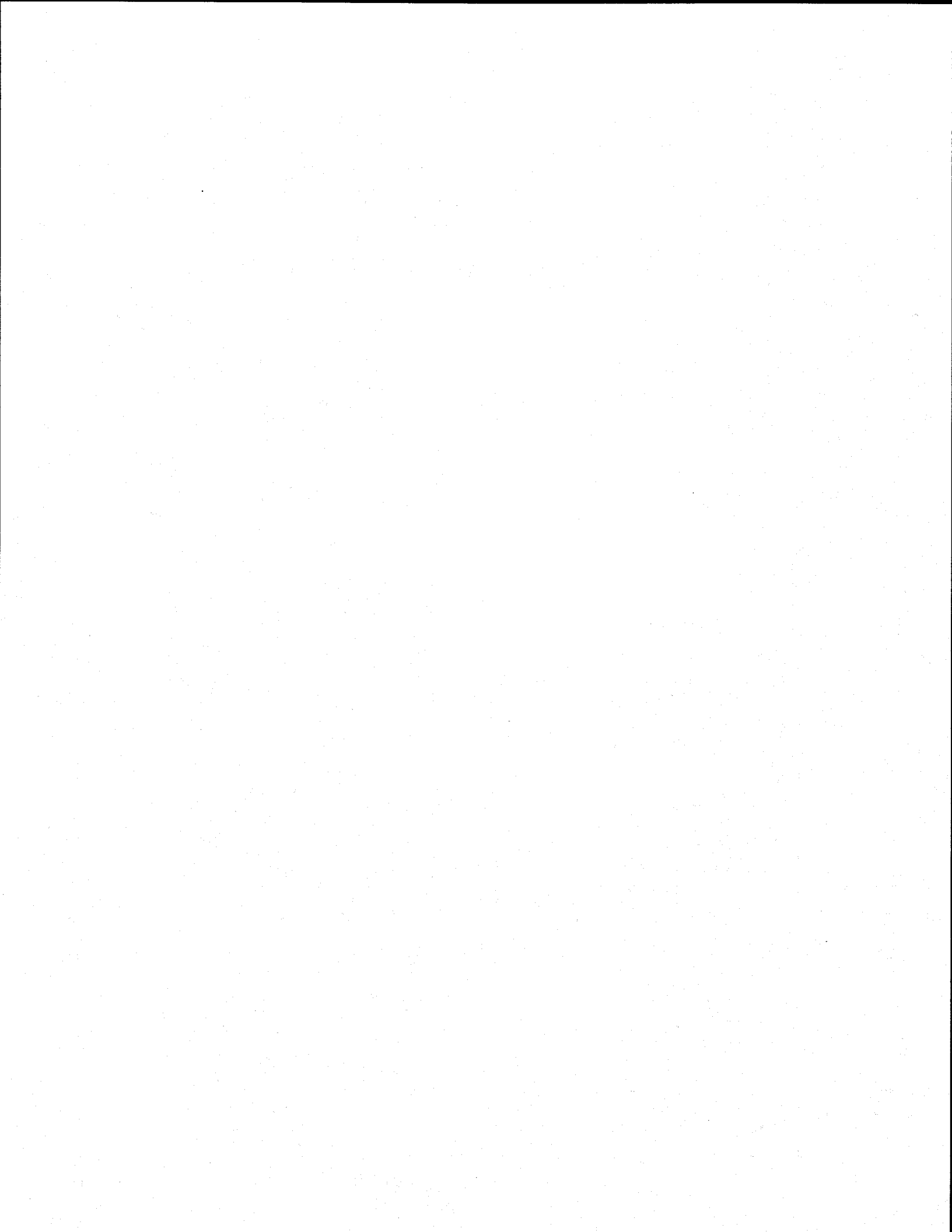


Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Air Quality</p> <p>6.3-1: Prior to implementing project approval, applicants for implementing projects shall develop a Construction Traffic Emission Management Plan to minimize emissions from vehicles including, but not limited to, providing temporary traffic controls such as a flag person, during all phases of construction to maintain smooth traffic flow, providing dedicated turn lanes for movement of construction trucks and equipment on- and off-site, rerouting construction trucks away from congested streets and sensitive receptor areas, configuring construction parking to minimize traffic interference, scheduling truck deliveries to avoid peak hour traffic conditions, consolidating truck deliveries, and prohibiting truck idling in excess of 5 minutes.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	
<p>6.3-2: Prior to grading permit issuance, applicants for implementing projects shall develop a Construction Emission Management Plan to minimize construction-related emissions. The Construction Emission Management Plan shall include, at a minimum, the following elements:</p> <ul style="list-style-type: none"> • Use of water trucks or sprinkler system in sufficient quantities to prevent airborne dust from leaving the site. When wind speeds exceed 15 miles per hour, the operators shall increase watering frequency. • Suspend grading and excavation activities during windy periods (i.e., surface winds in excess of 20 miles per hour). • Suspend the use of all construction equipment during first-stage smog alerts. • Active sites shall be watered at least three times daily during dry weather. • Increase watering frequency during construction or use non-toxic chemical stabilizers if it would provide higher control efficiencies. • Application of non-toxic chemical soil stabilizers or apply water to form and maintain a crust on inactive construction areas (disturbed lands within construction projects that are unused for at least four consecutive days) or plant vegetative ground cover as soon as possible. • Application of non-toxic binders to exposed areas after cut and fill operations and hydroseeded areas. • Cover or application of water or non-toxic chemical suppressants to form and maintain a crust on inactive storage piles. • Retrofit large off-road construction equipment that will be operating for significant periods. Retrofit technologies such as particulate traps, selective catalytic reduction, oxidation catalysts, air enhancement technologies, etc., shall be evaluated. These technologies will be required if they are certified by CARB and/or the US EPA, and are commercially available and can feasibly be retrofitted onto construction equipment. 	<p>Significant</p>	<p>Prior to issuance of grading permit</p>	<p>County Building and Safety Department</p>		<p>Significant and Unavoidable</p>	



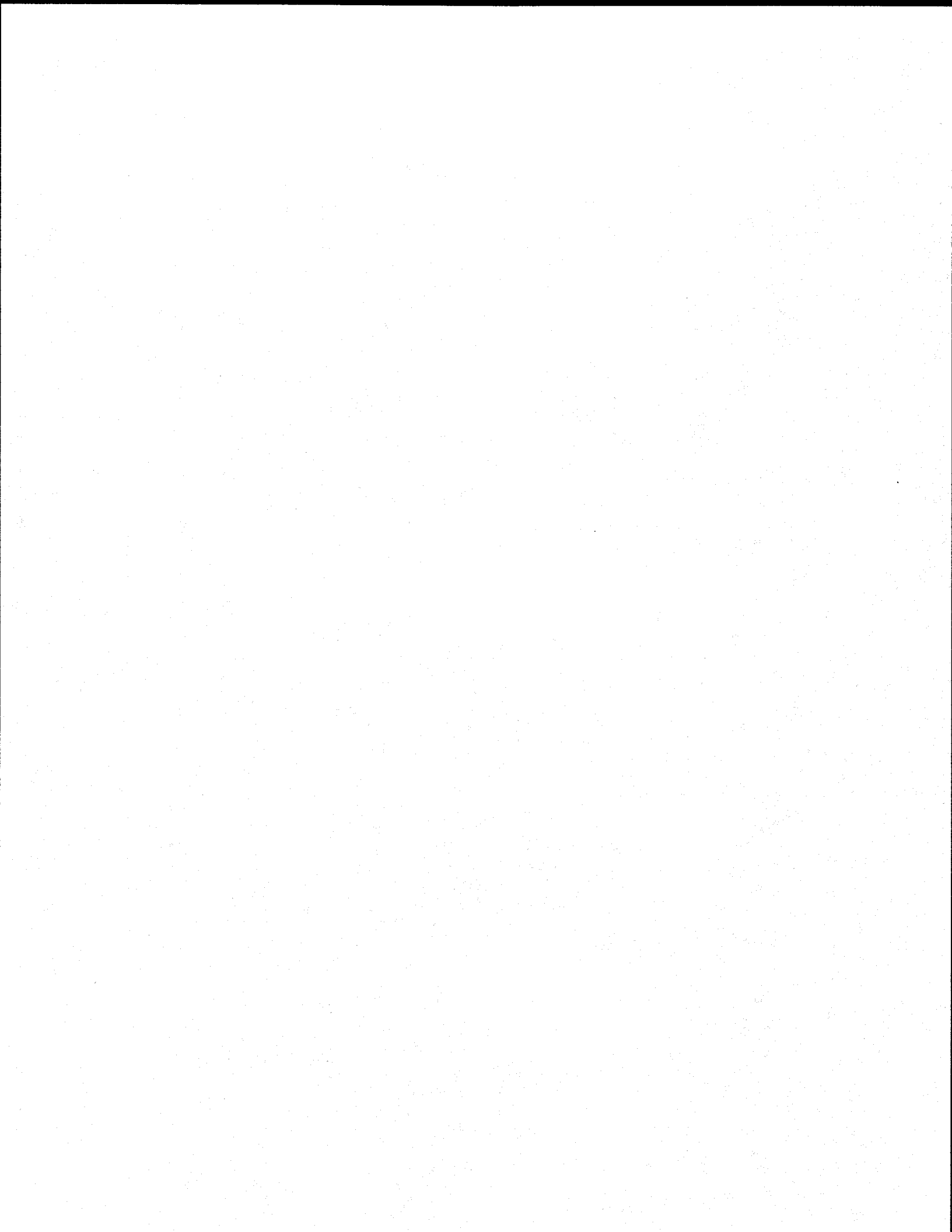
Air Quality (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.3-2 (continued):</p> <ul style="list-style-type: none"> The project applicant shall require all on-site construction equipment to meet US EPA Tier 4 or higher emissions standards according to the following: Post-January 1, 2015: All off-road diesel-powered construction equipment greater than 50 horsepower shall meet the Tier 4 emission standards, where available. In addition, all construction equipment shall be outfitted with BACT devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a Level 3 diesel emissions control strategy for a similarly sized engine as defined by CARB regulations. A copy of each unit's certified tier specification, BACT documentations, and CARB, SCAQMD, or ICAPCD operating permit shall be provided at the time of mobilization of each applicable unit of equipment. Designate personnel to monitor dust control measures to ensure effectiveness in minimizing fugitive dust emissions. An information sign shall be posted at the entrance to each construction site that identifies the permitted construction hours and provides a telephone number to call and receive information about the construction project or to report complaints regarding excessive fugitive dust generation. Any reasonable complaints shall be rectified within 24 hours of their receipt. The contractor shall utilize low-VOC content coatings and solvents that are consistent with applicable SCAQMD and ICAPCD rules and regulations. Consideration shall be given to use of other transportation methods to deliver materials to the construction sites (for example, trains or conveyors) if it would result in a reduction of criteria pollutant emissions. 							
<p>6.3-3:</p> <p>Prior to implementing project approval, applicants for implementing projects located in areas under the jurisdiction of the SCAQMD shall be required to conduct a project-level Localized Significance Thresholds (LST) analysis in accordance with the SCAQMD Final Localized Significance Thresholds Methodology or any superseding guidance document adopted by the SCAQMD Governing Board. 1</p>	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable		
<p>6.3-4:</p> <p>Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all residential buildings are designed to achieve energy efficiency equivalent to levels 30 percent better than the current standards required by Title 24 (2008) Standards at the time building permits are issued.</p>	Significant	Prior to building final inspection	County Building Department		Significant and Unavoidable		

1 South Coast Air Quality Management District, Final Localized Significance Threshold Methodology (2008). The guidance document may be viewed at the following website: <http://www.aqmd.gov/csqphandbook/fst/fst.html>.



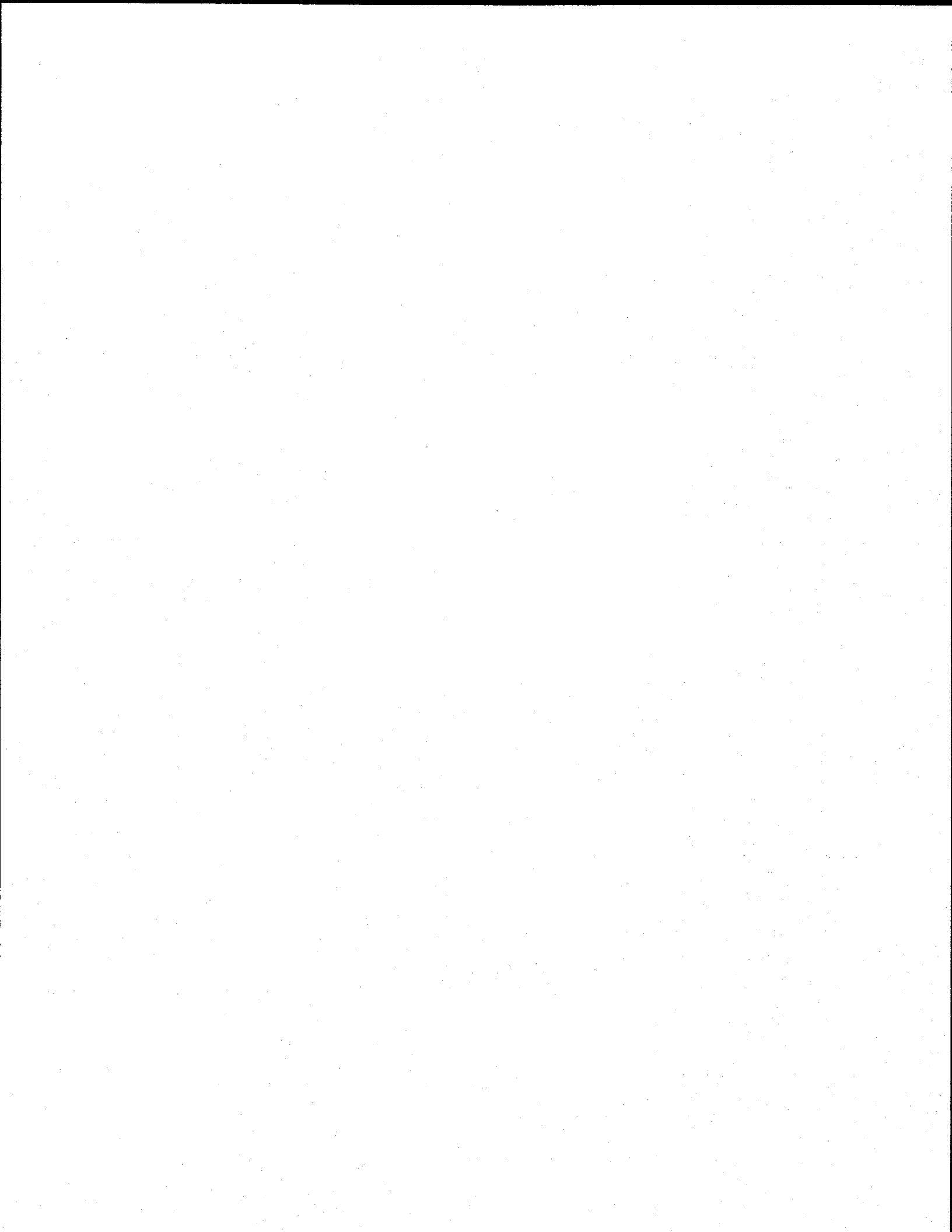
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
Air Quality (continued)						
6.3-5: Prior to the issuance of building permits, the applicant shall submit building plans to the County Building Department to demonstrate that all commercial buildings shall be designed to achieve energy efficiency equivalent to levels 15 percent better than the current standards presently required by Title 24 (2008) Standards at the time building permits are issued.	Significant	Prior to building final inspection	County Building Department		Significant and Unavoidable	
6.3-6: Prior to building final inspection, the applicant shall provide preferential parking spaces for alternative-fueled vehicles, carpools, and vanpools at major commercial and office locations. The spaces shall be clearly identified in plot plans and may not be pooled in one location. A minimum of 10 percent of parking spaces in excess of those required by County ordinance shall be reserved for carpool or vanpool parking.	Significant	Prior to building final inspection	County Building and Safety Department		Significant and Unavoidable	
6.3-7: Prior to building final inspection, applicants shall post "5-minute idling" signs for trucks where applicable.	Significant	Prior to building final inspection	County Building and Safety Department		Significant and Unavoidable	
6.3-8: Prior to implementing project approval, applicants for implementing projects shall provide or make arrangements to provide shuttle service connecting the project's medium- and high-density development areas to existing transit service until such time that full transit service is provided to and within the project site.	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
6.3-9a: Prior to implementing project approval, the applicant shall provide evidence that projects requiring the use of forklifts and/or yard trucks as part of routine project operations utilize electric or natural gas power forklifts and/or yard trucks, to the extent feasible. Equipment that is commercially available and meets the lifting capacity needs of the project shall be considered to be feasible. Equipment that is in the development, testing, or demonstration stage or does not meet the lifting capacity needs of the project shall be considered not feasible.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-9b: Prior to implementing project approval, the applicant shall require that electrical outlets be installed on the exterior walls of all residential and commercial buildings to promote the use of electric landscape maintenance equipment.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-9c: Prior to implementing project approval, the applicant shall require traffic signal synchronization at intersections that would have a significant traffic impact, as determined through a traffic study, to improve traffic flow.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-10: Prior to implementing project approval, plans demonstrating that active parks, playgrounds, schools, and nursing/hospital facilities are to be located at least 500 feet from the closest right of way of State Route 96S shall be submitted to the County Planning Department for review and approval.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	



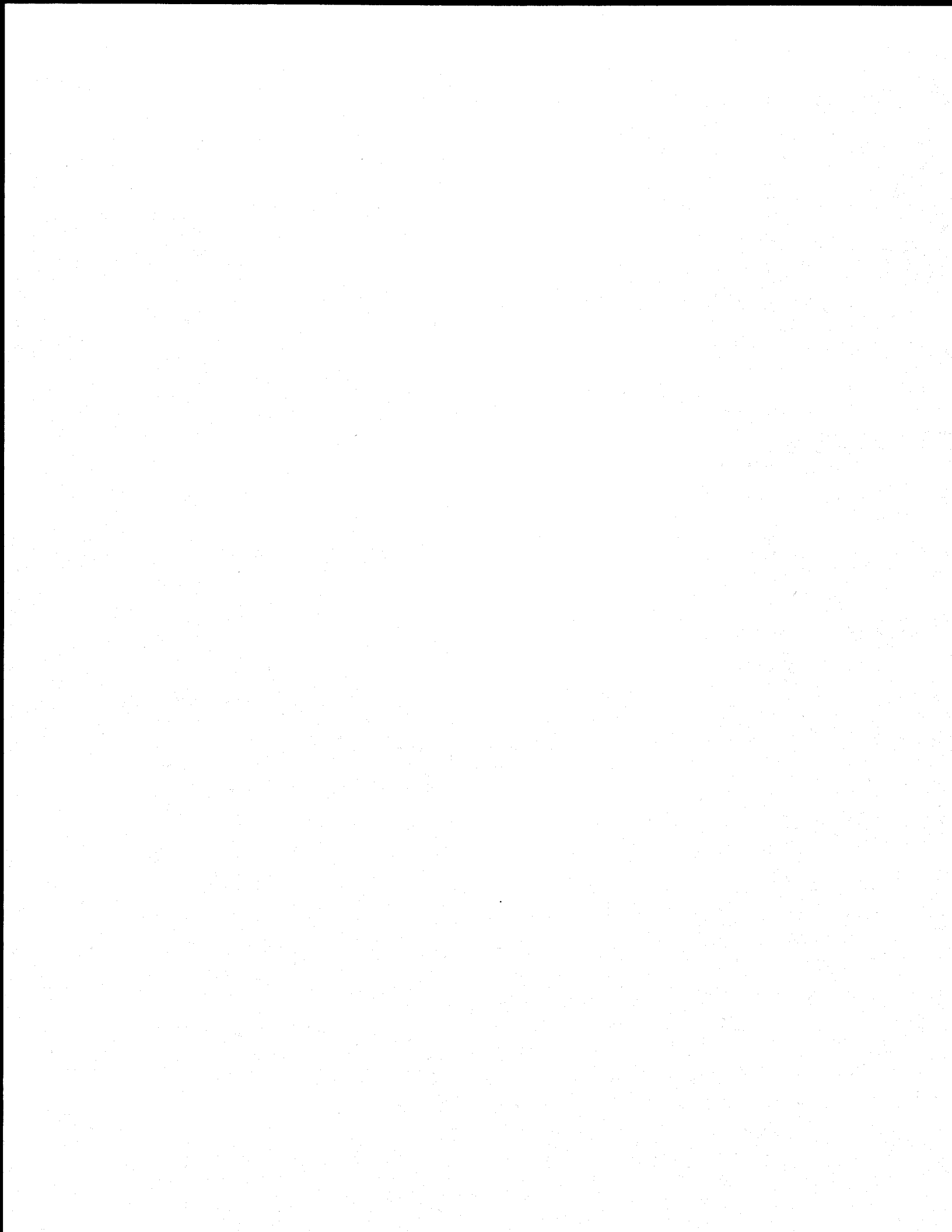
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
Air Quality (continued) 6.3-11: Prior to implementing project approval, plans demonstrating that residential units are to be located a minimum of 500 feet from the nearest right of way of State Route 865 to the lot line shall be submitted to the County Planning Department for review and approval.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-12: Prior to building final inspection, residential units located within 500 feet from the closest right of way of State Route 865 shall be equipped with high-efficiency electrostatic cleaning devices.	Significant	Prior to building final inspection	County Building and Safety Department		Significant and Unavoidable	
6.3-13: Prior to implementing project approval, residential units located within 500 feet from the closest right of way of State Route 865 shall be required to conduct a health risk assessment.	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
6.3-14: Prior to building final inspection, permit applicants shall provide to the County Planning Department with a disclosure document form, to be provided to all future property owners (residential and commercial), disclosing that the property is in the Salton Sea Air Basin, which is an area designated as in nonattainment status by the U.S. EPA and California Air Resources Board (CARB) for particulate matter, including but not limited to PM ₁₀ . The documentation shall note that periodic wind-blown dust and particulate matter from agricultural lands in Riverside and Imperial County, and exposed Salton Sea shoreline areas if sea levels recede further, may result in adverse respiratory health impacts. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.	Significant	Prior to building final inspection	County Planning Department		Significant and Unavoidable	

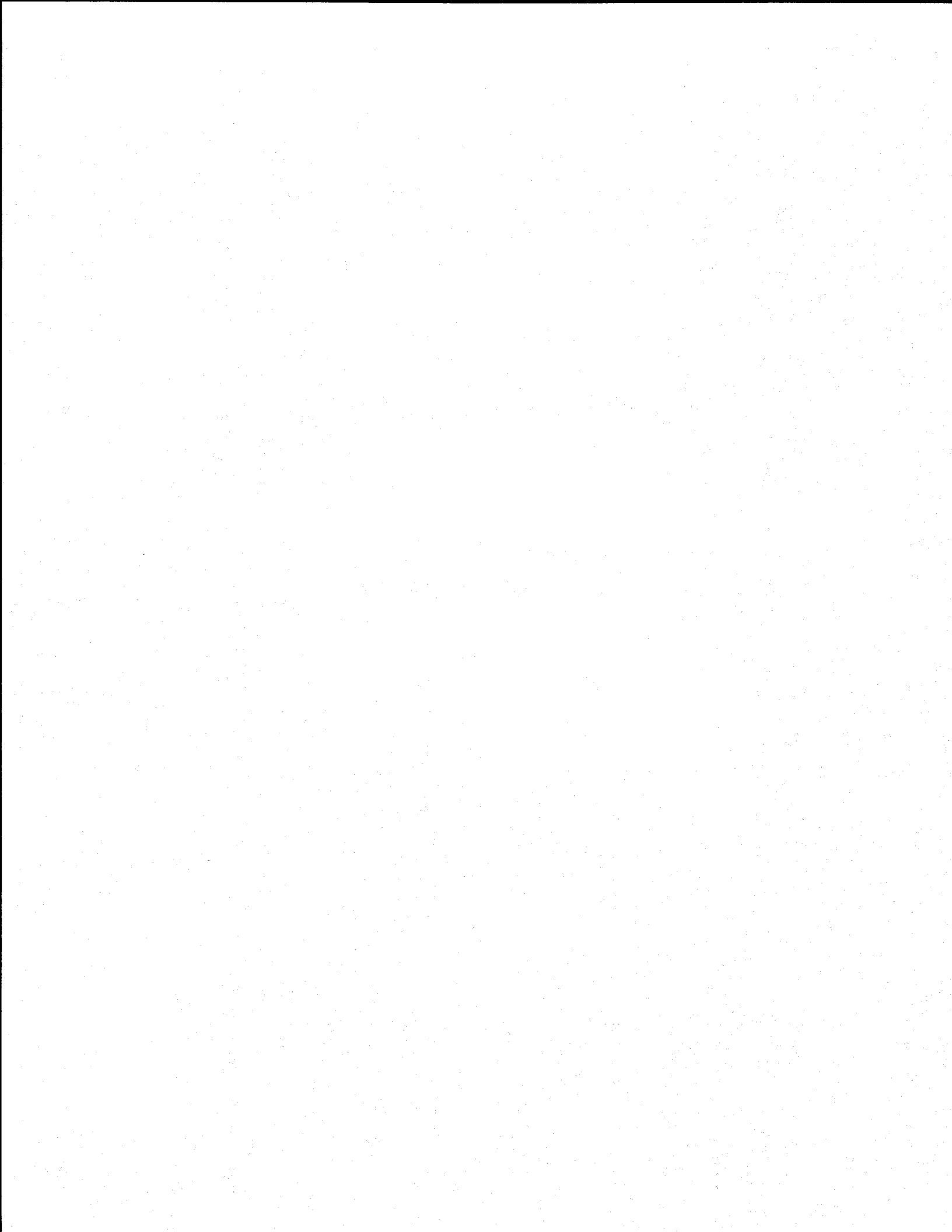


4.0 Mitigation Monitoring Program

Air Quality (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.3-15: Prior to grading permit issuance, the construction contractor shall prepare a Work Plan for review and approval by County Building and Safety Department and County Department of Public Health that includes the following measures, where feasible, to reduce valley fever and Hantavirus risk during construction:</p> <ul style="list-style-type: none"> For construction activity involving substantial soil disturbance activity, preferentially assign persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever) to perform the work. Hire crews from local populations when and where possible, since it is more likely that they have been previously exposed to the fungus (<i>Coccidioides immitis</i>) and are therefore immune. Consult with staff from the Coachella Valley Mosquito and Vector Control District to ascertain whether the wild rodent surveillance program has identified risks posed by the Hantavirus in areas under construction. Construction activity shall be limited in areas identified as a risk and workers shall be notified of the findings. Require crews to use respirators during project clearing, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations. Require that the cabs of grading and construction equipment be air-conditioned. Preferentially assign crews to work upwind from excavation sites to the greatest extent possible. This measure does not apply to persons with positive coccidioidin skin tests (since those with positive tests can be considered immune to reinfection of valley fever). Pave or apply sufficient water or environmentally safe dust control agents on all construction roads. Where acceptable to the fire department, control weed growth by mowing instead of discing, thereby leaving the ground undisturbed and with a mulch covering. During rough grading and construction, the access way into the project site from adjoining paved roadways should be paved or treated with water or environmentally safe dust control agents. 	<p>Significant</p>	<p>Prior to issuance of grading permit</p>	<p>County Building Department</p>			<p>Significant and Unavoidable</p>	
<p>6.3-16: Prior to the first implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority a one-time payment in the amount of \$100,000 for IFD formation.</p>	<p>Significant</p>	<p>Prior to the first implementing project approval</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	
<p>6.3-17: Prior to implementing project approval by Riverside and Imperial Counties, the applicant shall pay to the Salton Sea Authority the amount of \$25,000 to be paid annually for a period of 10 years for use in administering the IFD.</p>	<p>Significant</p>	<p>Prior to the first implementing project approval</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
Air Quality (continued)						
6.3-18: Prior to implementing project approval, stationary sources of diesel, ozone, or particulate matter (PM ₁₀ and PM _{2.5}) contaminants or projects attracting or generating substantial numbers of diesel truck trips shall be required to demonstrate to the County Planning Department that such projects would not exceed the health-based significance thresholds established by the SCAQMD and/or ICAPCD as appropriate. Based on the current health-based significance thresholds, if the assessment determines that the project would result in an incremental increase in cancer risk of more than 10 in 1 million at the maximally impacted residential, sensitive, and off-site workplace receptors or that the chronic hazard indices for non-cancer health impacts are above 1.0 at the maximally exposed residential, sensitive, and off-site workplace receptors, the proposed project shall be required to implement project design changes or measures that would reduce impacts to below the thresholds.	Significant	Prior to implementing project approval	County Planning Department		Significant and Unavoidable	
6.3-19: Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall enclose odor-generating processes and utilize other odor-abatement technologies as required under state and local regulations.	Significant	Prior to building final inspection	Wastewater treatment facility operator		Significant and Unavoidable	
6.3-20: Prior to issuance of the wastewater treatment facility building final permits for the each tract map, the wastewater treatment facility shall develop a protocol for handling odor complaints.	Significant	Prior to building final inspection	Wastewater treatment facility operator		Significant and Unavoidable	
6.3-21: Prior to implementing project approval, plans demonstrating that auto body shops with painting/coating operations are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
6.3-22: Prior to implementing project approval, plans demonstrating that asphalt plants are to be located at least 1 mile feet from odor sensitive receptors shall be submitted to the County Planning Department for review and approval.	Significant	Prior to project approval	County Planning Department		Significant and Unavoidable	
Biological Resources						
6.4-1: Prior to implementing project approval, a qualified biologist currently holding an MOU with Riverside County shall conduct a focused survey for the two special-status plant species observed within the Riverside County portion of the proposed project site, chaparral sand verbena and Peirson's pebble pincushion, which are not covered under the CVMSHCP within the proposed development areas in order to determine the extent of individual plants to be impacted by the implementing project design. Impacts resulting from project construction to the two special-status plant species observed shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-2: Prior to implementing project approval, the project applicant shall retain a qualified biologist currently holding an MOU with Riverside County, to collect seed from special-status plant species individuals during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Space (Conservation) on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-3: Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Riverside County Environmental Programs Division.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-4: Impacts resulting from project construction within the Riverside County portion of the proposed project site to those special-status wildlife species covered under the CVMSHCP, including desert pupfish, flat-tailed horned lizard, Yuma clapper rail, burrowing owl, Crows thrasher, Le Conte's thrasher, western yellow bat, Palm Springs round-tailed ground squirrel, and Palm Springs pocket mouse, shall be mitigated through payment of the CVMSHCP Local Development Mitigation Fee.</p> <p>Prior to implementing project approval, fee payment shall be made by the project applicant to Riverside County. The fee payment shall be made at the cost per acre provided at the time of payment in the CVMSHCP and updated by the Cochiella Valley Conservation Commission.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>Biological Resources (continued)</p>						
<p>6.4-5: Impacts resulting from project construction within the Riverside County portion of the proposed project site to Couch's spadefoot, which is not covered under the CVMSHCP, shall be mitigated. Prior to implementing project approval, in areas of suitable habitat for Couch's spadefoot on the project site, a qualified biologist currently holding an MOU with Riverside County shall conduct focused surveys including areas of runs or small pools, as well as the irrigation ponds, and relocate any toad individuals or eggs found. The survey shall be conducted during the active season of Couch's spadefoot (which corresponds with the rainy season). The survey results shall be submitted to the Riverside County Environmental Programs Division and Imperial County and CDFG.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



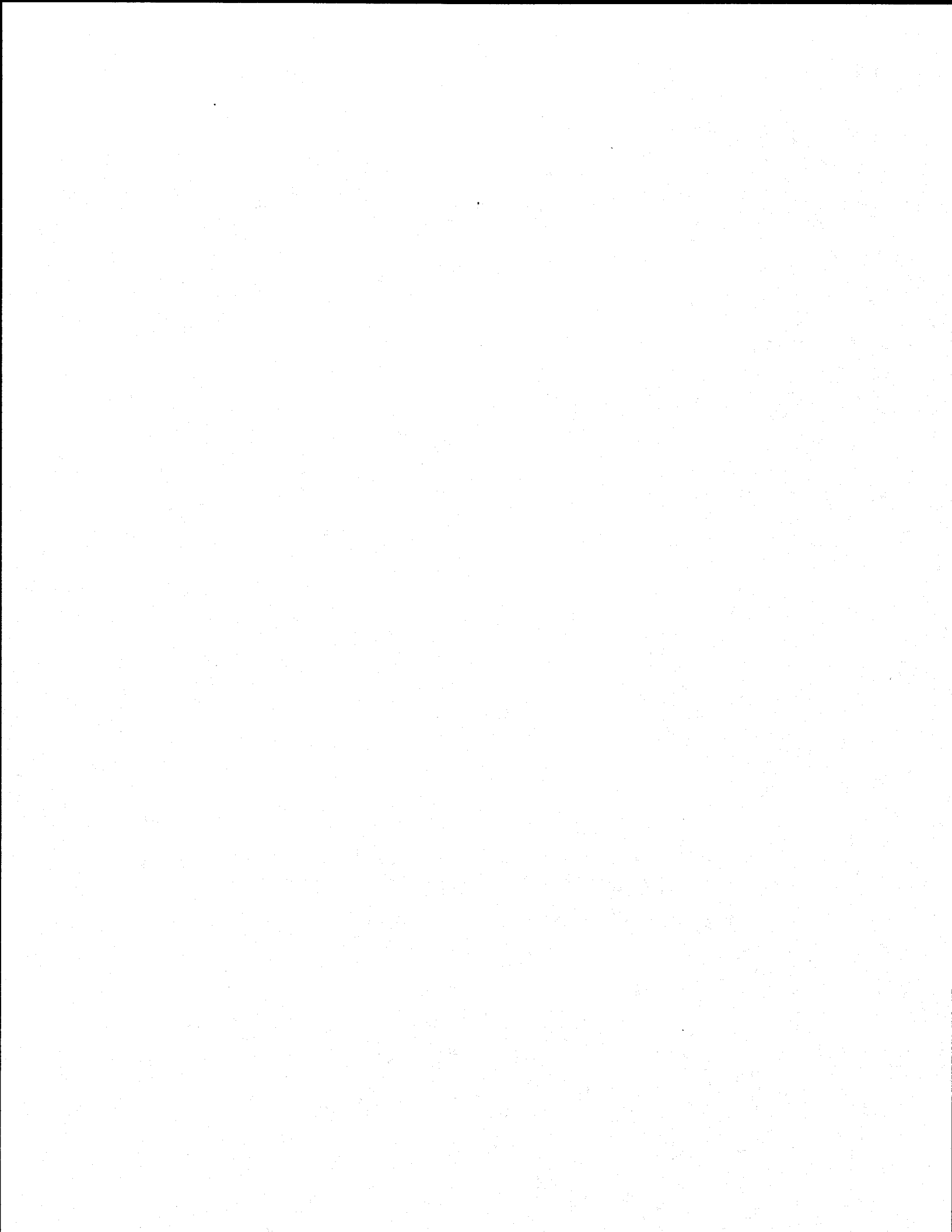
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-4: Prior to implementing project approval, if the above surveys result in the observation of Couch's spadefoot within project impact areas, observed individuals and/or eggs shall be removed from project impact areas (with the prior approval of the CDRC) and relocated to predetermined suitable habitat in an appropriate area within Open Space-Conservation areas on the project site that will not be impacted. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.</p> <p>Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4.3. If suitable habitat for relocation of Couch's spadefoot is found within this area, dead individuals or eggs will be taken to this location. In addition, suitable disturbed/recovering Sonoran creosote bush scrub areas will also be considered for relocation efforts.</p>	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	



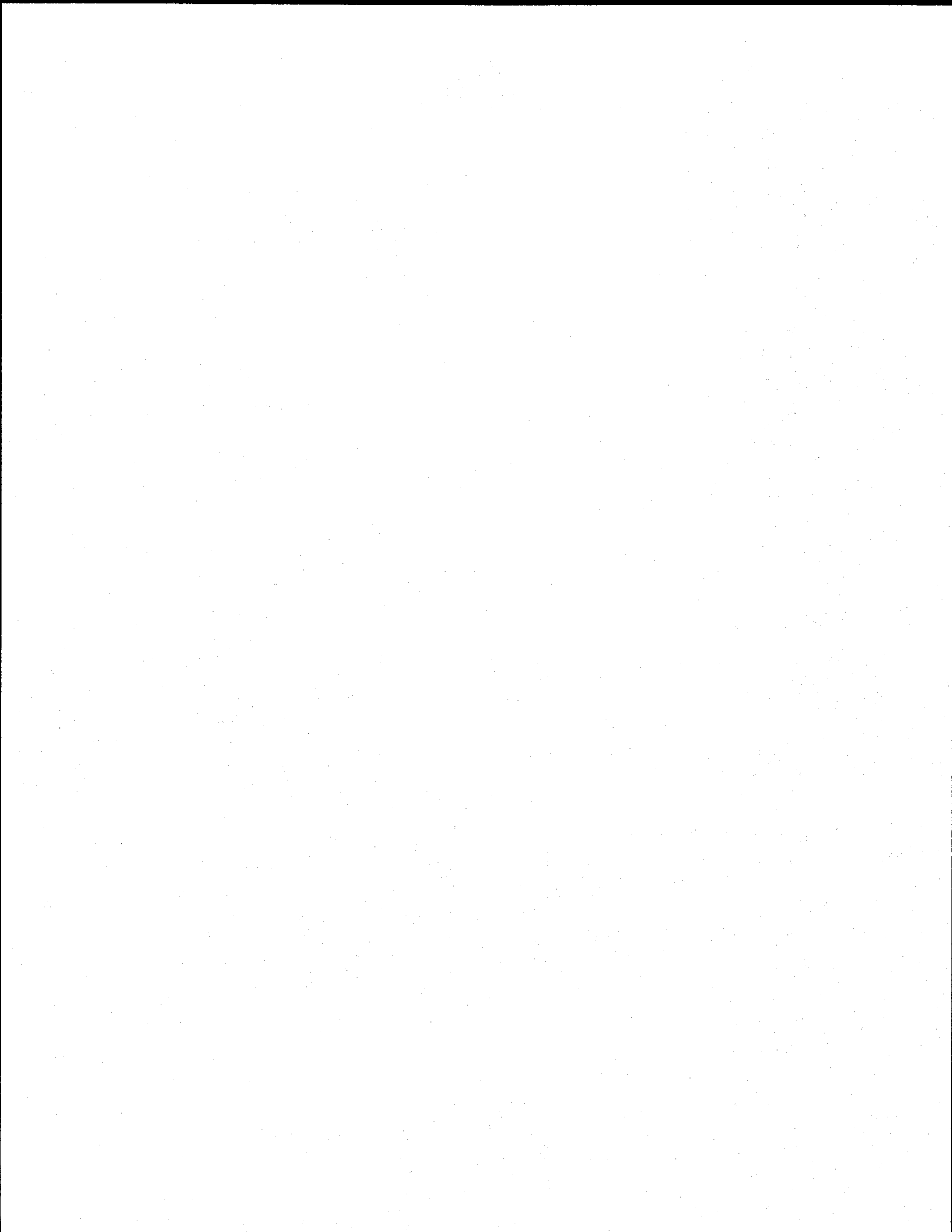
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures (Biological Resources) (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4.7: Prior to implementing project approval, impacts resulting from project construction to rosy boa, which is not covered under the CVM/SHCP, within the Riverside County portion of the proposed project site shall be mitigated through pre-construction surveys and relocation. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of the grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and silbush scrub habitats that will be developed as part of project implementation.</p> <p>If rosy boa individuals are found, an active trapping and relocation program conducted by a qualified biologist currently holding an MOU with Riverside County and in coordination with the CDFG, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation, shall take place. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of rosy boa into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p> <p>Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4.3. This area provides suitable habitat for relocation of rosy boa.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

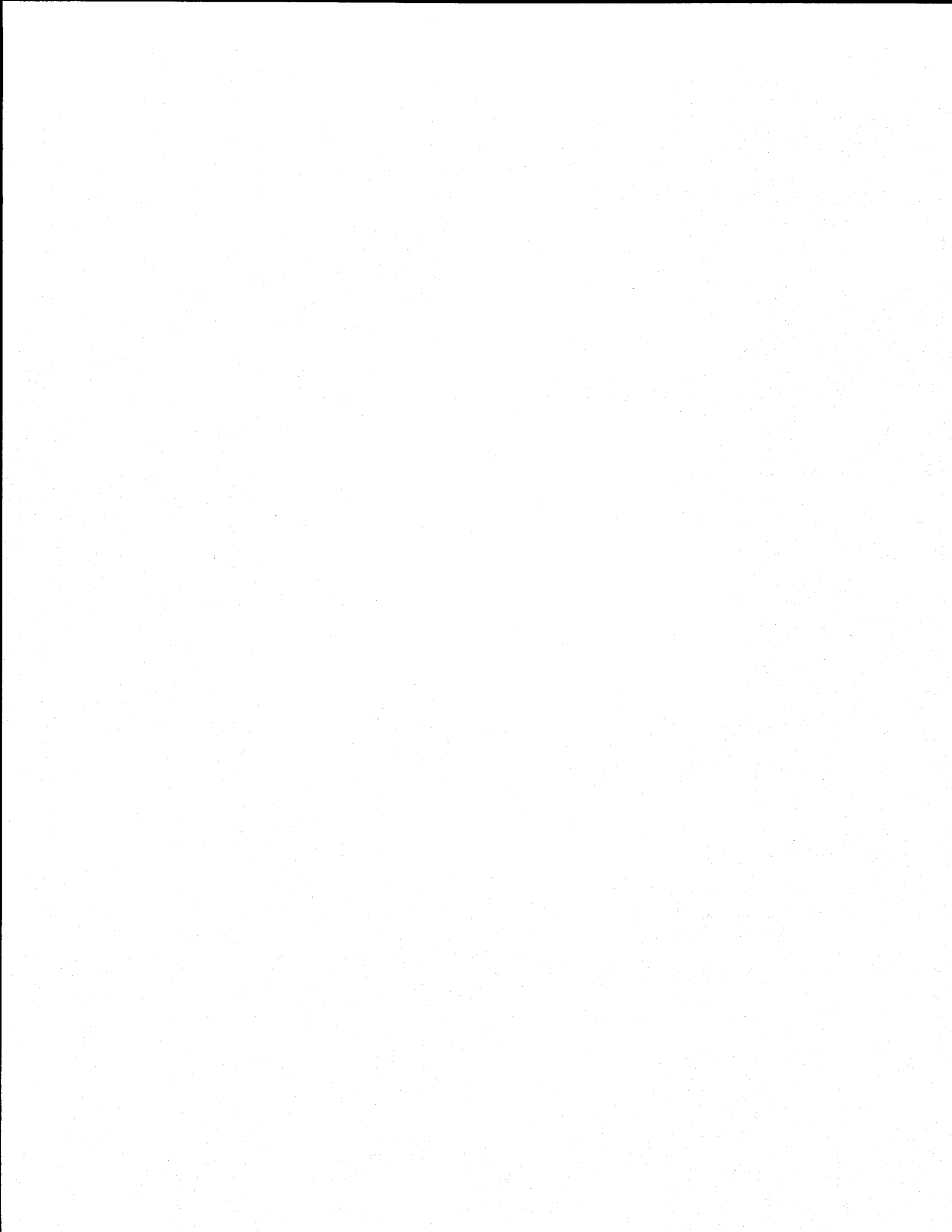
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-8: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMHCT, which include loggerhead shrike and black-tailed gnatcatcher, shall be mitigated through pre-construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys, discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to ensure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting loggerhead shrike and black-tailed gnatcatcher individuals shall be conducted in trees and shrubs of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and salbrush scrub habitats that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts. Where nesting loggerhead shrike and/or black-tailed gnatcatcher individuals are found, protection of nests shall include positioning or halting clearing and construction activities within 500 feet of the nest until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting, as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved</p>	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	



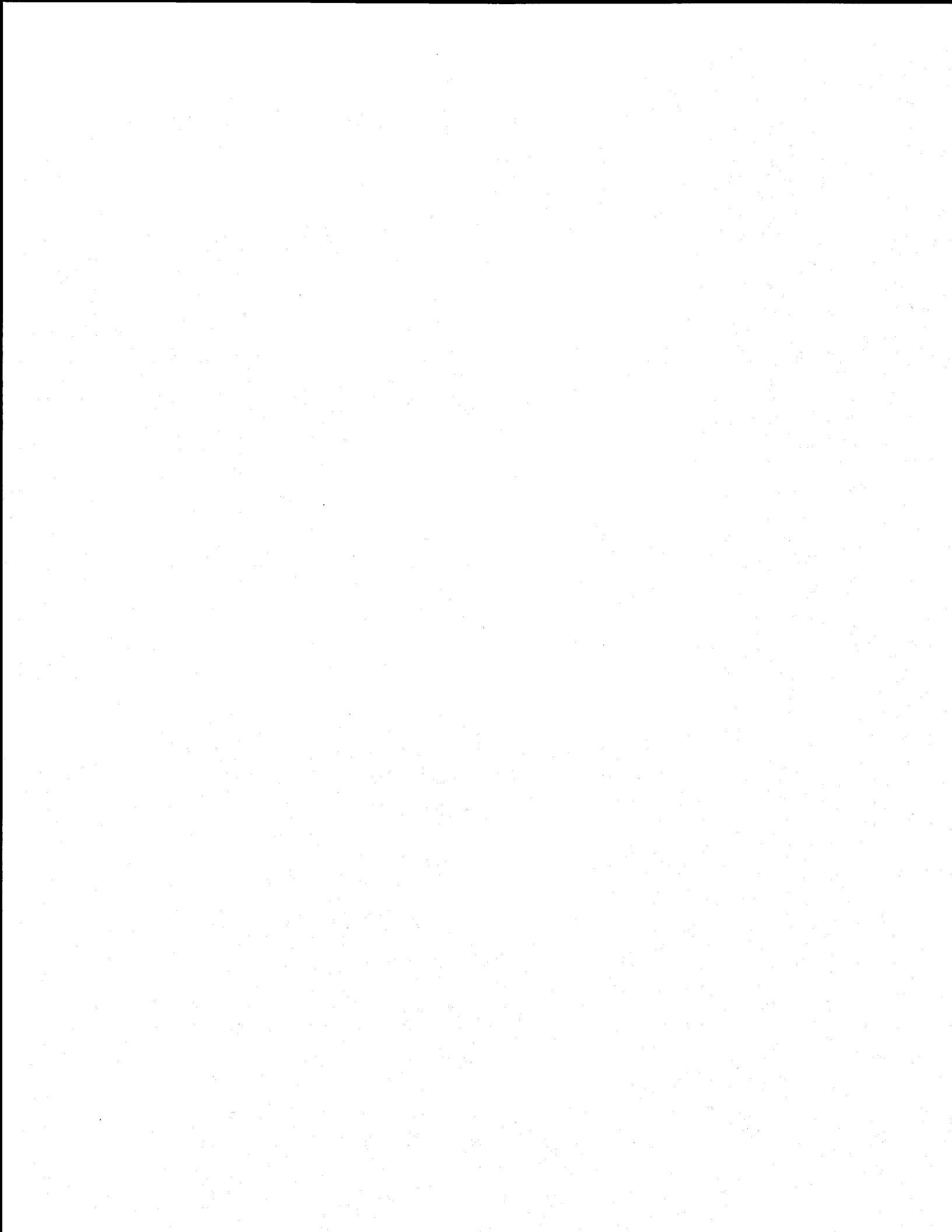
Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-8 (continued): buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the Riverside County Environmental Programs Division within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>						
<p>6.4-9: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to pallid San Diego pocket mouse, which is not covered under the CVMSHCP, shall be mitigated through focused surveys utilizing small mammal trapping and relocation of this species. The applicant shall retain a qualified biologist currently holding a MOU with Riverside County to conduct the trapping. The survey results shall be submitted to the Riverside County Environmental Programs Division and CDFG. Prior to implementing project approval, if pallid San Diego pocket mouse is found during small mammal trapping efforts, an active trapping and relocation program shall be conducted by a qualified biologist currently holding a MOU with Riverside County, in coordination with the CDFG. The active trapping and relocation program shall move individuals to suitable on-site or off-site habitat that will not be directly impacted by project implementation. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project. Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of pallid San Diego pocket mouse.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



Biological Resources	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-10: Prior to implementing project approval, impacts resulting from project construction within the Riverside County portion of the proposed project site to Colorado Valley woodrat, which is not covered under the CVMSEFCP, shall be mitigated through pre-construction surveys and relocation. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County, to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and salibush scrub habitats that will be developed as part of project implementation. The biologist shall survey for Colorado Valley woodrat nests.</p> <p>Where a Colorado Valley woodrat nest is found, it shall be determined by the biologist in which direction escape by any rat individuals occurring inside the nest will be encouraged. Vegetation around the nest in the opposite direction shall be cleared to discourage woodrat individuals from moving in that direction. Once vegetation in that direction is cleared, the nest shall be nudged with a front-end loader, encouraging any woodrats in the nest to exit the structure in the direction that leads toward adjacent habitat occurring within the Open Space-Conservation land use category of the proposed project or alternatively within areas near the project site (such as ABDSP and SRSJM National Monument, or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements). Once any woodrats present in the nest have been encouraged to exit the nest, nest materials shall be carefully and slowly picked up with a front end loader (slowly enough that any woodrats remaining in the nest can escape), and the materials shall be moved to adjacent suitable habitat, as noted above, that will not be impacted by project development, where woodrats may scavenge nest materials to build new nests. Due to hantavirus hazards, the nest shall not be excavated by hand, and nest materials shall not be carried by hand.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of Colorado Valley woodrat shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of woodrats into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>			<p>Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-11: Prior to implementing project approval, impacts resulting from proposed construction within the Riverside County portion of the project site to American badger, which is not covered under the CYMSHCP, shall be mitigated through a pre-construction clearance survey. The applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct focused pre-construction surveys for individuals of this species within suitable habitat for the species. Surveys shall be conducted within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of those portions of Sonoran creosote bush scrub, blue palo verde wash woodland, disturbed/recovering Sonoran creosote bush scrub, and salbush scrub habitats that will be developed as part of project implementation.</p> <p>Prior to implementing project approval, if an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde wash woodland habitat located in of the project site that is not planned for development. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site will remain undeveloped upon implementation of the proposed project.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of badgers into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p> <p>Prior to implementing project approval for each implementing project, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space (Conservation) land use category through a conservation easement, deed restriction, or similar mechanism, as required by Mitigation Measure 6.4-3. This area provides suitable habitat for relocation of American badger and sufficient carrying capacity is assumed for the conserved areas.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



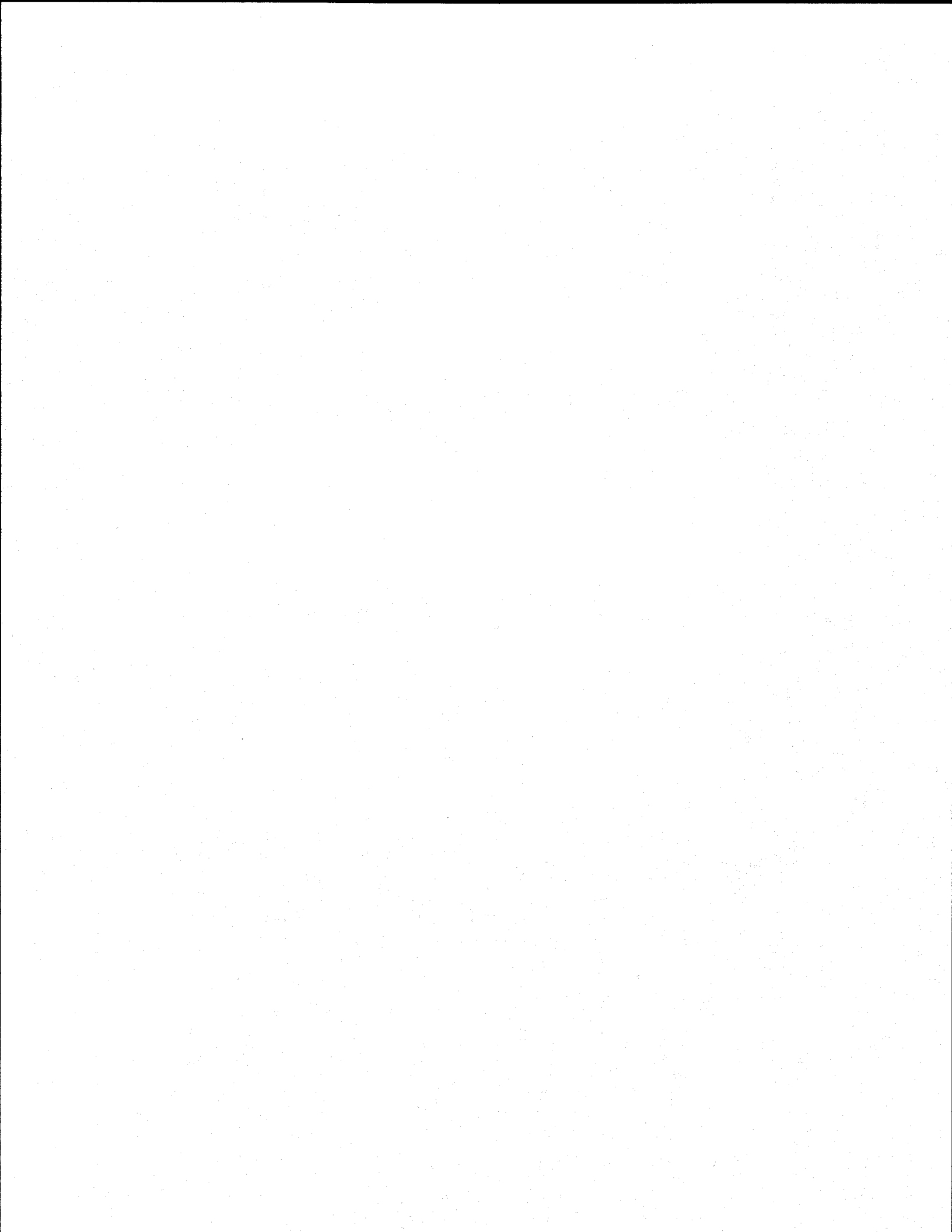
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-12: Prior to implementing project approval, impacts resulting from proposed project within the Riverside County portion of the proposed project site to special-status bird species not covered under the CVMSHCP, which include great egret, great blue heron, black-crowned night heron, double-crested cormorant, snowy egret, gull-billed tern, white-faced ibis, and black skimmer, shall be mitigated through pre construction surveys for nesting individuals of these species. Such surveys may be conducted concurrently with general nesting bird surveys discussed in Mitigation Measure 6.4-13, below, and shall follow the methodology given in Mitigation Measure 6.4-13. If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBSA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to ensure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Focused surveys for nesting individuals of these species shall be conducted in trees and shrubs and on the ground of Salton Sea shoreline habitat and arrowweed scrub adjacent to the Salton Sea that will be developed as part of project implementation or that is located within 500 feet of development areas. Because of the high mobility of non-nesting adult individuals of these species, it is expected that surveys for nesting individuals and their young, and protection for any nesting birds found, will provide the mitigation appropriate for project-related impacts.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



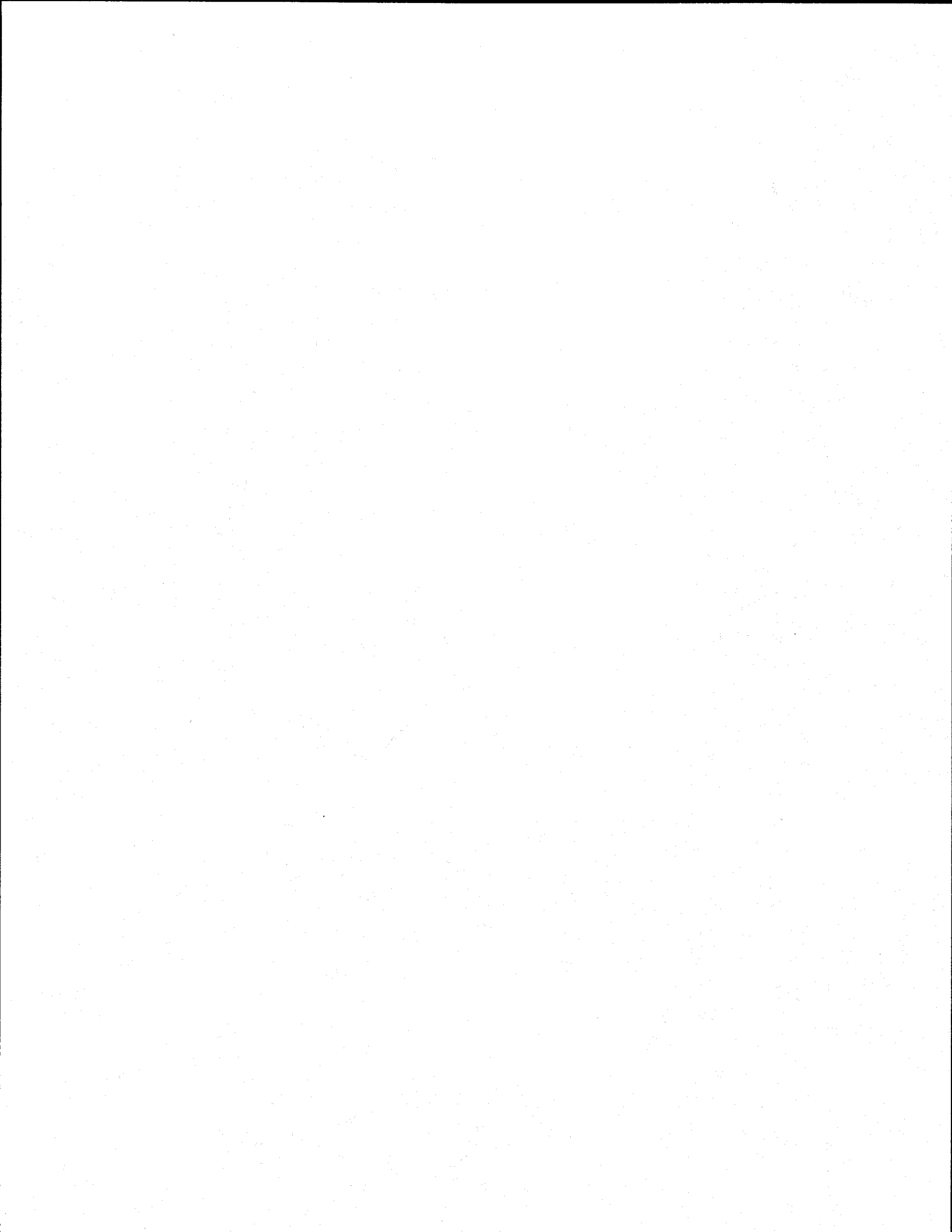
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-13: Proposed project construction impacts to nesting birds located in project impact areas within the Riverside County portion of the project site shall be mitigated through pre-construction nesting bird surveys and avoidance of any nesting birds found.</p> <p>If construction activities on the site are proposed during the nesting/breeding season (February 1 through August 31), a pre-activity survey shall be conducted by a qualified biologist currently holding an MOU with Riverside County prior to implementing project approval, to determine if active nests of species protected by the Migratory Bird Treaty Act (MBTA) or the California Fish and Game Code are present in the construction zone. Once the survey is complete, a report shall be prepared and sent to the Environmental Programs Department for review and concurrence. If active nests are observed and located, consultation with the California Department of Fish and Game (CDFG) to establish appropriate buffers will be required and the results of the report shall be submitted to CDFG for review and approval. The Environmental Programs Department will be contacted to ensure that proper CDFG approved buffers are in place prior to grading final. No grading permits will be issued until the Environmental Programs Department confirms the presence of appropriate buffers. In addition, a biological monitor will also be required to be on site during all grading activities to insure that the buffers are not compromised. At the conclusion of all grading activity, the biological monitor will submit a letter report to the Environmental Programs Department summarizing the result of the grading activity. Prior to grading final for each implementing project for construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist currently holding an MOU with Riverside County to determine if active nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Surveys shall take place in all habitat types containing trees, shrubs, or grasses. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understory, as several bird species known to the area and project site, are ground nesters, including burrowing owl, California horned lark, and mourning dove.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-14: Impacts and potential impacts resulting from project construction within the tribal lands of the Riverside County portion of the proposed project site to those federally listed or proposed for listing special-status wildlife species protected under the CVM/SHCP, such as desert pupfish, flat-tailed horned lizard, Yuma clapper rail, and Palm Springs round-tailed ground squirrel, shall be mitigated through payment of a pro-rated amount equivalent to the CVM/SHCP Local Development Mitigation Fee in conjunction with consultation with US Fish and Wildlife Service. Fee payment shall be made by the proposed project applicant to Riverside County prior to issuance of grading permits for the proposed project. The fee payment shall be made at the cost per acre provided at the time of payment in the CVM/SHCP and updated by the Coachella Valley Conservation Commission but pro-rated to an amount equivalent to that portion covering federally listed species only.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>Torres-Martinez Desert Cahuilla Indians</p>		<p>Less than Significant</p>		
<p>6.4-15: Impacts resulting from project construction to the two special-status plant species observed within the Imperial County portion of the proposed project site, chaparral sand verbena, and Feinson's pebble pincushion, shall be mitigated through a seed collection and planting program. The planting program will be reviewed and approved by CDFG and will include provisions for monitoring success criteria and performance standards.</p> <p>Prior to implementing project approval, a qualified biologist, shall conduct a focused survey for the two special-status plant species within the proposed development areas in order to determine the extent of individual plants to be impacted by the implementing project design.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>		
<p>6.4-16: Prior to implementing project approval, the project applicant shall retain a qualified biologist to collect seed from special-status plant species individuals during the appropriate season (after the blooming period, when seeds have formed). The collected seed shall be planted in predetermined suitable habitat in an appropriate area within Open Spaces (Conservation) on the project site that will not be impacted by project development or subsequent activities. A portion of Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site designated Open Spaces (Conservation) will remain undeveloped upon implementation of the proposed project. In addition, appropriate disturbed/recovering Sonoran creosote bush scrub areas will also be areas for potential seed planting.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>		



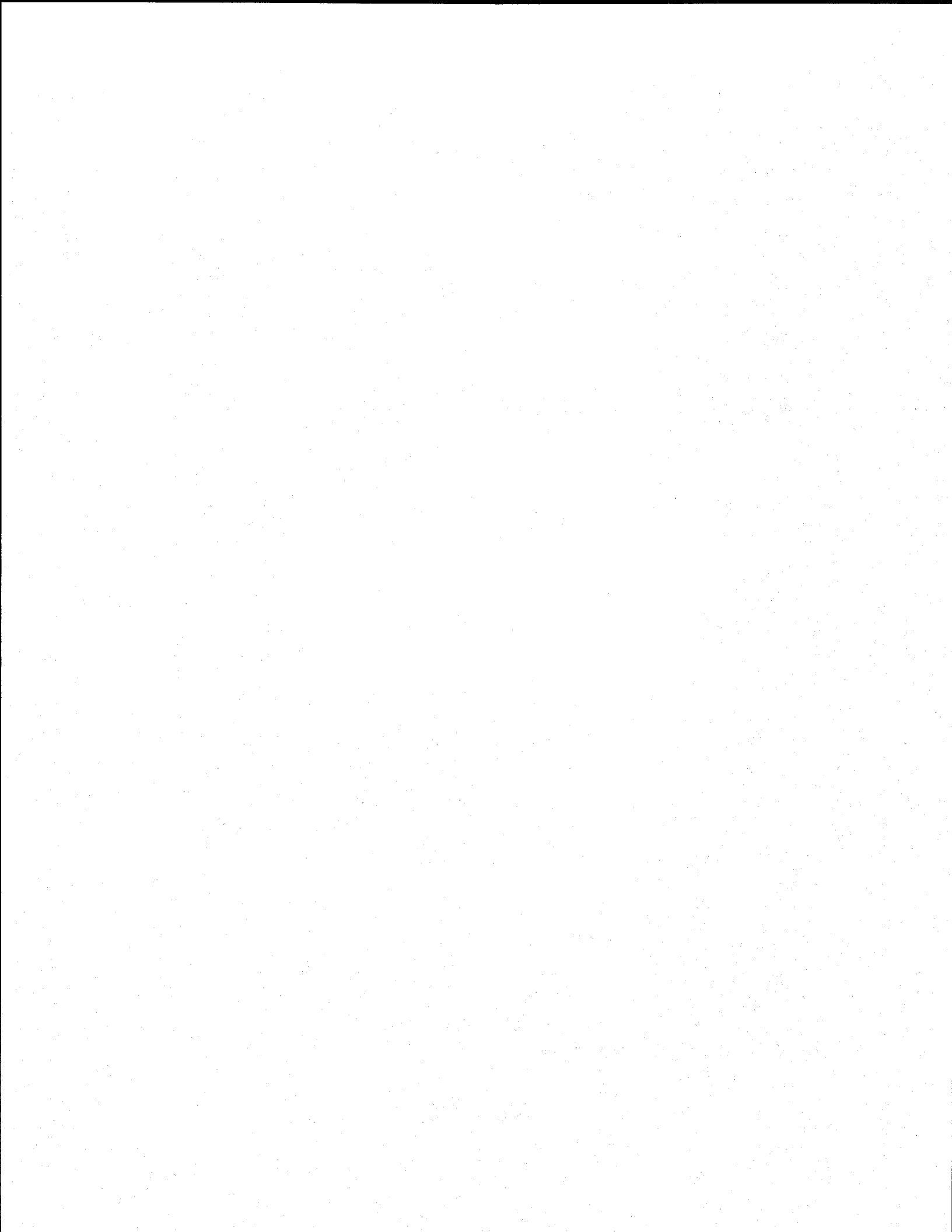
4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-17: Prior to implementing project approval, the project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland occurring within the Open Space-Conservation land use category through a conservation easement, deed restriction, or similar mechanism. This area provides suitable habitat for relocation of chaparral sand verbena and Peirson's pebble pincushion. A report documenting the seed collection and planting plan shall be submitted to the Imperial County Department of Planning and Building, Planning Division.</p>	<p>6.4-17: Proposed project construction impacts to active burrowing owl burrows located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction burrowing owl surveys and other measures described below. Prior to implementing project approval for each implementing project, the project applicant shall retain a qualified biologist to conduct focused pre-construction burrowing owl surveys within implementing project areas and 75 meters (approximately 250 feet) of impact areas, prior to construction or site preparation activities, including grubbing or grading. Such surveys shall be conducted if ground disturbing activities commence during the burrowing owl wintering season (typically September 1 through January 31) or during the burrowing owl breeding season (typically April 15 through July 15). In accordance with the Burrowing Owl Survey Protocol and Guidelines, the pre-construction survey shall be conducted no more than 30 days prior to commencement of initial ground disturbing activity. Burrowing owl pre-construction surveys may be conducted concurrently with general nesting bird surveys; the recommended protocol for general nesting bird surveys is provided in Mitigation Measure 6.4-22.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
		<p>Significant</p>	<p>Prior to project approval</p>	<p>California Department of Fish and Game</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-18 (continued):</p> <p>If active burrowing owl burrows are observed within the Imperial County portion of the implementing project impact areas or the adjacent 75 meters, during construction activities protective fencing shall be erected to provide a 75-meter buffer around the burrows during the breeding season, or a 50-meter buffer around the burrows during the wintering season. If during construction, active burrowing owl burrows are located during the breeding season, the protective fencing shall remain in place around the burrows until the young have fledged. Once the young have fledged, or if grading will occur during the non-breeding season, owls may be excluded from all active burrows through the use of exclusion devices placed in with the approval of CDFG, exclusion devices utilizing one-way doors shall be installed in the entrances of all active burrows. The devices shall be left in the burrows for at least 48 hours to ensure that all owls have been excluded from the burrows. Each of the burrows shall then be excavated by hand and refilled to prevent reoccupation. Exclusion shall continue until the owls have been successfully excluded from the proposed project impact area, as determined by a qualified biologist. If suitable, natural alternate burrowing owl burrows are not present within the vicinity of the excluded burrows (but beyond 50 meters from the project impact zone), within or contiguous to a minimum of 6.5 acres of foraging habitat for each pair of relocated owls or each single bird (if not paired), where feasible, artificial burrows meeting these criteria shall be created for the owls.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>California Department of Fish and Game</p>	<p>Less than Significant</p>			

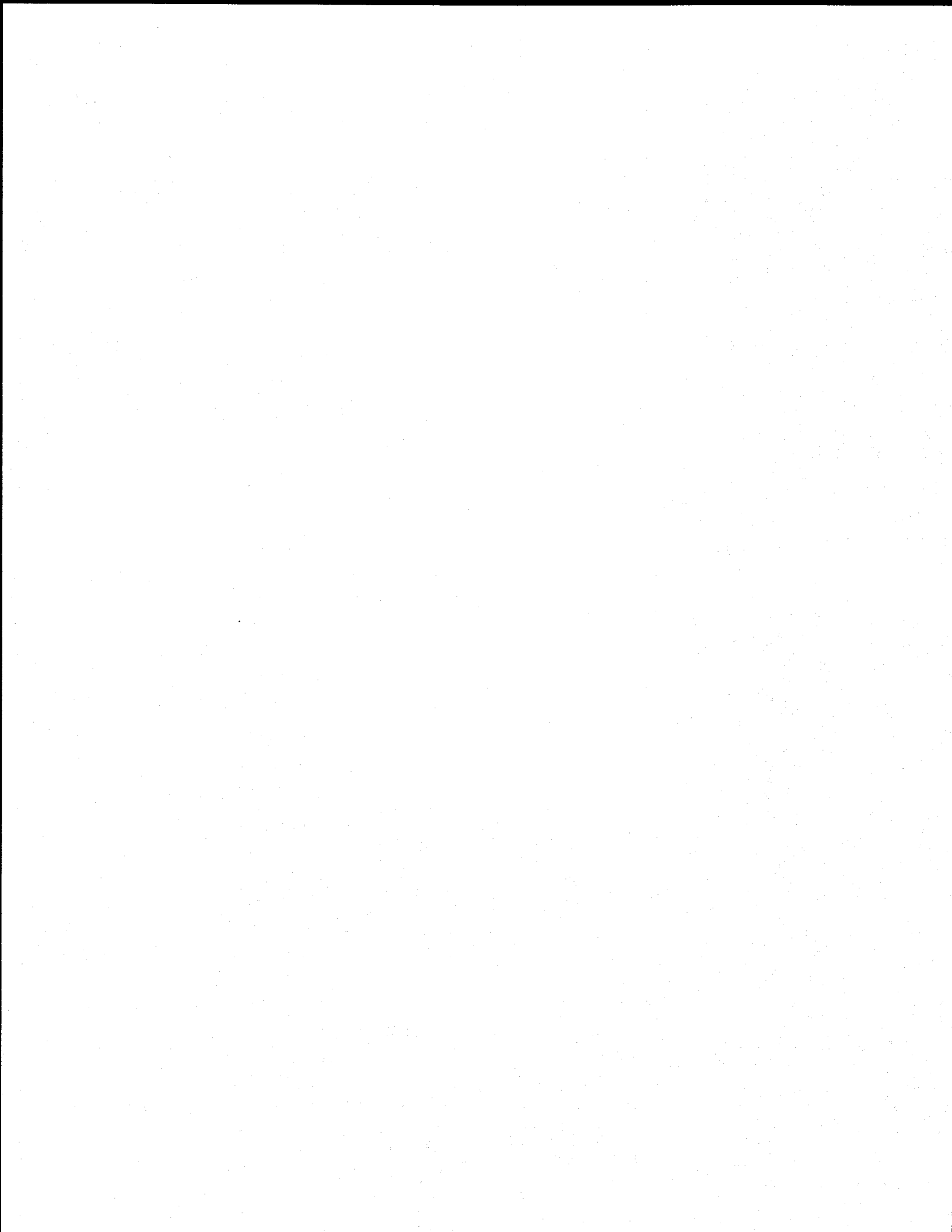


4.0 Mitigation Monitoring Program

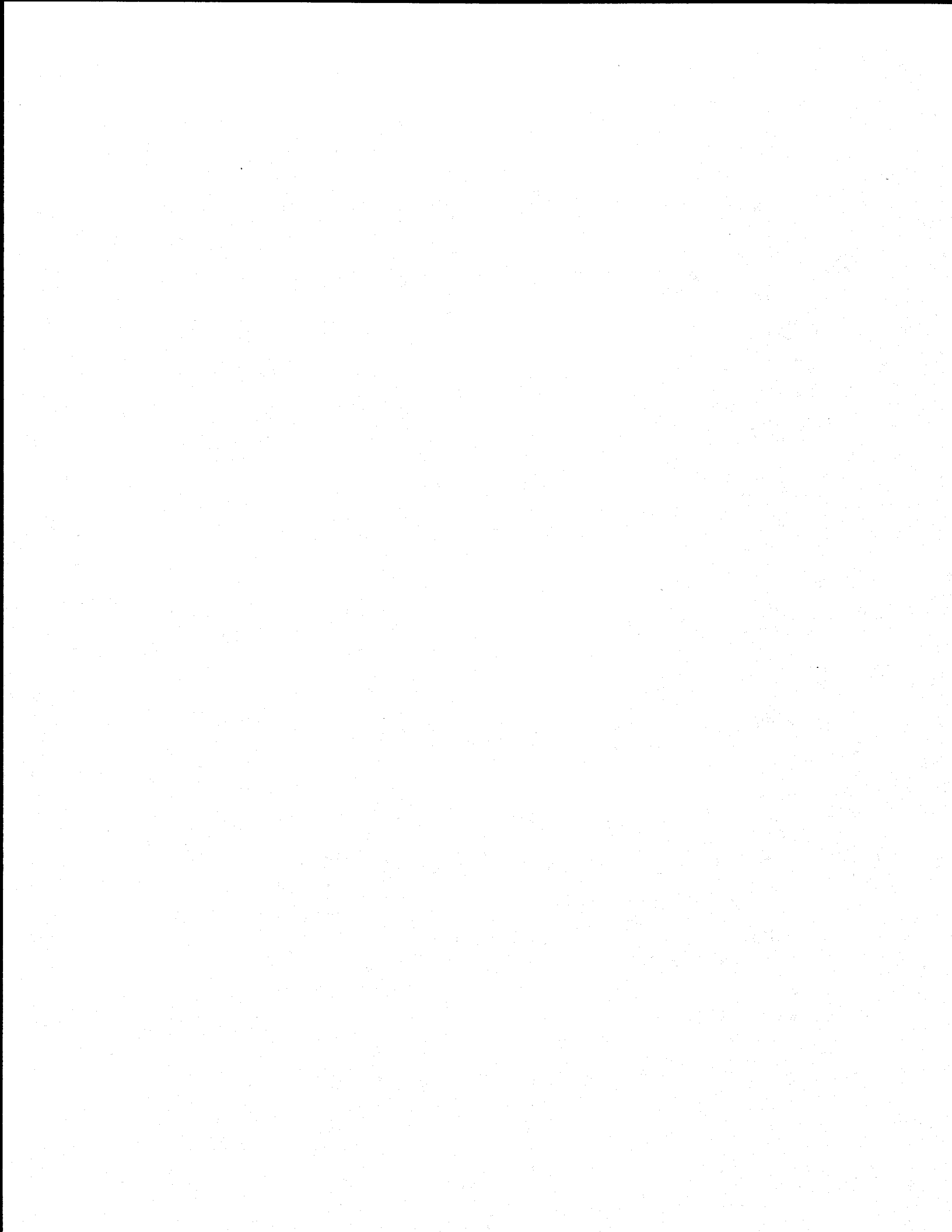
Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-18 (continued):</p> <p>Prior to implementing project approval, if construction will reduce suitable on-site habitat below the threshold level of 6.5 acres per released pair or single bird, off-site habitat shall be provided and could include areas near the project site (such as ABDSF, SRSJM National Monument or other state or federally controlled open space lands as allowable by the administering agencies) including areas within conservation easements. Off-site habitat shall be suitable burrowing owl habitat as defined in the Burrowing Owl Survey Protocol and Guidelines, and CDRC shall approve the site. If the 6.5-acre threshold is not satisfied, off-site lands shall be obtained at a 1.5:1 ratio (9.75 acres per pair or single bird) for occupied habitat, at a 2:1 ratio (13 acres per pair or single bird) for habitat contiguous to currently occupied habitat, or at a 3:1 ratio (19.5 acres per pair or single bird) of suitable but unoccupied habitat. This shall be determined by a qualified biologist, at the time of implementation of ground-disturbing activities. This mitigation may be conducted concurrently with mitigating for impacts to rosy boa, flat-tailed horned lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger, as discussed in Mitigation Measure 6.4-21. If off-site habitat is not available for purchase by the project applicant, then the applicant shall pay an in-lieu payment at the current market rate for a designated conservation area within the CVHCP.</p> <p>A report shall be prepared and submitted to the CDRC upon completion of pre-construction surveys for burrowing owl and implementation of any necessary mitigation. The report shall provide the CDRC with information about survey and mitigation efforts for impacts to burrowing owl resulting from construction of the proposed project within the Imperial County portion of the proposed project site.</p>						



Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-19: Prior to implementing project approval, construction impacts to breeding loggerhead shrike, black-tailed grackle, Crissal thrasher, and Le Conte's thrasher located in the project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction special-status bird surveys and other measures described below. Such surveys shall be conducted concurrently with pre-construction nesting bird surveys, and shall include reconnaissance for loggerhead shrike, black-tailed grackle, Crissal thrasher, or Le Conte's thrasher nests or individuals exhibiting breeding behavior.</p> <p>If special-status bird nests are found in the Imperial County portion of the project site, clearing and construction activities within 500 feet of the nest shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the pre-construction special-status bird surveys, as well as any avoidance measures taken and the success of those measures, shall be included in the report submitted to the County of Imperial Department of Planning and Building, Planning Division, as described in Mitigation Measure 6.4-22 for nesting birds.</p>	Significant	Prior to project approval	County Planning Department		Less than Significant	
<p>6.4-20: Prior to implementing project approval, construction impacts to molybdenum, blue-winged teal, California quail, Peninsular bighorn sheep, and American badger located in project impact areas within the Imperial County portion of the proposed project site shall be mitigated through a pre-construction clearance survey and relocation. The applicant shall retain a qualified biologist, to conduct focused pre-construction surveys for the presence of these species on the proposed project site. Surveys shall be within suitable habitat located within 500 feet of grading limits. Surveys shall include an examination of Sonoran creosote bush scrub and blue palo verde wash woodland habitats.</p>	Significant	Prior to project approval	County Planning Department		Less than Significant	

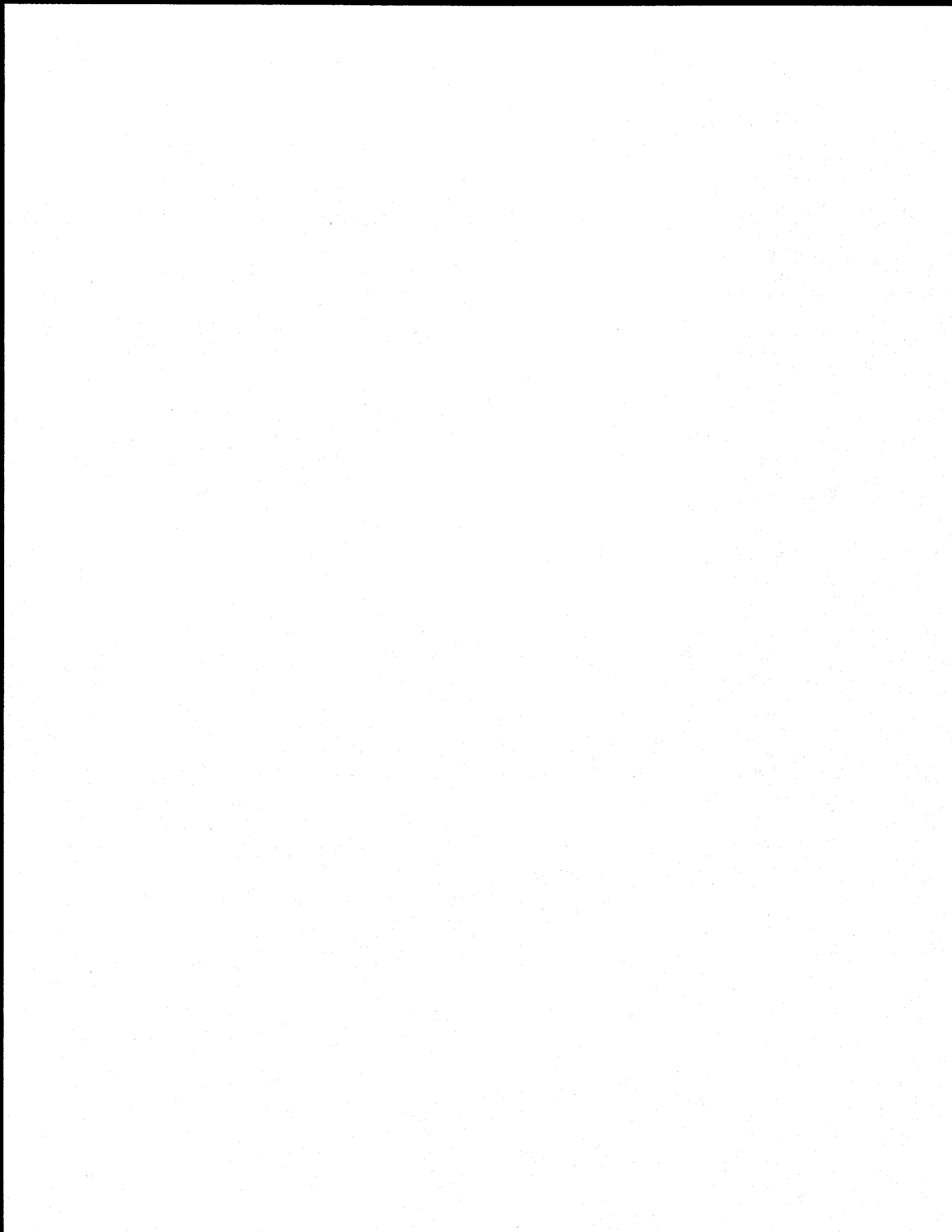


Biological Resources	Impact Category/Mitigation Measures	Level of Impact	Implementation Training	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-20 (continued):</p> <p>If one of the above special-status species is observed on the project site during clearance surveys, potential loss of individual animals shall be mitigated by (1) ensuring that construction activities do not enter the specific area in which the individual was observed until the individual has been observed vacating the area and moving into nearby habitat that will not be directly impacted by project activities (appropriate for more mobile species), or (2) through an active trapping and relocation program, conducted by a qualified biologist, and in coordination with the CDRC, that will move individuals to suitable on-site habitat that will not be directly impacted by project implementation (appropriate for less mobile species). If an active American badger burrow is located within project impact areas, a relocation program shall be implemented to remove the individual(s) from the area. The relocation program may be passive, in which badgers are excluded from occupied burrows by installation of a one-way door in burrow entrances, monitoring of the burrow for one week to confirm badger usage has been discontinued, and hand excavation and collapse of the burrow to prevent reoccupation; or the relocation program may be active, in which badger individuals are safely captured and transported to suitable habitat outside the impact area. Trapped individuals of any of the above species shall be safely relocated onto on-site Sonoran creosote bush scrub and blue palo verde wash woodland habitat that is not planned for development.</p> <p>In the event that off-site habitat areas within 500 feet of grading are not accessible during preconstruction surveys, the presence of rosy boa, flat-tailed horned lizard, Colorado Valley woodrat, Peninsular bighorn sheep, and American badger shall be assumed and the entire project site boundary within 500 feet of grading activities shall be fenced to prohibit entry of these species into the grading site. The fence shall be monitored as a regular part of construction monitoring.</p> <p>It is noted that this mitigation measure may be more successful during summer months, when species such as rosy boa and flat-tailed horned lizard are above ground and active, than during winter months, when such species are inactive. It is also noted that the success of this mitigation depends upon the trapping of individual animals, which may in some cases have moved out of the immediate area between the time of observation and the time of trapping. Therefore, it is recommended that a best effort at pre-construction clearance surveys and a trap and relocate plan be implemented, as is determined to be feasible.</p>							

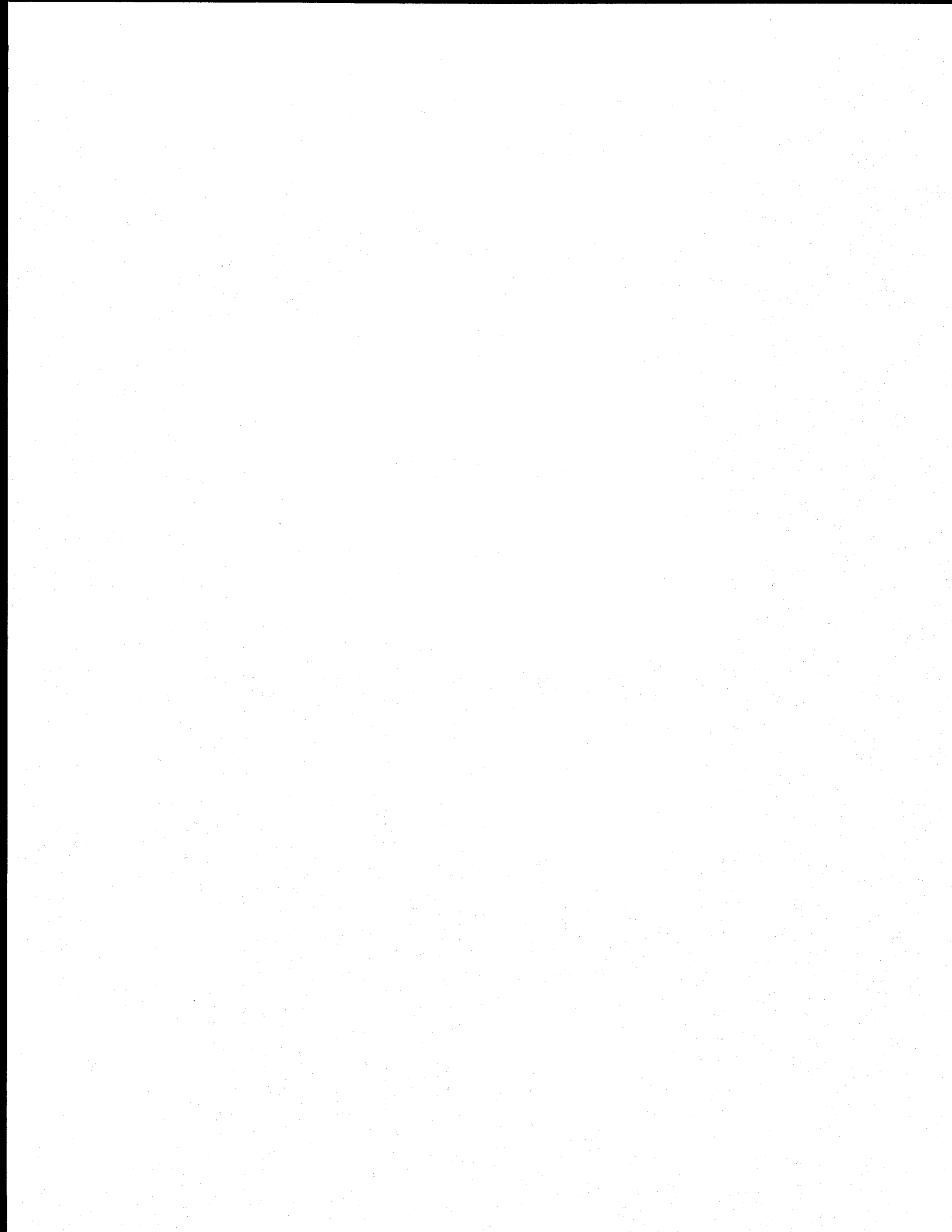


4.0 Mitigation Monitoring Programs

Biological Resources	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
	<p>6.4-21: Prior to implementing project approval, construction impacts to rosy boa, flat-tailed horned lizard, pallid San Diego pocket mouse, Colorado Valley woodrat, Peninsular bighorn sheep, Palm Springs round-tailed ground squirrel, and American badger located in the Imperial County portion of the project site shall be mitigated through the preservation of suitable habitat currently present within the proposed project site. A portion of the Sonoran creosote bush scrub and blue palo verde wash woodland located in the southern portion of the proposed project site (Open Space-Conservation), which provides suitable habitat for these species, will remain undeveloped upon construction of the proposed project. This undeveloped area is located adjacent to open space lands to the west (ABDSE, SRSJM National Monument, and other state and federally owned lands), allowing for connectivity with nearby suitable habitat for these species. The project applicant shall protect those portions of Sonoran creosote bush scrub and blue palo verde wash woodland that are to remain undeveloped through a conservation easement, deed restriction, or similar mechanism. This mitigation may be conducted concurrently with mitigating for impacts to active burrowing owl burrows, as discussed in Mitigation Measure 6.4-18.</p>	Significant	Prior to project approval	County Planning Department		Less than Significant	
	<p>6.4-22: Prior to implementing project approval, construction impacts to nesting birds located in project impact areas within the Imperial County portion of the project site shall be mitigated through pre-construction nesting bird surveys and the other measures described below. Within 30 days of ground-disturbing activities associated with construction or site preparation, including grubbing or grading, the applicant shall have weekly surveys conducted by a qualified biologist, to determine if active nests of native bird species (including the special-status species discussed above) protected by the Migratory Bird Treaty Act and/or the California Fish and Game Code are present in the construction zone or within 300 feet (500 for raptors) of the construction zone. Because many birds known to the project area (including loggerhead shrike) nest during the late winter, breeding bird surveys shall be carried out both</p>	Significant	Prior to project approval	County Planning Department		Less than Significant	

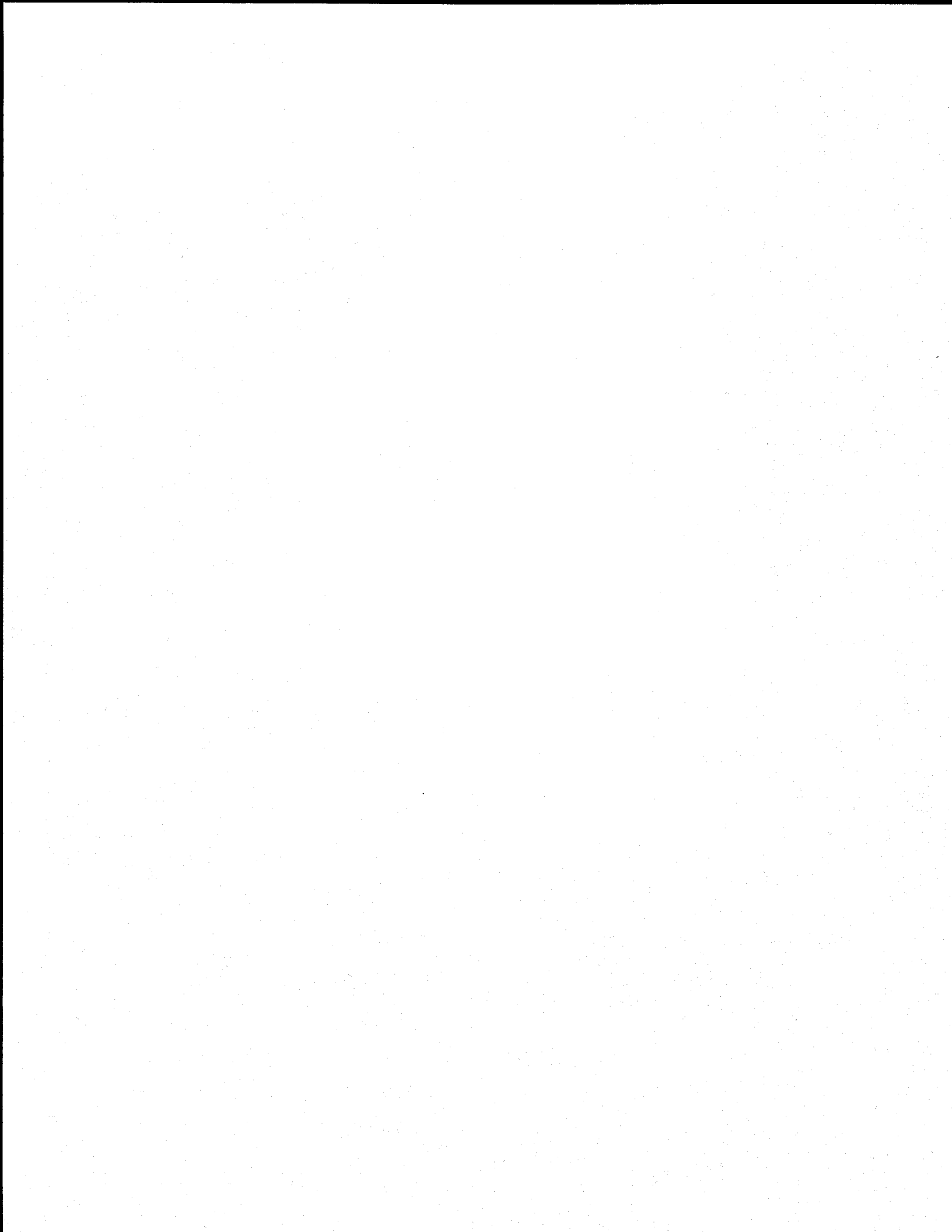


Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-22 (continued)</p> <p>during the typical nesting/breeding season (mid-March through September) and in January, February, and early March for winter nesting species. The surveys shall continue on a weekly basis, with the last survey being conducted no more than three days prior to initiation of clearance or construction work. If ground-disturbing activities are delayed, then additional pre-construction surveys shall be conducted such that no more than three days will have elapsed between the last survey and the commencement of ground disturbing activities. Surveys shall include examination of trees, shrubs, and the understorey as several bird species known to the area and project site, are ground nesters, including burrowing owl, California horned lark, and mourning dove.</p> <p>If active nests are found, clearing and construction activities within 300 feet of the nest (500 feet for raptors) shall be postponed or halted until the nest is vacated and juveniles have fledged and there is no evidence of a second attempt at nesting as determined by the biologist. Construction personnel shall be instructed on the sensitivity of nest areas and shall be instructed to avoid entering the approved buffers around the nest. The biologist shall serve as a construction monitor during those periods when construction activities will occur near active nest areas (within 500 feet) to ensure that no inadvertent impacts on these nests will occur. The results of the survey, as well as any avoidance measures taken and the success of those measures, shall be submitted to the County of Imperial Department of Planning and Building, Planning Division within 30 days of completion of the pre-construction surveys and/or construction nest monitoring to document compliance with applicable state and federal laws pertaining to the protection of native birds.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-23: Prior to implementing project approval, impacts resulting from proposed project conversion of potential western yellow bat habitat (date palms) to residential and commercial development shall be mitigated through a pre-construction roosting bat survey and the mitigation measures described below. Palm trees that will be impacted (removed or within approximately 300 feet of construction areas) by proposed project construction shall be surveyed by a qualified biologist for western yellow bat. Surveys may involve visual examination of palm trees (especially hanging, dead palm fronds, behind which bats roost) for bat sign (stains created by body oils, urine, and guano) or study of bats utilizing on-site palm trees with an Anabat bat detector system. If visual surveys result in the observation of bat sign, but the species of bat roosting in the palm tree is unknown, an Anabat system shall be utilized to determine the species of bat utilizing the tree.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Biological Resources	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-23 (continued)</p> <p>If western yellow bat is found to utilize on-site palm trees for roosting, and if impacts to palm trees with bats will commence during the western yellow bat-breeding season (April through July), a qualified biologist shall inspect dead, hanging palm fronds on each palm tree to see whether young are present. If no young are observed, the roost is unlikely to be a maternal roost, and tree removal shall follow the methodology below. If young are observed and the tree is determined to be a maternal roost, tree removal shall be temporarily postponed until the project biologist has determined that the juvenile bat(s) have fledged, at which point tree removal shall continue, following the methodology below.</p> <p>If, during construction, western yellow bat is determined to utilize on-site palm trees for roosting, and impacts to palm trees with bats will commence outside the western yellow bat-breeding season, removal of palm trees shall commence after sundown, as western yellow bat is nocturnal and will be active and should be away from the palm tree at this time. Due to the availability of similar palm tree habitat in nearby locations, individuals would be likely to utilize palm trees in adjacent areas.</p>							

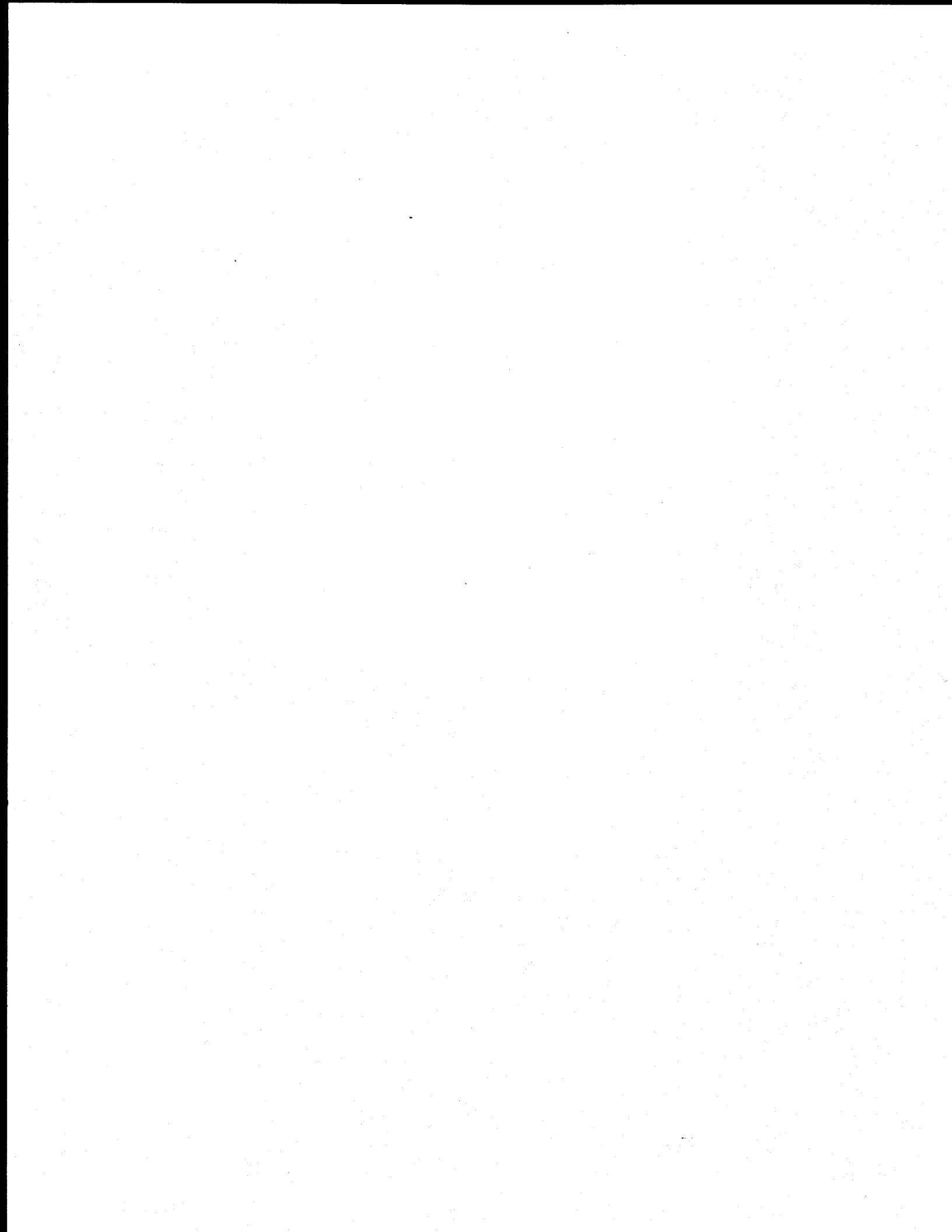


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-24: Prior to the approval of any tentative tract maps in Imperial County, impacts to sensitive species, including federal or state listed Endangered, Threatened or Species of Special Concern, shall be mitigated through the applicant's participation in a multiple species habitat conservation plan or similar program then in effect, through the payment of established mitigation fees for the long-term preservation of impacted species on the Imperial County portion of the project site. The presence or absence of such species shall be determined by site surveys conducted by a professional biologist approved by Imperial County, prior to any ground disturbance. If no such multi-species habitat conservation program is in effect at the time the applicant seeks a grading permit from Imperial County, then the applicant shall mitigate by option 1 or 2 below, or some combination thereof: (1) Set aside undisturbed open space areas, of equivalent quality habitat, on the Imperial County portion of the project site, at the ratios then established by the California Department of Fish and Game (CDFG) for any sensitive species impacted; and/or (2) Acquire suitable off-site habitat at the ratios then established by CDFG for any sensitive species impacted. If the applicant cannot feasibly and fully mitigate all impacts to sensitive species as described above, through options 1 and 2, the applicant shall terminate its application for a grading permit in Imperial County, as agreed to in the conditions of approval imposed by Riverside County upon the Traverline Point Specific Plan, until such time as a multi-species habitat conservation program has been established in Imperial County, with application to the project site. The implementation of the mitigation measures on tribal lands will require consideration and approval by the TMDCI. The project is subject to the implementation of a Memorandum of Understanding (MOU) between Riverside County, Imperial County, and TMDCI to address issues relating to tribal involvement on the properties within the boundaries of the specific plan. The MOU will, among other requirements, include that proposed mitigations that involve tribal lands will be permitted and implemented. As such, the mitigation proposed herein would apply to the entire project regardless of jurisdiction and Mitigation Measures 6.4-15 through 6.4-24 would equally apply to tribal lands within Imperial County.</p>	<p>Significant</p>	<p>Prior to tentative tract map approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-25: Prior to building final inspection for each implementing project, a public awareness program shall be developed by the homeowners' association (HOA), or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. The public awareness program shall address the impact domestic cats have on local wildlife populations (especially birds and small mammals), to encourage pet owners to keep their cats indoors. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space [Conservation]) or areas adjacent to the project site (such as ABDFP, SRESJM National Monument, or other state or federally protected lands) and of prohibiting off-leash domestic animals from disturbing native wildlife species. The public awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-26: Dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space-Conservation. Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall add a prohibition to the covenants, conditions, and restrictions (CCRs) for the community against unleashed dogs and cats in areas designated Open Space-Conservation.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-27: Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall be responsible for maintaining these receptacles.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	
<p>6.4-28: Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Environmental Programs Division</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures Biological Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.4-29: Prior to grading final for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the Riverside County Environmental Programs Division. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates dark-sky requirements for the project site area.</p>	Significant	Prior to building final inspection	County Environmental Programs Division		Less than Significant	
<p>6.4-30: Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 3-7a through 3-7f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines, of the Traverline Point Specific Plan, which will be consistent with the Coachella Valley Native Plants Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist currently holding an MOU with Riverside County, and will be subject to review by the Riverside County Environmental Programs Division. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low-rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Traverline Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive <i>Acacia</i> species, fruiting <i>Olea europaea</i>, <i>Phoenix canariensis</i>, and <i>Washingtonia robusta</i>. <i>Phoenix dactylifera</i> existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.</p>	Significant	Prior to project approval	County Environmental Programs Division		Less than Significant	
<p>6.4-31: Prior to building final inspection for each implementing project, the HOA or an acceptable land manager/agency, as approved by the Riverside County Environmental Programs Division, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational materials emphasizing the importance of planting non-invasive, drought-tolerant plants.</p>	Significant	Prior to building final inspection	County Environmental Programs Division		Less than Significant	
<p>6.4-32: Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stockpiled soils and vegetation shall be covered daily with sheeting to prevent wind and waterborne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.</p>	Significant	Prior to grading final	County Environmental Programs Division		Less than Significant	



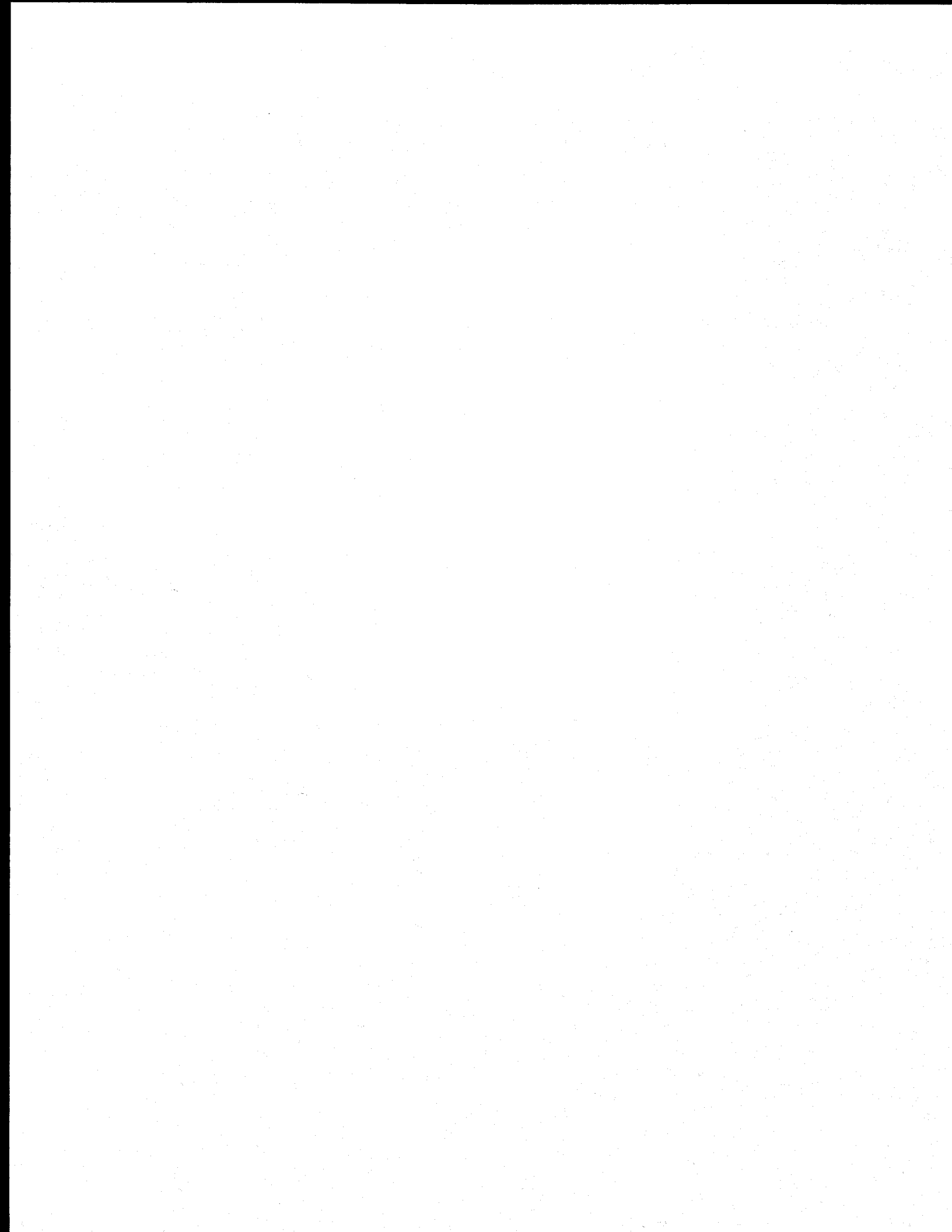
4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (Continued)</p> <p>6.4-33 Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.</p>	Significant	Prior to grading final	County Environmental Programs Division		Less than Significant	
<p>6.4-34: Prior to each implementing project approval, the Riverside County Environmental Programs Division shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space-Conservation areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP or SRSJM National Monument lands and proposed residential or commercial land uses.</p>	Significant	Prior to implementing project approval	County Environmental Programs Division		Less than Significant	
<p>6.4-35: Prior to building final inspection for each implementing project, a public awareness program shall be developed by the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, to educate residents of the proposed project about impacts to biological resources resulting from increased human and domestic animal presence in the area. This program shall include supplying educational information to future residents of the project site regarding the importance of preventing unleashed domestic animals from entering ecologically sensitive areas within the proposed project (Open Space-Conservation) or areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands). The public awareness program shall specifically address potential indirect impacts to Peninsular bighorn sheep associated with human and domestic animal presence in the rocky hills and mountains. In addition, the public awareness program will include discussion of cryptobiotic soils and their role in preserving desert soils, promoting nitrogen fixation, storing atmospheric carbon, and preventing erosion by wind and water.</p>	Significant	Prior to building final inspection	County Planning Department		Less than Significant	



4.0 Mitigation Monitoring Program

Biological Resources (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.4-36:	Prior to building final inspection for each implementing project, all dogs and cats owned by future residents of the proposed project shall be contained within their property boundary, or shall be leashed while in areas designated Open Space (Conservation). The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall add a prohibition to the CCRs for the community against unleashed dogs and cats in areas designated Open Space-Conservation.	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
6.4-37:	Prior to building final inspection for each implementing project, to reduce indirect impacts to wildlife remaining in the project area upon implementation of the proposed project, waste and recycling receptacles that discourage foraging by wildlife species adapted to urban environments shall be installed in common areas throughout the project site, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining these receptacles.	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
6.4-38:	Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply educational information to future residents of the project site regarding the importance of not feeding wildlife, ensuring that trash containing food is not accessible to wildlife, and not leaving pet food outside.	Significant	Prior to building final inspection	County Planning Department		Less than Significant	
6.4-39:	Prior to grading permit issuance for each implementing project, the project applicant shall develop a lighting plan that shall be subject to approval by the County of Imperial Department of Planning and Building, Planning Division. The plan is discussed in detail within Section 6.1, Aesthetics, of this document and incorporates Dark Skies requirements for the project site area.	Significant	Prior to grading permit issuance	County Planning Department		Less than Significant	



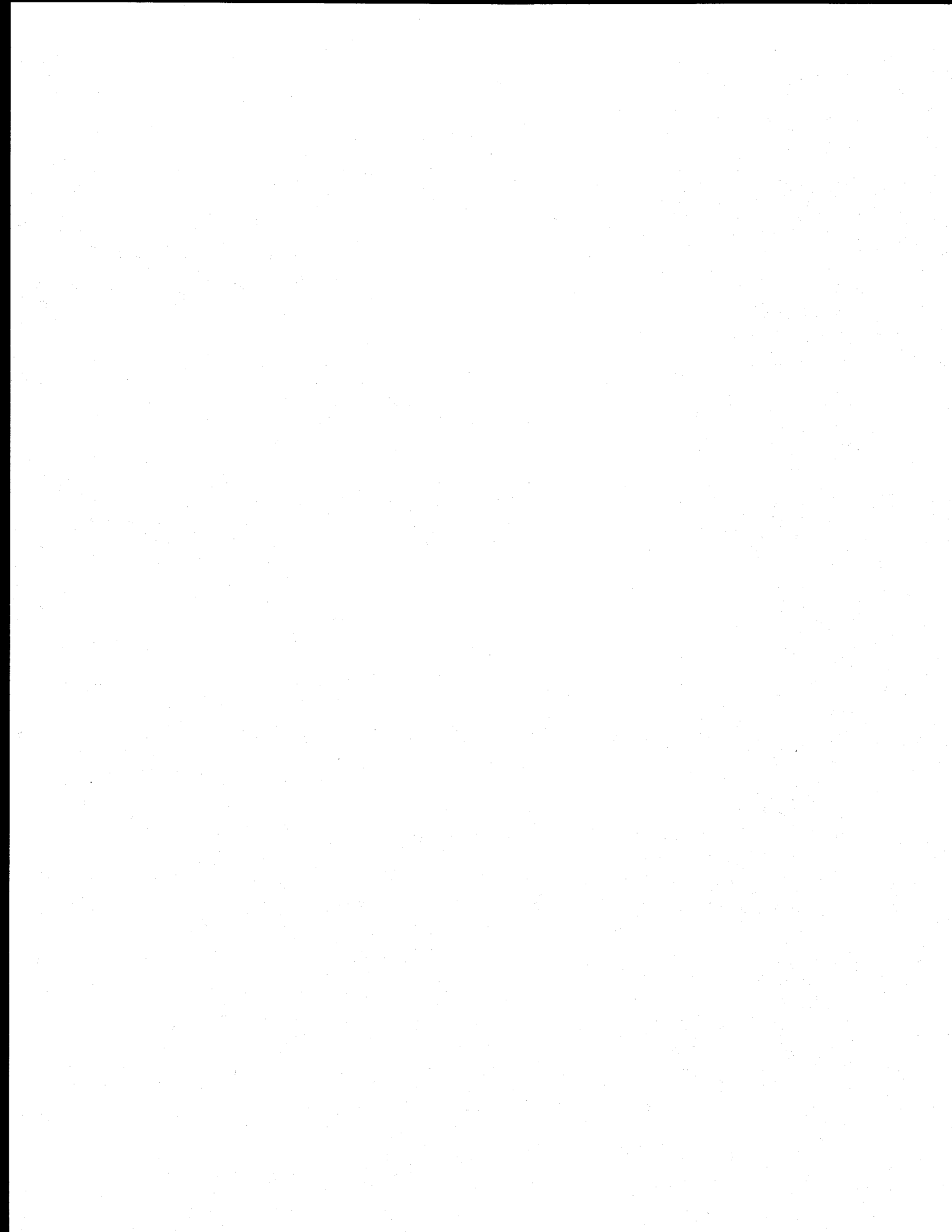
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-40: Prior to implementing project approval, the applicant shall prepare a landscape plan for all common areas of the site in accordance with modified Tables 2-7a through -f, Proposed Plant Palette, in Section 3.11, Landscape Design Guidelines of the Travertine Point Specific Plan, which will be consistent with the Coachella Valley Native Plants Recommended for Landscaping per the CVMSHCP (Table 6.4-4). This plan shall be prepared by or approved by a qualified biologist, and will be subject to review by the County of Imperial Department of Planning and Building, Planning Division. The plan shall include a plant palette composed of non-invasive species that are adapted to the conditions found on the project site, including the condition of a dry, low rainfall climate. The landscaping plan will also include a list of invasive plant species prohibited from being planted in the common areas of the project site. Plant species included in the Prohibited Invasive Ornamental Plants per the CVMSHCP (Table 6.4-5) will be prohibited from all landscape plant palettes within 1,000 feet of the western boundary of the Travertine Point Specific Plan area. The Specific Plan landscape plant palette will exclude invasive <i>Alouca</i> species, fruiting <i>Olea europaea</i>, <i>Phoenix canariensis</i>, and <i>Washingtonia robusta</i>. <i>Phoenix dactylifera</i> existing on the project site, especially male trees, may be planted outside of conservation areas, a minimum distance of 1,000 feet. The HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for providing the landscape plan to landscapers hired to install landscaping in common areas within the proposed project site.</p>	<p>Significant</p>	<p>Prior to grading permit issuance</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-41: Prior to building final inspection for each implementing project, the HOA, or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall supply future residents of the project site with a list of invasive plant species prohibited from being planted on the project site and with educational materials emphasizing the importance of planting non-invasive, drought tolerant plants.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-42: Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all stock-piled soils and vegetation shall be covered daily with sheeting to prevent wind and water-borne transport of such propagules in order to discourage the transport of invasive species propagules to undeveloped on-site and off-site areas.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-43: Prior to grading final for each implementing project, the applicant or grading contractor shall develop a plan indicating that all graded areas, in the event that construction activities are anticipated to be postponed for longer than one year subsequent to continued grading, shall be hydroseeded with a cover crop of locally indigenous native annual species prior to the first rainfall subsequent to the cessation of construction activity so as to discourage the growth of invasive species within disturbed areas.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



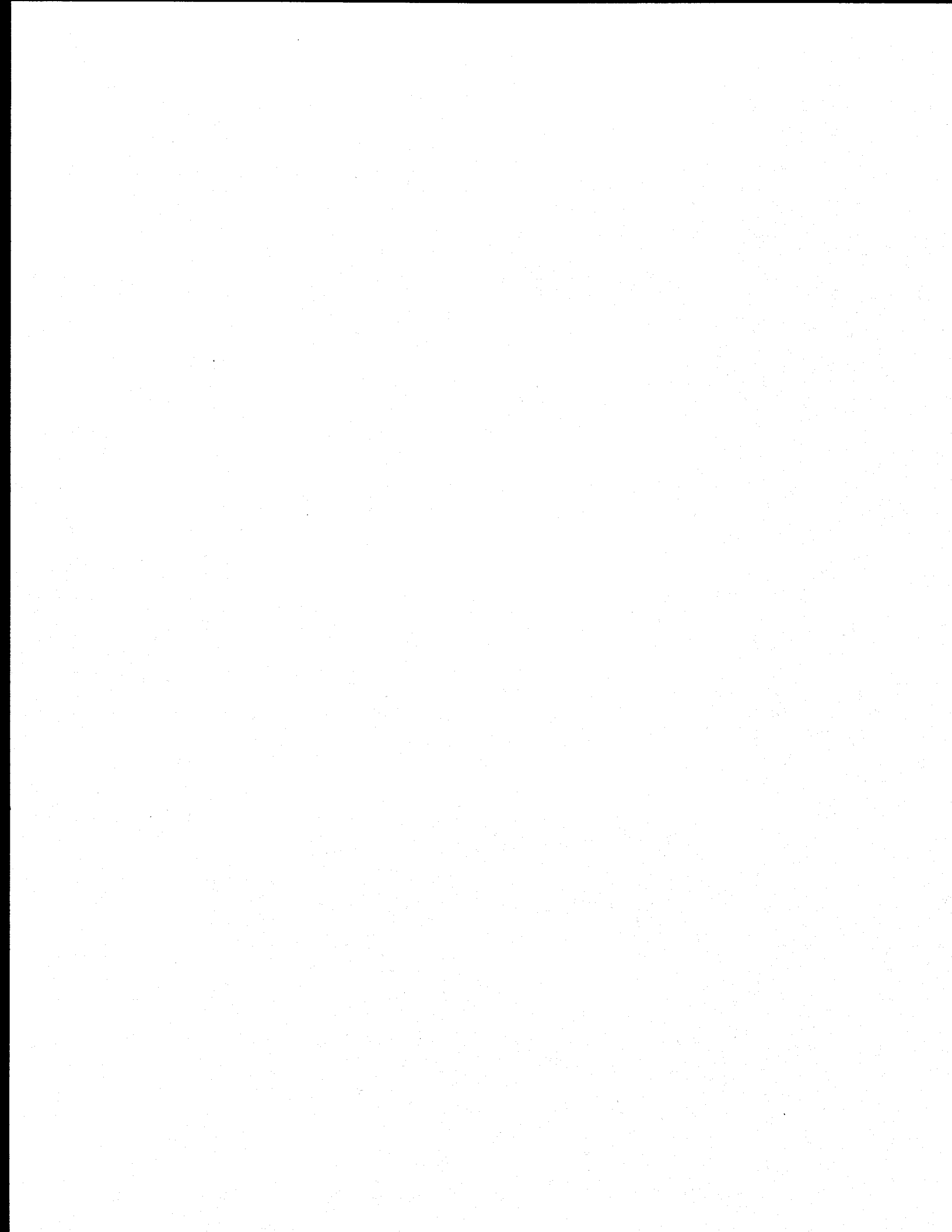
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-4: Prior to each implementing project approval, the County of Imperial Department of Planning and Building, Planning Division, shall review the subdivision design for the proposed project. The County shall confirm that recreational trails associated with the proposed project do not lead into Open Space (Conservation) areas or other environmentally sensitive areas adjacent to the project site (such as ABDSP, SRSJM National Monument, or other state or federally protected lands) to the south and west of the project site. Specifically, the County shall ensure that trails do not lead into Peninsular bighorn sheep habitat in ABDSP and the SRSJM National Monument in the rocky hills and mountains. In addition, each subdivision design shall provide a minimum 500-foot setback between ABDSP lands and proposed residential or commercial land uses.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-5: Prior to building final inspection for each implementing project, the project applicant shall post interpretive signs identifying such areas and the special-status resources within these areas for residents. The signage shall also serve to discourage entrance of humans and domestic animals into these sensitive areas. The interpretive signs shall include information about the special-status plant and wildlife species occurring or likely to occur. The homeowners' association (HOA), or an acceptable land manager/agency, as approved by the County of Imperial Department of Planning and Building, Planning Division, shall be responsible for maintaining this program, including fencing and signs.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.4-6: Prior to implementing project approval, impacts to 29 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Riverside County portion of the proposed project site resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM National Monument or other federal or state-controlled lands, or purchase of lands in a program that has already entered a conservation easement) of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>Torres-Martinez Desert Cahuilla Indians</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-47: Prior to implementing project approval, impacts to 67 acres of blue palo verde wash woodland, a sensitive plant community and likely riparian habitat, within the Imperial County portion of the proposed project site resulting from project construction shall be mitigated through a combination of creation or enhancement of the habitat and purchase of lands vegetated with blue palo verde wash woodland for a minimum of 1:1 replacement ratio by acreage. The applicant shall secure lands through agreement with ABDSP, SRSJM, National Monument or other federally or state-controlled lands, or purchase of lands in a program that has already entered a conservation easement) of blue palo verde wash woodland. The woodland shall be of comparable high quality to that of existing on-site blue palo verde wash woodland. The amount of lands to be secured shall be on the basis of providing equivalent habitat, in consultation with CDFG, for the area of blue palo verde wash woodland determined to be impacted by the proposed project.</p>	<p>Significant</p>	<p>Prior to project approval</p>	<p>Torres-Martinez Desert Cahuilla Indians</p>		<p>Less than Significant</p>	
<p>6.4-48: Prior to implementing project approval, the applicant shall retain a qualified biologist currently holding an MOU with Riverside County to conduct a jurisdictional delineation in the Riverside County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to grading final. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-46, above.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>USACE/CDFG</p>		<p>Less than Significant</p>	



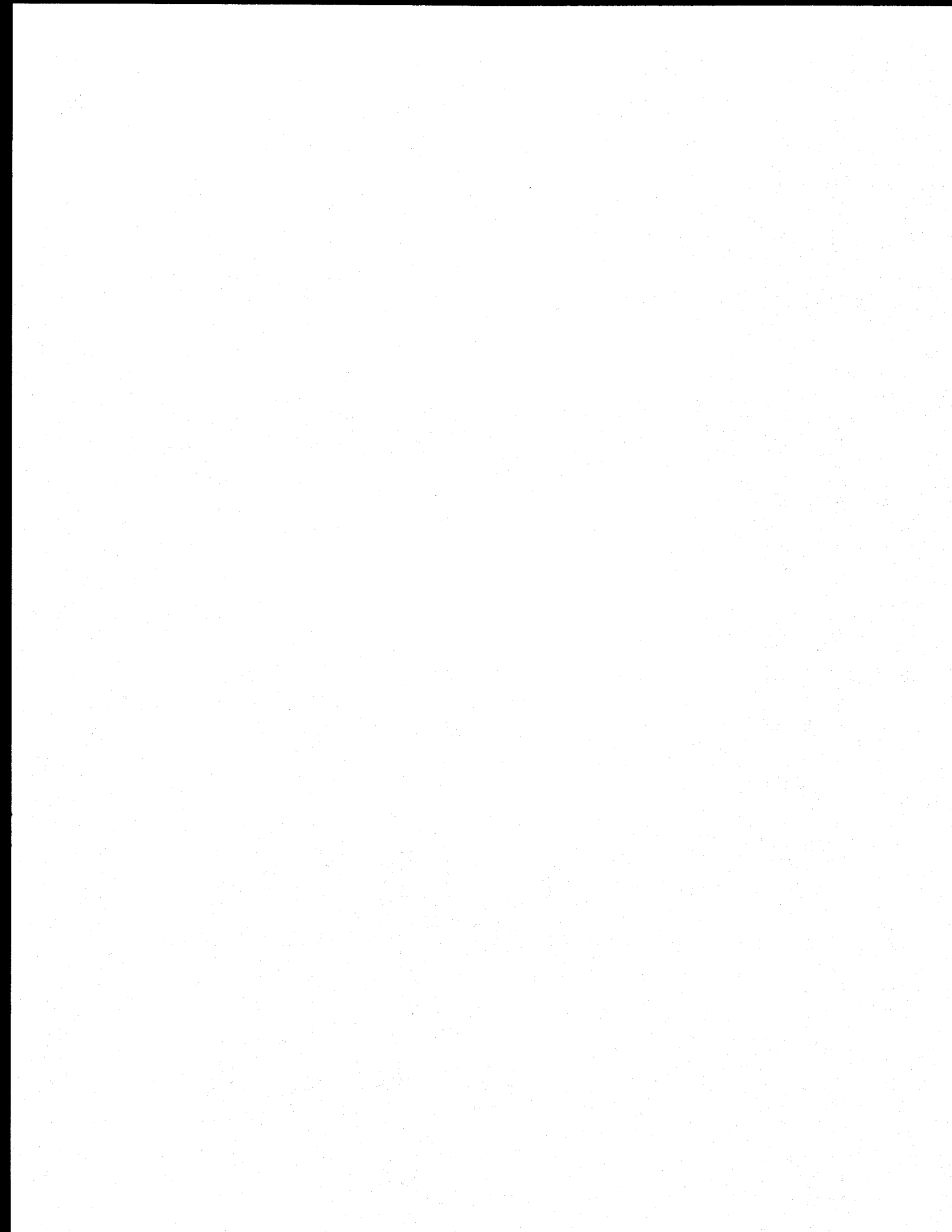
Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Biological Resources (continued)</p> <p>6.4-4: Prior to implementing project approval, the applicant shall retain a qualified biologist to conduct a jurisdictional delineation in the Imperial County portion of the project site. The jurisdictional delineation shall be submitted to the USACE and CDFG for review, and the delineation shall be certified by the USACE prior to issuance of a grading permit. To mitigate for impacts to jurisdictional waters, the applicant shall either recreate habitat of similar value and area or secure lands in a program that has already entered a conservation easement at a minimum of 1:1 replacement ratio by acreage to maintain equivalent habitat of suitable USACE and CDFG waters, in consultation with the permitting agency. Use of other tribal lands that are currently being considered for mitigation banking including the Torres-Martinez Desert Cahuilla Indians Wetland Project near the Whitewater River water at the north end of the Salton Sea for delivery into a freshwater wetland and into a shallow saline habitat wetland on the Torres-Martinez Reservation. As feasible, mitigation for USACE and CDFG waters may be carried out in conjunction with mitigation for potential impacts to blue palo verde wash woodland, a sensitive plant community, which is discussed in Mitigation Measure 6.4-47, above.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>USACE/CDFG</p>		<p>Less than Significant</p>	
<p>Cultural Resources</p> <p>6.5-1: Prior to issuance of a grading permit, as required by State CEQA Guidelines Sections 15064.2(e) and (f), a cultural resources management plan (CRMP) shall be prepared and submitted for the appropriate County Planning Department for review and approval. The CRMP shall contain detailed provisions for the treatment of unanticipated discoveries during project construction, including human remains. The provisions of the CRMP should be consistent with state law as contained in Health and Safety Code Section 7050.5, and PRC Sections 5097.94 and 5097.98. Such mitigation shall be addressed in a manner consistent with the following:</p> <p>a. If buried materials of potential historical or cultural significance are accidentally discovered during any earth-moving operations associated with the proposed project, all work in that area shall be halted or diverted until a qualified historian/archaeologist can evaluate the nature and significance of the finds. If the find is determined to be an historical resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures as discussed in the CRMP shall be implemented.</p> <p>b. If evidence of potentially significant prehistoric or historic resources is uncovered during project-related grading areas in which archaeological and Native American monitoring has already been required, the extent of monitoring shall be amended and the presence of a Native American monitors shall be incorporated into the monitoring program for all areas in the affected tentative tract.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Cultural Resources (continued)</p> <p>6.5-2: The following standard policies and policy implementation measures shall be implemented prior to implementing project approval:</p> <p>Cultural Resources Policy 1</p> <p>Prior to grading final for each implementing project, a comprehensive survey program for unsurveyed areas within the project area shall be completed to identify, document, and protect, if feasible, prehistoric and historical archaeological sites, and sites containing Native American human remains.</p> <p>Implementation Measure 1.1 The proposed project would be covered under the <i>State CEQA Guidelines</i> (California 2005) or Section 106 of the NHPA, and shall be surveyed by a professional who meets the Secretary of the Interior's Standards and Guidelines regarding archaeological activities and methods prior to the County's approval of proposed project plans and prior to grading final (48 CFR 44716-44732).</p> <p>Implementation Measure 1.2 All archaeological site location data collected during the cultural resources surveys must be considered to be of a sensitive nature and must remain confidential. Caution must be exercised when disseminating this information; in particular, maps and site location data should be made available only to managers, County officials, and other professionals who have a legitimate need to know.</p> <p>Implementation Measure 1.3 For potentially significant prehistoric archaeological resources or sites containing Native American human remains identified during the project's archaeological surveys, the project proponent, Federated Insurance Company or their designee, shall continue consultation with the NAHC in Sacramento and interested Native American individuals and organizations.</p> <p>Cultural Resources Policy 2</p> <p>Avoid impacts to potentially significant prehistoric and historical archaeological resources and sites containing Native American human remains, where feasible.</p> <p>Implementation Measure 2.1 If cultural resources avoidance is feasible, potentially significant archaeological resources and sites containing Native American human remains shall be placed within permanent project-specific conservation easements or dedicated open space areas prior to grading final.</p> <p>Implementation Measure 2.2 Where avoidance of archaeological resources and sites containing Native American human remains is not a feasible management option, capping these resources with sterile sediments and avoidance planting (e.g., planting of cactus, mesquite, or other native plants) shall be considered the next most favorable management option. In doing so, capping the resource(s) will ensure that indirect impacts from increased public availability to these sites are avoided. Plans for capping identified cultural resources shall be submitted to and approved by the County prior to map recordation.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Cultural Resources (continued) 6.5-2 (continued): Cultural Resources Policy 3 Reduce adverse impacts to significant archaeological resources that cannot be protected in place through data recovery excavations. Implementation Measure 3.1 If avoidance and/or preservation in place of known prehistoric and historical archaeological resources is not a feasible management option, the project proponent shall ensure that potentially significant archaeological resource(s) and site(s) shall be investigated pursuant to the standards, guidelines, and principles of the Advisory Council's <i>Treatment of Archaeological Properties: A Handbook</i> (ACHP 1980). Prior to grading final for each implementing project, the project applicant shall retain a qualified archaeologist who meets the <i>Secretary of Interior's Standards and Guidelines</i>, and shall use the project's Research Design detailed in the Phase I Cultural Resources Survey Report for the Travertine Point Specific Plan (Applied EarthWorks 2008) to guide the implementation of a Phase II Testing and Evaluation Program. In general terms, the Phase II Testing and Evaluation Program shall be designed to further define site boundaries and to assess the structure, content, nature, and depth of subsurface cultural deposits and features. Emphasis shall also be placed on assessing site integrity and the site's potential to address regional archaeological research questions. These data shall then be used to address the NRHP/CRHR eligibility requirements for the archaeological resource and make recommendations as to the suitability of the resource for listing on either the NRHP/CRHR. Prior to grading final for each implementing project and after approval of the project's various cultural resources survey reports by the County, the project applicant shall retain a qualified archaeologist to complete the Phase II Testing and Evaluation Program as specified in the project's Phase II Testing and Evaluation Proposal and Research Design and prior to the issuance of a project grading permit. The results of this Phase II Testing Program shall be presented in a technical report that follows the State of California Office of Historic Preservation <i>Archaeological Resource Management Report Recommended Contents and Format Guidelines</i> (California 1990). The Phase II Report shall be submitted to the County's Planning Department for review and comment and the Torres-Martinez Desert Cahuilla Indians prior to the issuance of a project-grading permit. If the resource is determined to be ineligible for listing on the NRHP or CRHR upon completion of the Phase II Testing Program, no further cultural resources management of this resource would be required. Implementation Measure 3.2 A participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during Phase II archaeological excavations involving all sites of Native American concern.</p>						



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Cultural Resources (continued) 6.5-2 (continued): Implementation Measure 3.2 A participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during Phase II archaeological excavations involving all sites of Native American concern. Implementation Measure 3.3 If the cultural resource is identified as being potentially eligible for listing on either the NRHP or CRHR, and project designs cannot be altered to avoid impacting the site, a Phase III Data Recovery Program to mitigate project effects shall be initiated. A Data Recovery Treatment Plan detailing the objectives of the Phase III Program shall be developed and shall contain specific testable hypotheses pertinent to the project's Research Design and relative to the site(s) under study. The Phase III Data Recovery Treatment Plan shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to implementation of the Data Recovery Program. After approval of the Treatment Plan, the Phase III Data Recovery Program for affected, eligible site(s) shall be completed. Typically, a Phase III Data Recovery Program involves the excavation of a statistically representative sample of the site(s) to preserve those resource values that qualify the site(s) as being eligible for listing on the NRHP/CRHR. Again, participant-observer(s) from the Torres-Martinez Desert Cahuilla Indians shall be present during archaeological data-recovery excavations involving sites of Native American concern. At the conclusion of the Phase III Program, a Phase III Data Recovery Report shall be prepared, following the State of California Office of Historic Preservation <i>Archaeological Resource Management Report Recommended Contents and Format Guidelines</i> (California 1990). The Phase III Data Recovery Report shall be submitted to the County's Planning Department, the Torres-Martinez Desert Cahuilla Indians, if applicable, and the SHPO for review and comment prior to the issuance of a project-grading permit. Implementation Measure 3.4 All archaeological materials recovered during implementation of the project's Phase II Testing or Phase III Data Recovery programs shall be processed, including cleaning and cataloging, detailed description, and analysis, as appropriate. Following completion of laboratory and analytical procedures, all project-related collections shall be suitably packaged and transferred to a curation facility that meets the standards of 36 CFR 79 for long-term storage. Materials to be curated include archaeological specimens and samples, field notes, feature and burial records, maps, plans, profile drawings, photo logs, photographic negatives, consultants' reports of special studies, and copies of the final technical reports.</p>						



Impact Category/Mitigation Measures Cultural Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-2 (continued):</p> <p>It should be noted that provisions of the Native American Graves Protection Repatriation Act (NAGPRA) pertaining to Native American burials, sacred objects, and objects of cultural patrimony would come into effect when archaeological materials are recovered from lands owned by the Torres-Martinez Desert Cahuilla Indians and managed by the BIA. NAGPRA would also come into effect when ownership of the collections from anywhere within the Travertine Specific Plan study area is transferred to a curation repository that receives federal funding.</p> <p>Cultural Resources Policy 4</p> <p>Ensure proper identification and treatment of cultural resources discovered during project development and construction.</p> <p>Implementation Measure 4.1 Registered professional archaeologists and culturally affiliated Native Americans, with knowledge in cultural resources, shall monitor all project-related ground-disturbing activities that extend into natural sediments in areas determined to have high archaeological sensitivity for prehistoric resources.</p> <p>Prior to grading final for each implementing project, the project applicant shall include in its mitigation plan provisions for the identification and evaluation of archaeological resources inadvertently discovered during construction. If buried archaeological resources are uncovered during construction, all work shall be halted in the vicinity of the archaeological discovery until a registered professional archaeologist can visit the site of discovery and evaluate the significance of the archaeological resource.</p> <p>Implementation Measure 4.2 If the archaeological resource is determined to be a potentially significant cultural resource, the project proponent's mitigation plan shall include provisions for the preparation and implementation of a Phase III Data Recovery Program, as well as disposition of recovered artifacts, in accordance with Cultural Resources Policy 3 Implementation Measure 4, above. The mitigation plan shall be reviewed and approved by the County prior to grading final.</p>						



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-2 (continued):</p> <p>Cultural Resources (continued)</p> <p>Implementation Measure 4.3 In the event of an accidental discovery of any human remains in a location other than a dedicated cemetery on privately owned or State-owned land, the steps and procedures specified in Health and Safety Code Section 7090.5, <i>State CEQA Guidelines</i> 15064.5(d), and Public Resources Code Section 5097.98 shall be implemented. Specifically, in accordance with Public Resources Code (PRC) Section 5097.98, the Riverside County Coroner shall be notified within 24 hours of the discovery of potentially human remains. The Coroner shall then determine within two working days of being notified if the remains are subject to his or her authority. If the Coroner recognizes the remains to be Native American, he or she shall contact the NAHC by phone within 24 hours, in accordance with PRC Section 5097.98. The NAHC shall then designate a Most Likely Descendant (MLD) with respect to the human remains within 48 hours of notification.</p> <p>The MLD shall then have the opportunity to recommend to the project proponent means for treating or disposing, with appropriate dignity, the human remains and associated grave goods within 24 hours of notification. Whenever the NAHC is unable to identify a MLD, or the MLD fails to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the MLD and the mediation provided for in subdivision (k) of PRC Section 5097.94 fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall re-enter the human remains and items associated with Native American burials with appropriate dignity on the property in a location not subject to further subsurface disturbance.</p> <p>It should be noted in the event that Native American human remains are inadvertently discovered during the County-permitted, project-related construction activities, there would be unavoidable significant adverse impacts to these resources. Implementation of the Cultural Resources Policies 1, 2, and 3 and their corresponding implementation measures would, however, reduce impacts to other types of archaeological resources to a level that is less than significant.</p> <p>Implementation Measure 4.4 The treatment and management of potential TCPs identified with the Traverline Point Specific Plan study area shall be conducted through extensive consultation with concerned Native American groups and organizations. These consultation efforts shall be conducted utilizing the County of Riverside 5.5B 78 consultation process.</p>						



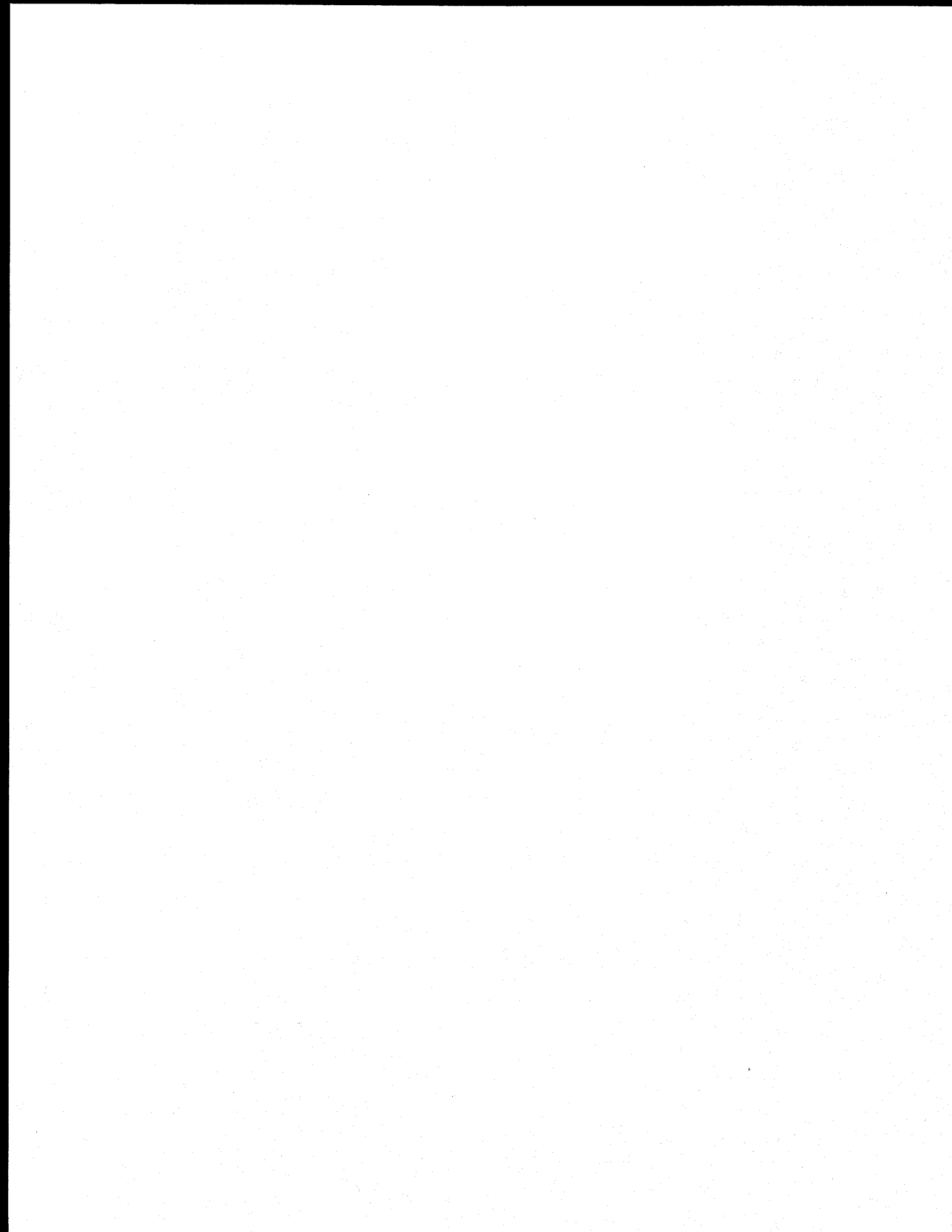
Impact Category/Mitigation Measures Cultural Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-2 (continued): Cultural Resources Policy 5 Ensure that the project proponent shall bear all costs associated with cultural resources management within the County's jurisdiction. Implementation Measure 5.1. The project proponent shall bear all expenses related to the identification, evaluation, and treatment of cultural resources directly or indirectly affected by project-related construction activity. Such expenses may include pre-field planning, field work, post-field analysis, research, intern and summary report preparation, and final report production (including draft and final versions), and costs associated with the curation of project documentation and the associated artifact collections. Implementation Measure 5.2. Prior to grading final, on behalf of the County and the project applicant, the final technical reports detailing the results of the Phase II Testing or Phase III Data Recovery programs shall be submitted to the appropriate Archaeological Information Centers of the California Historical Resources Inventory System for their information and where they would be available to other researchers. Final Phase III Data Recovery Reports shall also be submitted to local libraries, schools, and historical societies to enable the general public to learn about their local cultural heritage.</p>	Significant	Prior to grading final	Riverside County Planning Department/Naive American Heritage Commission/County Park and Open Space District		Less than Significant	
<p>6.5-3: Prior to grading final, the following sites shall be tested and evaluated in consultation with the Torres-Martinez Desert Cahuilla Indians as required, and pursuant to the requirements of Phase II Archaeological standards and practices, as approved by Riverside County, for the sites to determine integrity, data potential and significance: CA-RIV-8891 (33-17082), CA-RIV-8894 (33-17085), CA-RIV-8895 (33-17086), CA-RIV-8896 (33-17087), CA-IMP-8784 (13-009821), CA-IMP-8785 (13-009822), CA-IMP-8786 (13-009823), CA-IMP-92, CA-IMP-100, and CA-IMP-2636.</p>	Significant	Prior to grading final	Riverside County Planning Department/Naive American Heritage Commission/County Park and Open Space District		Less than Significant	
<p>6.5-4: Consultation and in conjunction with the Torres-Martinez Desert Cahuilla Indians is recommended to ascertain if Phase II Testing and Evaluation is warranted for CA-IMP-30 to assess the site's content, depth, and integrity for cultural deposits, as well as data removal. It is also recommended that the modern graffiti be carefully removed from Travertine Rock in its entirety, with special care not to damage the prehistoric rock art. It is also recommended that aesthetically pleasing and protective fencing be placed around Travertine Rock. And finally, Travertine Rock should be formally nominated as a Traditional Cultural Property (TCP).</p>	Significant	Prior to grading final	Riverside County Planning Department/Naive American Heritage Commission/County Park and Open Space District		Less than Significant	



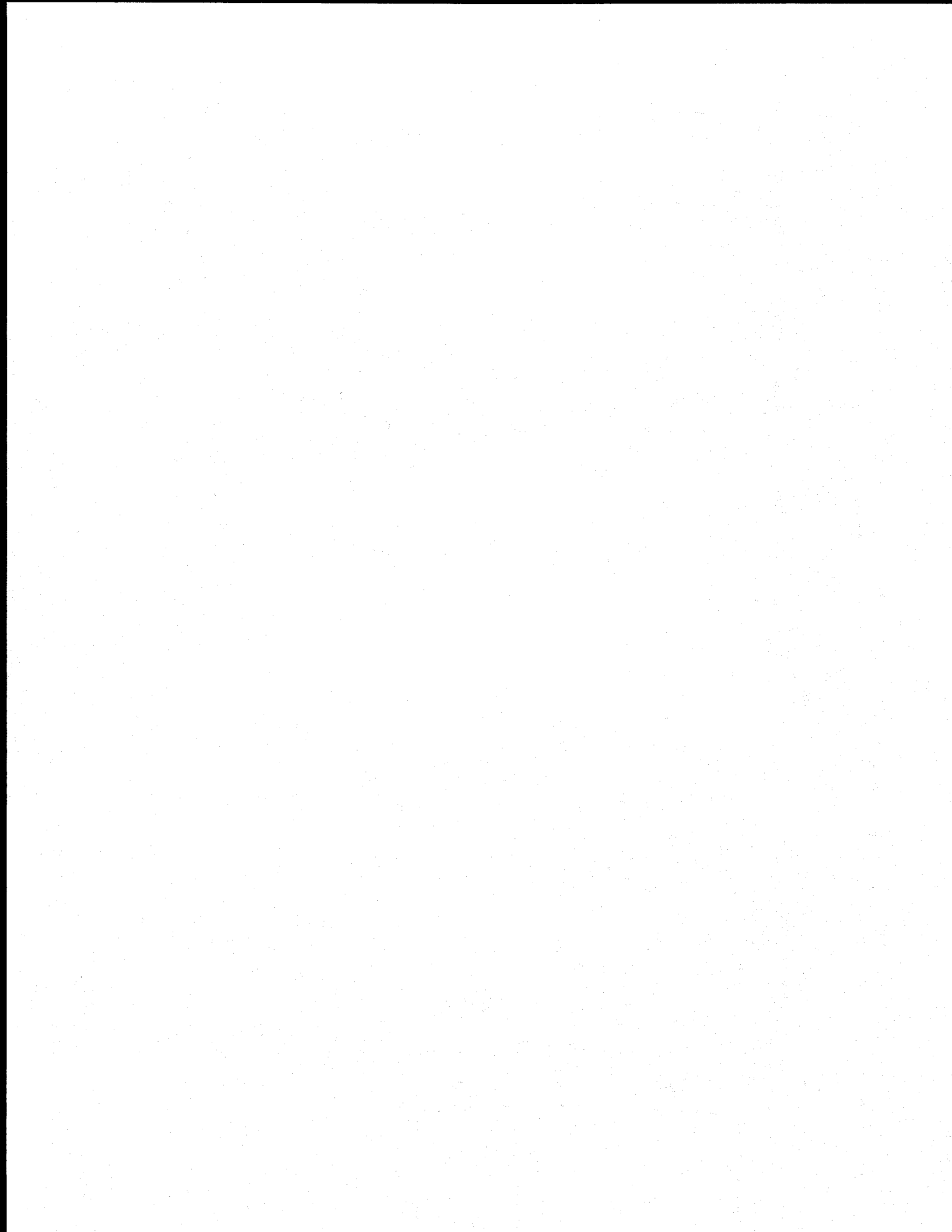
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Cultural Resources (continued)</p> <p>6.5.5: If avoidance and/or preservation in place of cultural resources is not possible, the following mitigation measures shall be initiated for each impacted site:</p> <p>(1) A participant-observer from the appropriate Indian Band or Tribe shall be used during archaeological testing or excavation in the project site.</p> <p>(2) Prior to grading final, the project applicant shall develop a test level research design detailing how the cultural resource investigation shall be executed and providing specific research questions that shall be addressed through the excavation program. In particular, the testing program shall characterize the site constituents horizontal and vertical extent, and, if possible, period of use. The testing program shall also address the California Register and National Register eligibility of the cultural resource and make recommendations as to the suitability of the resource for listing on either register. The research design shall be submitted to the County of Riverside Regional Park and Open-Space District or the County of Imperial Planning Department, as appropriate, for review and comment. For sites determined through the testing program to be ineligible for listing on either the California or National Register, execution of the testing program will suffice as mitigation of project impacts to this resource.</p> <p>(3) Prior to the issuance of a grading permit issuance for each implementing project, and after approval of the research design, the project applicant shall complete the excavation program as specified in the research design. The results of this excavation program shall be presented in a technical report that follows the County of Riverside outline for Archaeological Testing. The Test Level Report shall be submitted to the County of Riverside Regional Park and Open-Space District or the County of Imperial Planning Department, for review and comment. If cultural resources that would be affected by the project are found ineligible for listing on the California or National Register, test level investigations will have depleted the scientific value of the sites and the project can proceed.</p> <p>(4) If the resource is identified as being potentially eligible for either the California or National Register, and project designs cannot be altered to avoid impacting the site, a Treatment Program to mitigate project effects shall be initiated. A Treatment Plan detailing the objectives of the Treatment Program shall be developed. The Treatment Plan shall contain specific, testable hypotheses relative to the sites under study and shall attempt to address the potential of the sites to address these research questions. The Treatment Plan shall be submitted to the County of Riverside Regional Park and Open-Space District or Imperial Planning Department, as appropriate, for review and comment.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/Native American Heritage Commission/County Park and Open Space District</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures (Cultural Resources (continued))	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-5 (continued):</p> <p>(5) After approval of the Treatment Plan, the Treatment Program for affected, eligible sites shall be initiated. A Treatment Program typically involves excavation of a statistically representative sample of the site to preserve those resource values that qualify the site as being eligible for the California or National Register. At the conclusion of the excavation or research program, a Treatment Report, following the outline of the County of Riverside for Archaeological Mitigation or Data Recovery, shall be developed. This data recovery report shall be submitted to the County of Riverside Regional Park and Open-Space District or Imperial Planning Department, as appropriate, for review and comment.</p>						
<p>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:</p> <p>(1) Pay \$25,000 annually to the Torres Martinez Desert Cahuilla Indians (TMDCI), for 10 years for the expansion of the TMDCI conservation/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.</p> <p>(2) Provide authorization for the TMDCI patrols to access the applicant's property and patrol the edge of the project;</p> <p>(3) Create a volunteer Citizens Patrol, similar to the successful volunteer patrols in other Coachella Valley cities and communities, to supplement the TMDCI patrols along the boundary of the project with adjacent park lands. A local Community Policing office would be located on the Travertine Point Specific Plan site to support this program; and</p> <p>(4) Create a volunteer docent program, similar to the successful volunteer programs in other Coachella Valley cities and communities, to assist in educating residents on the importance and sensitivity of nearby cultural resources and park lands.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>Riverside County Planning Department/TMDCI</p>		<p>Less than Significant</p>	



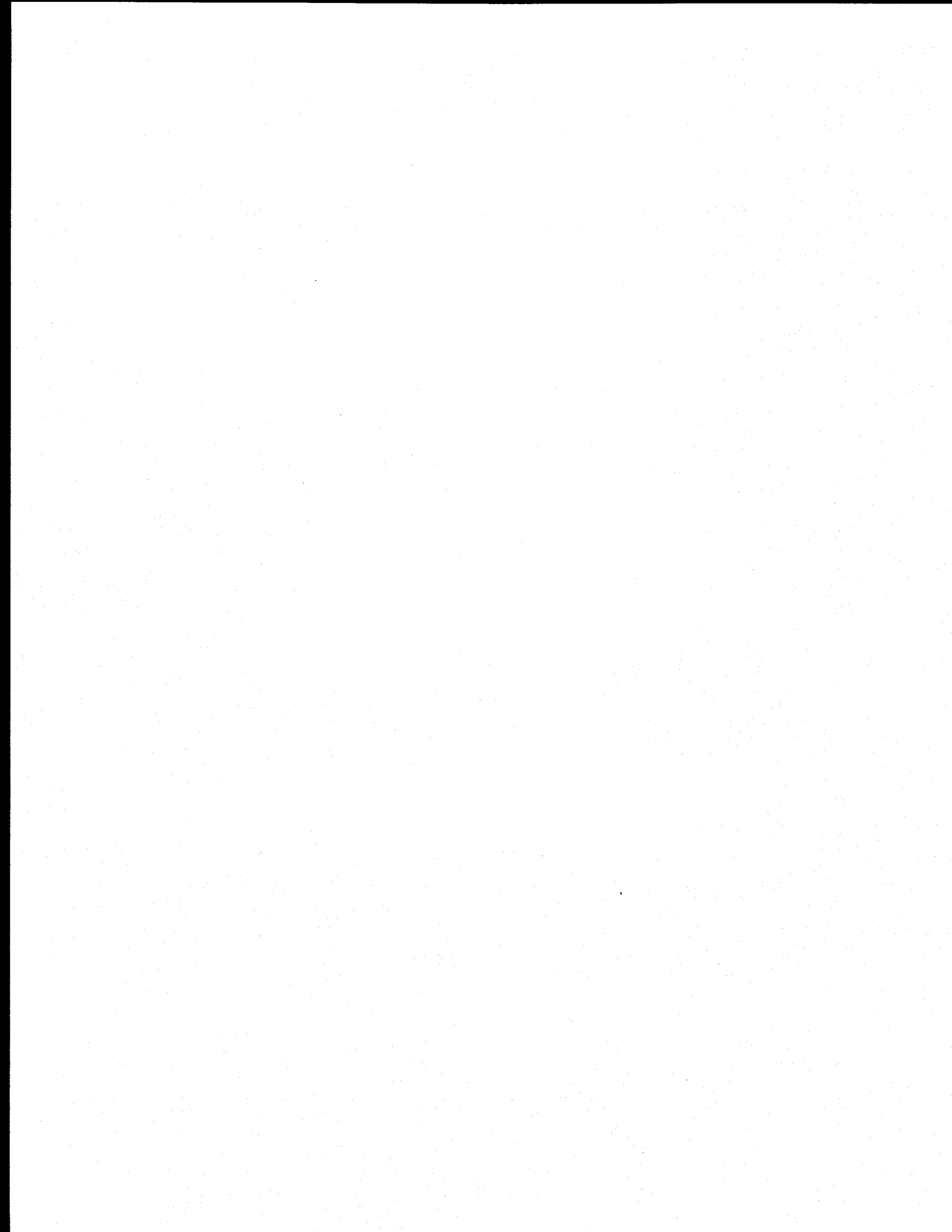
Impact Category/Mitigation Measures Cultural Resources (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.5-7: Prior to grading final for each implementing project, the areas under consideration shall be monitored by a County-approved and qualified paleontologist, who shall develop a formal agreement with a recognized museum repository, such as the Natural History Museum of Los Angeles County Vertebrate Paleontology Department (LACM). Prior to earth moving activities, the paleontologist shall coordinate with appropriate construction contractor personnel.</p> <p>Should paleontological resources be discovered during earthmoving activities, work shall cease and no further disturbance shall occur in the immediate vicinity of the uncovered resource and an area 50 feet in diameter of the find. A paleontologist shall be contacted to investigate the find and, if deemed necessary, collect uncovered paleontological resources, curate any resources collected with an appropriate repository, and file a report with the appropriate Planning Department documenting any paleontological resources that are found. Upon completion of the field investigation, collection of the resources, if necessary, and clearance of the find by the paleontologist, earthmoving activities may resume.</p>	Significant	Prior to grading final	County Planning Department		Less than Significant	
<p>6.5-8: If human remains are encountered during a public or private construction (earthmoving) activity, State Health and Safety Code 7050.5 states that no further disturbance shall occur until the Riverside or Imperial County Coroner has made a determination of origin and disposition pursuant to Public Resources Code Section 5097.98. The Riverside County Coroner must be notified within 24 hours.</p> <p>If the coroner determines that the burial is not historic, but prehistoric, the Native American Heritage Commission (NAHC) must be contacted to determine the most likely descendant (MLD) for this area. The MLD may become involved with the disposition of the burial following scientific analysis.</p> <p>Upon clearance by the coroner and the NAHC for Native American remains, construction (earthmoving) activities may resume.</p>	Significant	During construction	County Planning Department		Less than Significant	



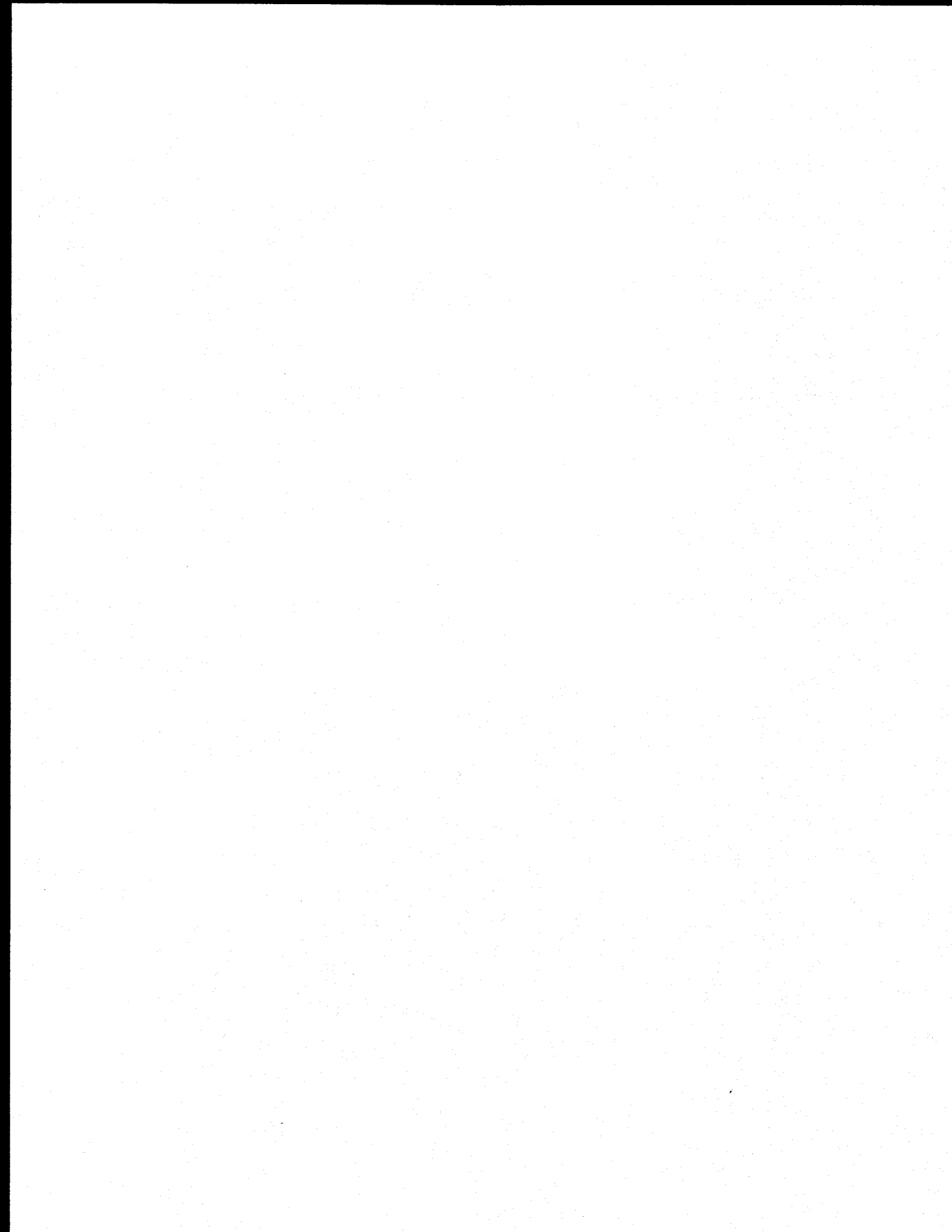
Impact Category/Mitigation Measures Geology and Soils	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.6-1: Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific seismic shaking including provisions for appropriate construction techniques, including adherence to local codes and the California Building Code's design criteria for construction within former Seismic Zone 4, now Seismic Design Category E or F, shall be prepared by California-registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.</p>	Significant	Prior to implementing project approval	County Planning Department/ Department of Public Works		Less than Significant	
<p>6.6-2: Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations shall analyze site-specific lateral spread landslide potential (in accordance with Special Report 117 and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. This shall include adherence to the California Building Code's design criteria for construction within Seismic Design Category E or F. This study and all appropriate recommendations shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.</p>	Significant	Prior to implementing project approval	County Planning Department/ Department of Public Works		Less than Significant	
<p>6.6-3: Prior to the issuance of grading permits and in compliance with the requirements of Riverside County ordinances, a detailed design-level geotechnical report(s) shall be submitted to the County's Geologist for review and approval concurrent with each tract map or parcel map application. 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, (d) tile drain and subdrainage system conditions, and (e) slope stability and rockfall hazards. The measures recommended in the final geotechnical report(s) shall be identified on applicable grading plans and shall be implemented to the satisfaction of the County Geologist. Grading shall be performed in accordance with applicable provisions of the Standard Grading Specifications contained in the design-level geotechnical reports.</p>	Significant	Prior to grading final	County Planning Department/ Department of Public Works		Less than Significant	



Impact Category/Mitigation Measures Geology and Soils (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.6-4: Prior to implementing project approval and grading final, site-specific hydrologic, geotechnical and engineering geologic investigations shall analyze site-specific soils for erosion, sedimentation and debris flow potential (in accordance with local codes and the 2007 CBC) and (as appropriate) include provisions for appropriate construction techniques. These studies and all appropriate recommendations shall be prepared by California registered geotechnical engineers, registered civil engineers, and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval.</p>	<p>Significant</p>	<p>Prior to implementing project approval and grading final</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.6-5: Prior to grading final for each implementing project, the project applicant shall submit a copy of the Notice of Intent (NOI) to obtain coverage under the Construction General Permit of the National Pollutant Discharge Elimination System (NPDES) issued by the Colorado River Regional Water Quality Control Board (CRRWQCB). The applicant shall submit a copy of the NOI and shall provide a copy of the required Storm Water Pollution Prevention Plan (SWPPP) to Riverside or Imperial County Department of Public Works (or equivalent) for review and approval. A copy of the SWPPP must be maintained on the project site during grading and construction activities. The Riverside County Planning Department or Imperial County Department of Public Works shall review the documentation and shall conduct site inspections during construction to monitor for compliance with the SWPPP. The project's SWPPP shall also include the following provisions:</p> <ul style="list-style-type: none"> • Pre-Grading: The portions of the site to be graded shall be pre-watered to a depth designated by the soils engineer prior to the onset of grading operations. • Pre-Grading: Undisturbed areas of biological soil crusts in "non-construction" areas adjacent to proposed roadways, buildings, parking areas, etc., shall be marked so that unnecessary disturbance of the biological soil crusts is minimized. • During Grading: Once grading has commenced, and until grading has been completed, watering of the site and/or other treatment(s) determined to be appropriate shall be ongoing. • Post-Grading: All disturbed areas shall be treated to prevent erosion during the term that the area will remain undeveloped. • Landscape and irrigation shall be installed per future plan submittals. 	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Department of Public Works</p>		<p>Less than Significant</p>	



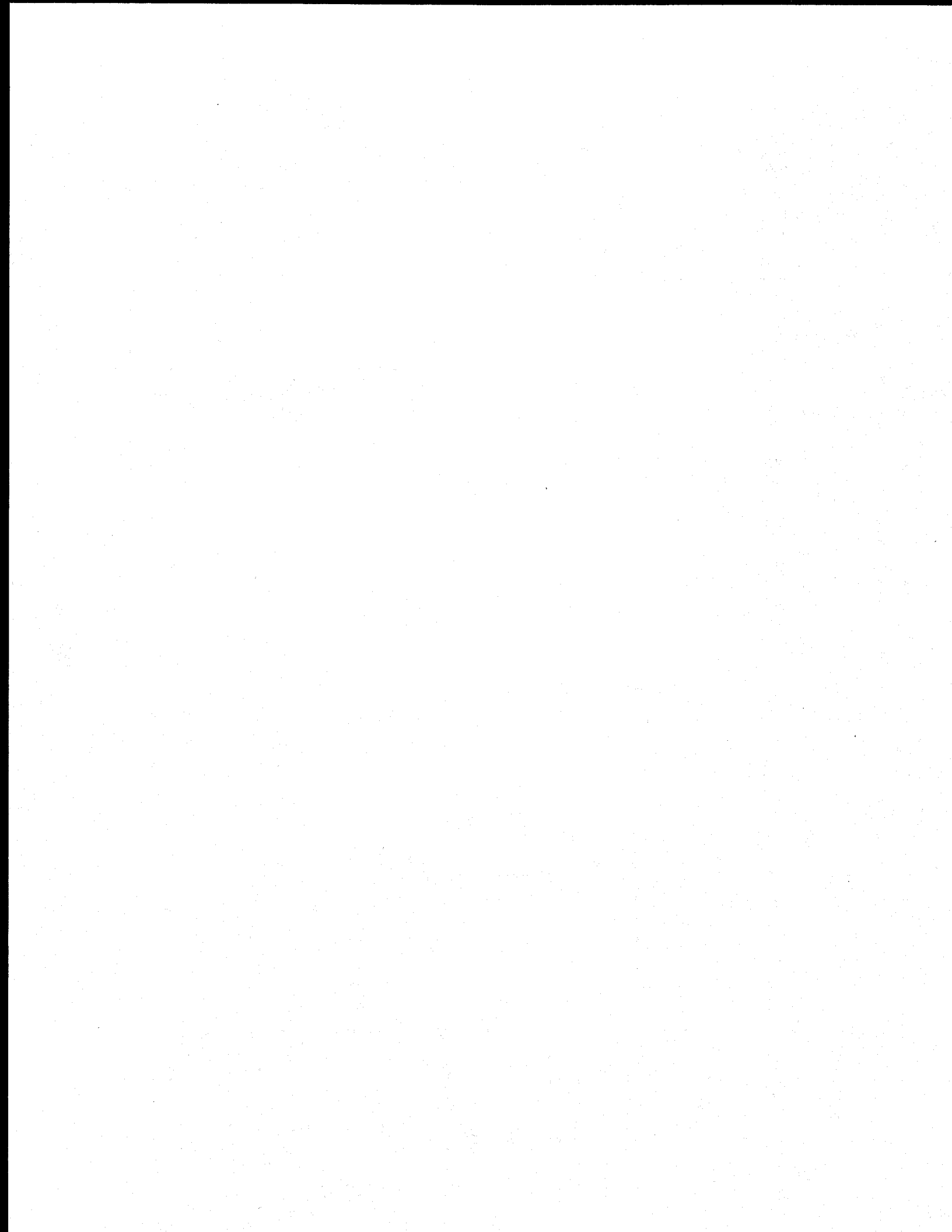
Impact Category/Mitigation Measures (Geology and Soils (Continued))	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.6-6: Prior to grading final for each implementing project, the applicant/owner shall submit and implement a Storm Water Quality Management Plan (SWQMP). The SWQMP shall include the following elements: identification of potential pollutant sources that may affect the quality of the storm water discharges; the proposed design and placement of structural and non-structural best management practices (BMPs) to address identified pollutants; a proposed inspection and maintenance program; and a method for ensuring maintenance of all BMPs over the life of the project. The approved measures shall also be shown on site, building, and grading plans. Maintenance records shall be maintained by the applicant/owner for residential developments, or landowners for commercial developments. Prior to approval of the Land Use Permit, the SWQMP shall be submitted to Riverside County Flood Control and Water Conservation District or Imperial County Department of Public Works and Flood Control Agencies. All measures specified in the plan shall be constructed and operational prior to occupancy clearance. Maintenance records shall be submitted to Riverside County Planning Department or Imperial County Department of Public Works on an annual basis prior to the start of the rainy season and for five years thereafter. After the fifth year, the records shall be maintained by the landowner or applicant/owner, and be made available to Riverside County Planning Department or Imperial County Department of Public Works on request.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Department of Public Works/County Planning Department</p>		<p>Less than Significant</p>	
<p>6.6-7: Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County of Planning Department—Geology or Imperial County Department of Public Works, as appropriate, to identify areas of potential shallow groundwater. The geotechnical studies shall identify appropriate construction techniques (e.g., dewatering, groundwater barriers, et al.) where groundwater is identified within 50 feet of the ground surface.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Department of Public Works/County Planning Department</p>		<p>Less than Significant</p>	
<p>6.6-8: Prior to implementing project approval, site-specific geotechnical investigations shall be prepared and submitted to the Riverside County Planning Department—Geology or the Imperial County Department of Public Works, as appropriate, to identify potential impacts related to subsidence. The geotechnical studies shall identify appropriate construction techniques to be used during grading and building design such as the compaction of soils, modified grading techniques, use of spread footings, the use of post-tensioned slabs, and other methods.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Department of Public Works/County Planning Department</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures Geology and Soils (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.6-9: Prior to implementing project approval, site-specific geotechnical and engineering geologic investigations that analyze site-specific soil conditions, including the potential for collapsible soils, shall be prepared by California registered geotechnical engineers and certified engineering geologists, and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works (or equivalent) for review and approval. Recommended mitigations may include over excavation of the subject soils and recompaction on new engineered fill material, possibly pre-saturating the subject soils, and provision of proper surface drainage away from structures and building foundations.	Significant	Prior to implementing project approval	County Department of Public Works/County Planning Department		Less than Significant	
6.6-10: Prior to implementing project approval, site-specific geotechnical studies, including soil expansion tests, shall be prepared and submitted to the Riverside County Planning Department—Geology or Imperial County Department of Public Works, as appropriate, and shall include appropriate construction methods to reduce impacts from expansive soils.	Significant	Prior to implementing project approval	County Department of Public Works/County Planning Department		Less than Significant	
Hazardous and Hazardous Materials						
6.7-1: Proposed school sites shall undergo subsequent environmental review prior to construction as required by the Coachella Valley Unified School District (CVUSD). Final locations shall be subject to the review and approval of the CVUSD subject to the requirements of the California Department of Education (CDE) and the Department of Toxic Substances Control (DTSC).	Significant	Prior to construction	County Planning Department/DTSC/CDE/DTSC		Less than Significant	
6.7-2: Prior to implementing project approval and grading final, future applicants for implementing projects and grading permits on the project site shall conduct a site survey by a County-approved licensed professional to identify and remediate all contaminated soils on the project site. All pesticide residue measured in on-site soils shall not exceed the applicable Preliminary Remediation Goals and the survey report shall be approved and documented by the Riverside County Department of Environmental Health or the Imperial County Public Health Department.	Significant	Prior to implementing project approval and grading permit	Riverside County Planning Department		Less than Significant	
6.7-3: Prior to implementing project approval, the applicant shall submit plans to the CVMVCD which identify potential breeding sources for mosquitoes (such as standing water in street catch basins, subdivision drains, roadside ditches, flood channels, ravines, and similar places on public right-of-way and parks) that demonstrate designs that would minimize such breeding sources.	Significant	Prior to implementing project approval	CVMVCD		Less than Significant	
6.7-4: Prior to building final inspection for each development phase, the homeowner's associations (HOAs) shall coordinate with the CVMVCD to provide public pamphlets that provide information to minimize mosquito breeding grounds and the HOAs shall work with the CVMVCD to control the mosquito population.	Significant	Prior to building final inspection	County Building and Safety Department		Less than Significant	

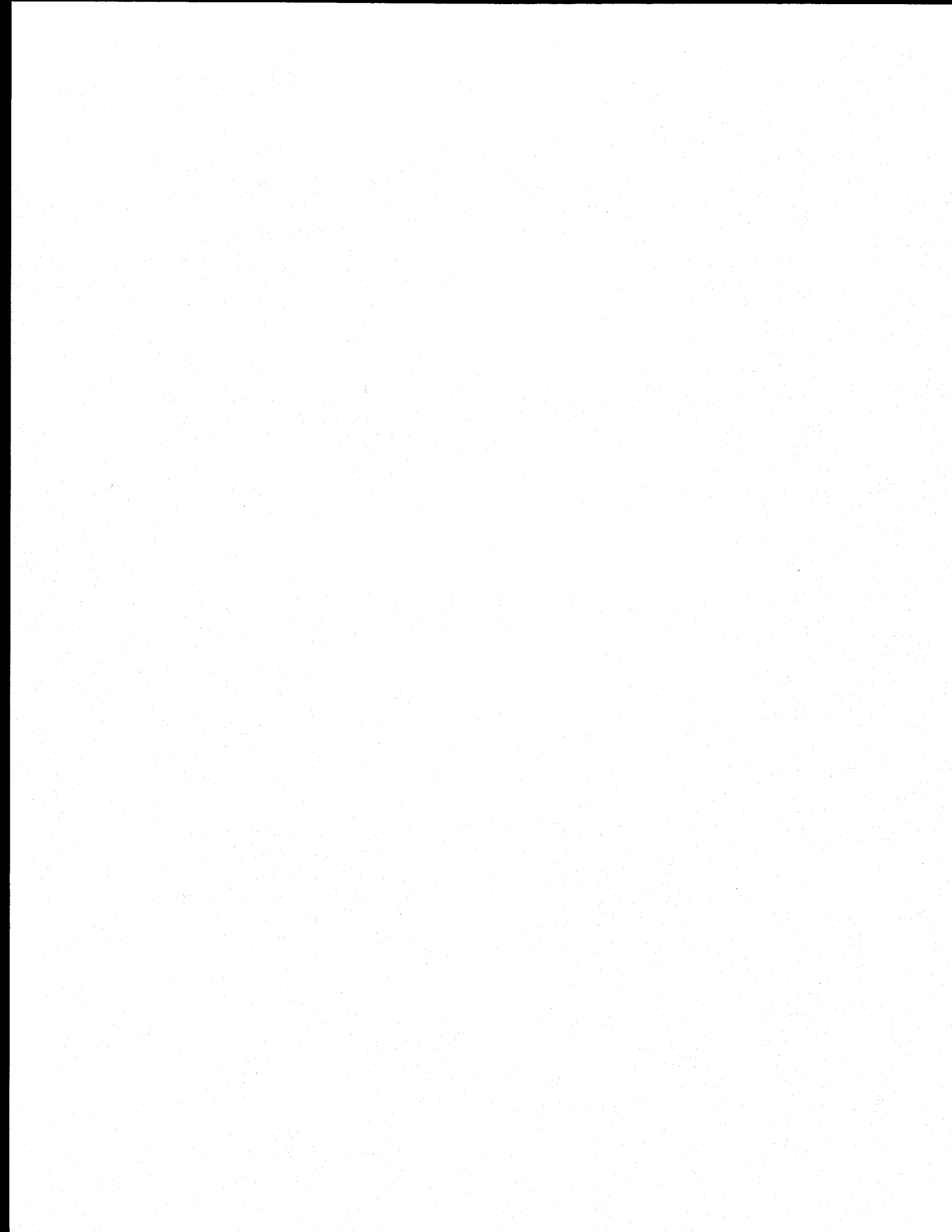


Impact Category/Mitigation Measures Hazardous and Hazardous Materials (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.7-5: Work crews shall use respirators during project cleaning, grading, and excavation operations in accordance with California Division of Occupational Safety and Health regulations. The cabs of grading and construction equipment shall be air conditioned.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.7-6: Construction roads shall be paved, when possible, to reduce fugitive dust and potential exposure to the fungus; or the access road into the project site shall be paved or treated with environmentally safe dust control agents, and where unpaved shall be wetted two times per day to minimize dust.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.7-7: Prior to building final inspection for each planning area, the HOA, in coordination with government authorities (i.e., California Fish and Game), shall prepare public outreach programs and information pamphlets regarding the potential danger of digesting fish and waterfowl tissue that would be contaminated with selenium.	Significant	Prior to building final inspection	County Building and Safety Department		Less than Significant	
Hydrology and Water Quality						
6.8-1: Prior to grading final for each implementing project, a project-specific water quality management plan (WQMP) shall be submitted to Riverside County and/or Imperial County Public Works department for review and approval.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.8-2: Prior to grading final for each implementing project, a detailed operation and maintenance plan shall be submitted to the Riverside County or Imperial County Public Works Department, and Coachella Valley Water District, for review and approval for the as-built project conditions.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.8-3: Prior to grading final for each implementing project, a Storm Water Pollution Prevention Plan (SWPPP) shall be developed and submitted to the Regional Water Quality Control Board for review and approval. The SWPPP shall identify potential sources of pollution and specify runoff controls or BMPs during construction for the purpose of minimizing the discharge of pollutants in stormwater from the construction area. In addition, the SWPPP must identify post-construction control measures and a monitoring plan.	Significant	Prior to grading final	County Building and Safety Department		Less than Significant	
6.8-4: Periodic inspection of the conditions of the channels will need to be performed year round and after significant precipitation events will be required to be performed by each homeowner-owner association (HOA). Annual inspection reports shall be prepared by each HOA, and submitted to and filed with the Coachella Valley Water District by June 30th of each calendar year.	Significant	Periodically and following precipitation events throughout operation	County Planning Department/Public Works Department/HOA		Less than Significant	
6.8-5: Prior to grading final for each implementing project, the applicant shall provide a plan for re-routing or connecting to existing irrigation and drainage facilities. This may include use of or alternation to facilities operated by or within the rights-of-way of other entities. The plan shall be submitted to the appropriate agency (US Bureau of Reclamation, Caltrans, or Coachella Valley Water District) for review and approval.	Significant	Prior to grading final	County Planning Department/County Public Works/US Bureau of Reclamation or Coachella Valley Water District		Less than Significant	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.8-6: During grading, the existing under-drainage system (tile drains) shall be preserved, where possible, to reduce potential adverse effects due to groundwater. Light weight excavation equipment shall be used where excavations come near the existing tile drains to prevent damage to the underdrainage system. Where the tile drains are to be disrupted or exposed during grading, a replacement set of drains will be needed. The grading and construction aspects of the underdrainage system shall be performed under the guidance, observation/documentation, and recommendations of the Project Geologist. A formal evaluation of the installed subdrainage system, including the remaining tile drains, shall be evaluated for operation and flow once grading activities are completed. This report shall be prepared by the Project Geologist, the Project Civil Engineer, or the Project Agricultural/Civil Engineer and submitted to Riverside County for review.</p>	Significant	During construction	County Planning Department/County Public Works		Less than Significant	
<p>6.8-7: The location, nature, and importance of the subdrainage system shall be disclosed to the ultimate owners of the property, so that the property owners can avoid damage to the drains or negatively affect the drains' performance. In addition to disclosure to potential homeowners, tile drains that cross onto private lots shall be protected by one or more of the following mechanisms: the creation of easements, CC&R protocols, identification through flagging or risers, or other suitable mechanisms.</p>	Significant	Prior to occupancy final	County Planning Department		Less than Significant	
<p>6.8-8: Prior to implementing project approval, the applicant shall submit to CVWD for review and approval a hydrologic study that evaluates the potential flows from Un-Named Canyon-Fan 6 and Barton Canyon-Fan 5. This study will identify facilities to be constructed to collect, route and discharge flows in a manner compatible with pre-project/existing conditions across the project site.</p>	Significant	Prior to implementing project approval	County Planning Department/Coachella Valley Water District		Less than Significant	
<p>6.8-9: Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to further define flow conditions related to Channel 4 at SR-865 and for all channels east of SR 865, and provide for the design of such facilities such that discharge is released in a manner consistent with pre-project/existing conditions, or alternatively, provide for storage or discharge flows within the boundaries of the northern portion of the proposed project or off-site with approval and easements from adjacent property owners.</p>	Significant	Prior to implementing project approval	County Planning Department/Coachella Valley Water District		Less than Significant	
<p>6.8-10: Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential erosion issues within the proposed channels to demonstrate that the channels remain stable, maintain their flood conveyance capacity, and do not alter properties upstream of the proposed project.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	



Hydrology and Water Quality (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.9-11:	Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a hydrology report to address potential sediment depositions in the Salton Sea and downstream properties. The report shall provide for design considerations to be implemented in proposed Channels 1, 2 and 3, as appropriate.	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
6.9-12:	Prior to implementing project approval for each phase or district, as appropriate, the applicant shall submit for review and approval a plan for the management, operation and maintenance of the flood control system.	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
Noise							
6.11-1:	Where feasible and consistent with the Riverside County or Imperial County standards, any paving or repaving of off-site roadways that must be conducted in conjunction with implementation of the specific plan should utilize asphalt-rubber paving material consisting of 20 percent recycled rubber or more and 80 percent paving-grade asphalt. Studies have demonstrated that such paving material will reduce traffic noise by as much as 3 to 5 dB(A).	Significant	Prior to implementing project approval	County Transportation Department		Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings	
6.11-2:	With permission from the Riverside County and/or Imperial County Transportation Departments, speed limits on arterials experiencing significant noise impacts off-site should be reduced from existing speed limits. Each 5 mile per hour reduction in the speed limit can decrease the CNEL level by about 1 dB(A).	Significant	Prior to implementing project approval	County Transportation Department		Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings	
6.11-3:	Prior to implementing project approval for each implementing project, for residential lots located within the 60 dB(A) CNEL or greater noise contour in Imperial County; or 65 dB(A) CNEL or greater noise contour or adjacent to a road that is classified as a secondary or larger in Riverside County, an acoustic analysis shall be required to address requirements for determining and mitigating traffic noise impacts to residential structures. The acoustical analysis must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department). Methods that may be implemented to meet the standards include, but are not limited to, providing noise walls of sufficient size to break the line of sight between roadways and residential areas, providing open-space buffers providing natural barriers such as hills, berms, boulders, and dense vegetation, or a combination of these methods.	Significant	Prior to implementing project approval	Riverside County Office of Industrial Hygiene/Imperial County Department of Public Health		Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings	



Impact Category/Mitigation Measures Noise (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.11-4: Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to parking lot noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) - 10-minute noise equivalent level (Leq) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) - 10-minute Leq between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene). Methods that may be employed to reduce parking lot noise may include a noise barrier of sufficient size to break the line of sight, an open-space buffer, a setback, or a combination of methods shall be developed along locations between parking lot noise and exterior usable areas within residential uses where these uses interface.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Office of Industrial Hygiene</p>		<p>Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings</p>	
<p>6.11-5: Prior to implementing project approval for each implementing project, a future noise study is required to address the stationary commercial noise standard as it relates to loading dock noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 45 dB(A) - 10-minute noise equivalent level (Leq) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) - 10-minute Leq between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Methods that may be employed to reduce parking lot noise may include designing loading docks to have either a depressed (i.e., below grade) loading dock area, an internal bay, or a wall to break the line of sight between residential land uses and loading operations.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Office of Industrial Hygiene</p>		<p>Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.11-6: Prior to implementing project approval, a future noise study is required to address the stationary commercial noise standard as it relates to mechanical, electrical, or other related commercial type noise. Facility-related noise as projected to any portion of any surrounding property containing a "habitable dwelling, hospital, school, library, or nursing home," must not exceed the following worst-case noise levels of 65 dB(A) - 10-minute noise equivalent level (L₁₀) between the hours of 10:00 PM to 7:00 AM (nighttime standard); and 65 dB(A) - 10-minute L₁₀ between 7:00 AM and 10:00 PM (daytime standard). The noise study must be received, reviewed, and approved by the appropriate agency (such as the Riverside County Office of Industrial Hygiene or the Imperial County Planning Department) prior to each implementing project approval. Method that may be employed to reduce mechanical, electrical, or other commercial type noise may include locating equipment away from receptor areas, proper selection and sizing of equipment, installation of equipment with proper acoustical shielding, and incorporating the use of parapets into building design.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Office of Industrial Hygiene</p>		<p>Significant and Unavoidable except where otherwise indicated in EIR/CEQA findings</p>	
<p>6.11-7: Prior to grading final for each implementing project, the construction contractors shall use best management practices (BMPs) to reduce vibration due to specific plan construction activities by implementing the following:</p> <ul style="list-style-type: none"> • identifying all uses in the vicinity that may be adversely affected by the vibrations, including residences built in earlier phases and non-residential land uses that may contain vibration-sensitive equipment; • installing seismographs at the aforementioned sensitive locations to ensure that vibration thresholds are not exceeded, and/or that construction activities would not cause structural damage or adversely affect vibration-sensitive equipment; • adjusting vibration amplitudes of the construction equipment used on site such as limiting the number of pieces operating in one location at the same time in areas where conditions would affect structures, the sensitivity of vibration sensitive equipment, and/or human tolerance; • utilizing cast-in-drilled-hole (CIDH) piles in lieu of pile driving; • providing notification to the residential land uses directly adjacent to the project site, at least 10 days in advance, of construction activities that are anticipated to result in vibration levels above the thresholds; • conducting demolition, earthmoving, and ground-impacting operations sequentially, so as not to have two such operations occurring on the project site at the same time; 	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Planning Department</p>		<p>Significant and Unavoidable</p>	



4.0 Mitigation Monitoring Program

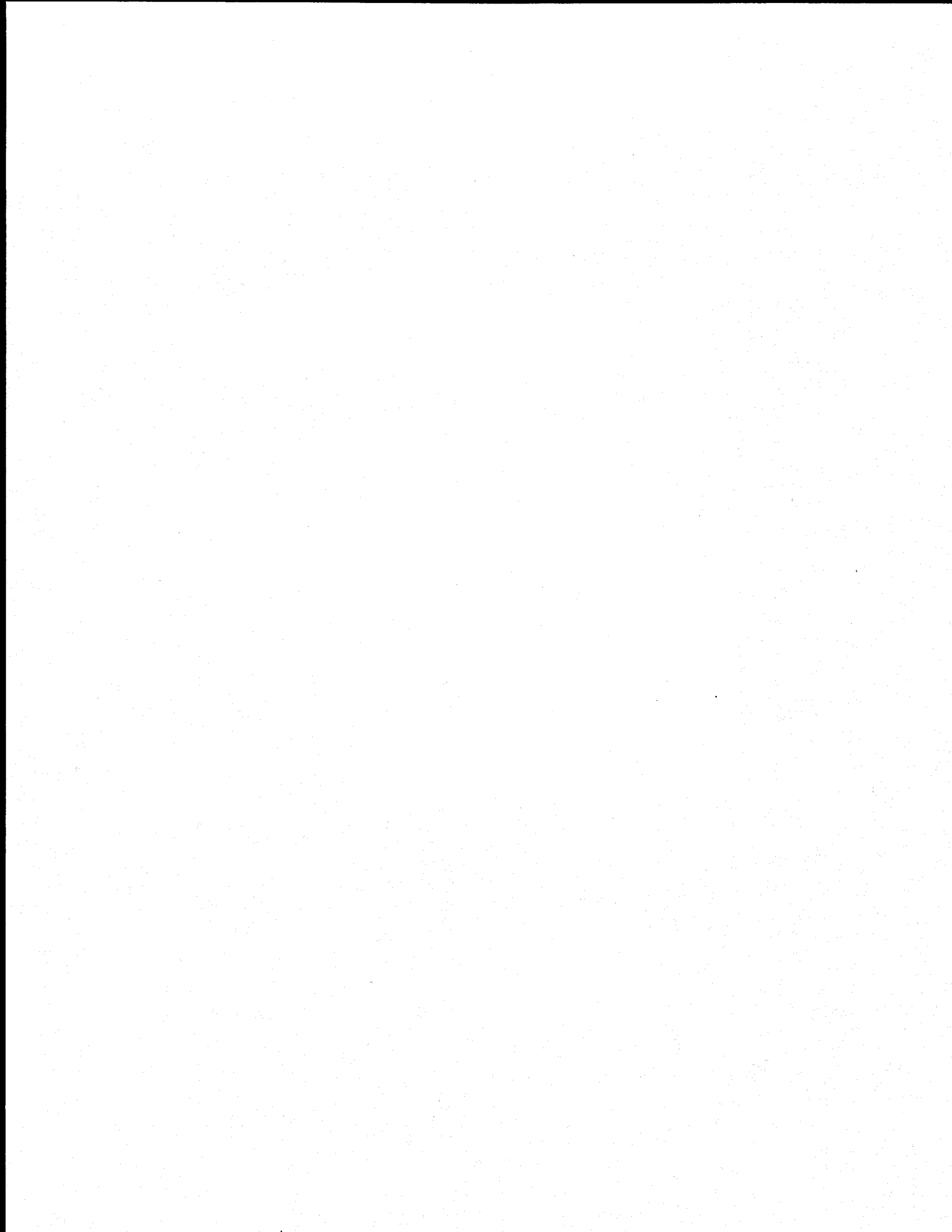
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.11-7 (continued):</p> <ul style="list-style-type: none"> selecting a demolition method to minimize vibration, where possible (e.g., sawing masonry into sections rather than demolishing it by pavement breakers); and/or operating earth-moving equipment on the construction site as far away as possible or practical from vibration-sensitive sites; using wheeled or rubber-tracked equipment, and using small pieces of equipment such as smaller bulldozers when possible. <p>The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor the conditions to determine that these BMPs are being utilized correctly and efficiently in order to reduce vibration impacts throughout the proposed project.</p>	Significant	Prior to grading final	County Planning Department		Significant and Unavoidable	
<p>6.11-8: The project applicant shall require by contract specifications that the following construction best management practices (BMPs) be implemented by contractors to reduce construction noise levels:</p> <ul style="list-style-type: none"> Two weeks prior to the commencement of construction, notification must be provided to surrounding land uses within 1,000 feet of a project site disclosing the construction schedule, including the various types of activities that would be occurring throughout the duration of the construction period. Ensure that construction equipment is properly muffled according to industry standards and in good working condition. Place noise-generating construction equipment and locate construction staging areas away from sensitive uses, where feasible. Schedule high noise-producing activities between the hours of 8:00 AM and 5:00 PM to minimize disruption to sensitive uses. Implement noise attenuation measures to the extent feasible, which may include, but are not limited to, temporary noise barriers or noise blankets around stationary construction noise sources. Use electric air compressors and similar power tools rather than diesel equipment, where feasible. Construction-related equipment, including heavy-duty equipment, motor vehicles, and portable equipment, shall be turned off when not in use for more than 30 minutes. 						



Impact Category/Mitigation Measures Noise (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.11-9 (continued):</p> <ul style="list-style-type: none"> Construction hours, allowable workdays, and the phone number of the job superintendent shall be clearly posted at all construction entrances to allow for surrounding owners and residents to contact the job superintendent. If the Riverside County or Imperial County or the job superintendent receives a complaint, the superintendent shall investigate, take appropriate corrective action, and report the action taken to the reporting party. Contract specifications shall be included in the proposed project construction documents, which shall be reviewed by Riverside County or Imperial County prior to grading final. <p>The Riverside County Building and Safety Department or the Imperial County Division of Building and Safety shall monitor and oversee the BMPs to verify that they are implemented correctly by the construction contractors.</p>						
<p>6.11-9: Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County Building and Safety Department or Imperial County Planning and Development Services Department, as appropriate, indicating that construction staging areas along with the operation of earthmoving equipment within the project area is located as far away from vibration- and noise-sensitive sites as possible.</p>	Significant	Prior to grading final	County Building and Safety Department		Significant and Unavoidable	
<p>6.11-10: Prior to grading final for each implementing project, the project applicant shall submit copies of proposed project construction documents and specifications to the Riverside County or Imperial County Planning and Development Services Department, as appropriate, indicating that heavily loaded trucks used during construction would be routed away from residential streets to the extent feasible.</p>	Significant	Prior to grading final	County Building and Safety Department		Significant and Unavoidable	
<p>6.11-11: Prior to building final inspection, permit applicants shall provide to the County Planning Department a disclosure document form to be provided to all future property owners (residential and commercial), disclosing that the property is subject to overflight from military aircraft. The disclosure form shall be provided to all future property owners within the Project site, after review and approval by the County Planning Department.</p>	Significant	Prior to building final inspection	County Planning Department		Significant and Unavoidable	



Impact Category/Mitigation Measures Population and Housing	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.12-1: The specific plan's implementation measures shall be modified as follows:</p> <ul style="list-style-type: none"> • Prior to the issuance of building permit for the 3,133rd residential unit, 117 affordable housing units or credits shall be available. • Prior to issuance of building permit for the 6,638th residential unit, 200 (317 cumulative) affordable housing units or credits shall be available. • Prior to the issuance of building permit for the 9,628th residential unit, 516 (833 cumulative) affordable housing units or credits shall be available. • Prior to the issuance of building permit for the 15,160th residential unit, 583 (1,416 cumulative) affordable housing units or credits shall be available. • Prior to the issuance of building permit for the 16,405th residential unit, 250 (1,666 cumulative) affordable housing units or credits shall be available. 	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	
<p>6.12-2: The specific plan's implementation measures shall be modified as follows:</p> <ul style="list-style-type: none"> • Prior to the issuance of building permit for the 2,250th residential unit, 89,000 square feet of nonresidential development is required to be built and occupied. • Prior to issuance of building permit for the 6,500th residential unit, 440,500 square feet (929,500 square feet cumulative) of non-residential development is required to be built and occupied. • Prior to issuance of building permit for the 9,500th residential unit, 1,100,000 square feet (1,629,500 square feet cumulative) of non-residential development is required to be built and occupied. • Prior to issuance of building permit for the 13,500th residential unit, 2,400,000 square feet (4,029,500 square feet cumulative) of non-residential development to be built and occupied. • Prior to the build out of 15,000th residential unit, 1,000,000 square feet (5,029,500 square feet cumulative) of non-residential development is required to be built and occupied. 	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department</p>		<p>Less than Significant</p>	



4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measure Public Services - Fire Protection	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.13-1: Prior to final building inspection for the 2,000 th residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.	Significant	Prior to implementing project approval	County Fire Department		Less than Significant	
6.13-2: Prior to final building inspection for the 4,000 th residential unit within the Riverside County portion of the proposed project, a fire station for the RCFD or to the satisfaction of the RCFD shall be provided.	Significant	Prior to implementing project approval	County Fire Department		Less than Significant	
6.13-3: Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide fire protection services to the portion of the project site within the Salton Community Service District service area. This agreement shall address the timing of the construction of the fire station to be provided to the Salton City Community Services District.	Significant	Prior to implementing project approval	County Fire Department		Less than Significant	
6.13-4: Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire-flow plans to the RCFD and SCSD, as appropriate, which include fire-flow requirements within commercial projects to be based on square footage and type of construction associated with development of the structures.	Significant	Prior to building final inspection	County Fire Department		Less than Significant	
6.13-5: Prior to final building inspection for each implementing project, applicants for implementing projects shall provide final fire flow plans to the RCFD ensuring that all water mains and fire hydrants providing required fire flows would be constructed in accordance with the appropriate development schedule sections of Riverside County Ordinance No. 460 and/or Ordinance No. 787. Each fire flow plan that is submitted would be reviewed and approved by the RCFD prior to final building inspection.	Significant	Prior to building final inspection	County Fire Department		Less than Significant	
6.13-6: Prior to final building inspection for each implementing project within the Imperial County portion of the specific plan, applicants for implementing projects shall submit plans for review for the installation of fire hydrants in residential, commercial, and industrial areas and for the installation of fire protection systems in residential, commercial, and industrial buildings to plan and specifications. These plans shall be submitted to and reviewed by the appropriate water utility agency serving the Imperial County portion of the specific plan, the Imperial County Public Works Department, the Imperial County Fire Department, and the Uniform Fire Code and the SCSD.	Significant	Prior to building final inspection	County Fire Department		Less than Significant	



Impact Category/Mitigation Measures Public Services - Fire Protection (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.13-7: Prior to grading final, the construction contractor shall provide a plan for review and approval by RCFD and/SCSD to demonstrate that during all grading and site clearance activities, all earth-moving equipment shall be equipped with spark arrestors and at least two portable fire extinguishers per vehicle. All equipment used in the vegetation-clearance phase shall be equipped with spark arrestors and best available fire safety technology. The vegetation-clearance activities shall be coordinated with and approved by the RCFD or SCSD in advance.</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	
<p>6.13-8: Prior to building final permit, the applicant shall submit proof that all structures adjacent to open space shall be designed to satisfy at least a 1-hour fire-resistant rating. Such structures shall incorporate fire retardant features such as bowed-in eaves, reduced overhangs, double-paneled windows, convection resistant roof design, non-combustible roofing material, and related design features, as determined necessary by the RCFD and/or SCSD. Building permits shall not be issued until review of fire-retarding architectural features has been completed by the RCFD and/or SCSD. Design standards meeting RCFD and/or SCSD shall be included in the Fire Hazard Reduction Program and incorporated into the Fire Hazard Reduction Design Guidelines for the residential units.</p>	<p>Significant</p>	<p>Prior to building final permit</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	

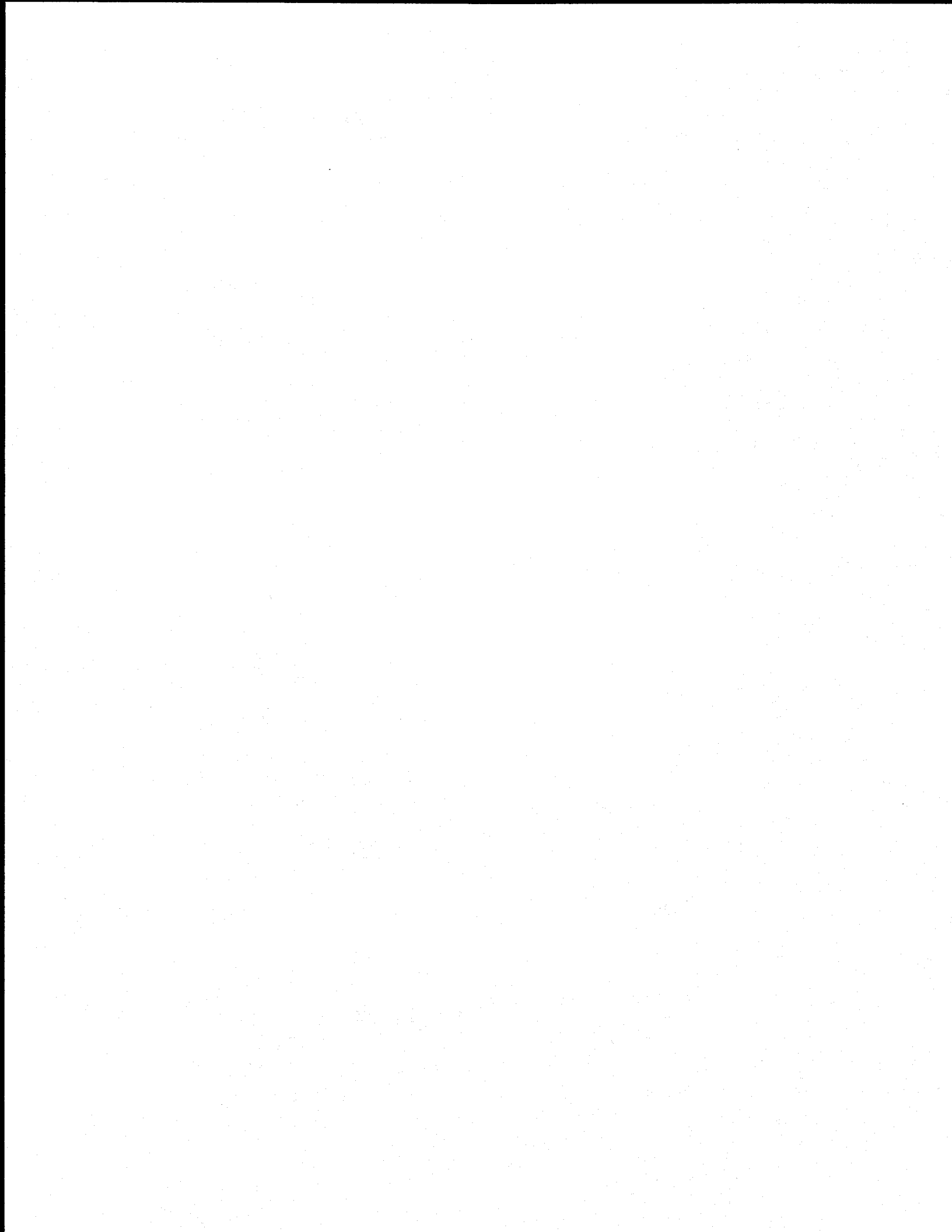


4.0 Mitigation Monitoring Program

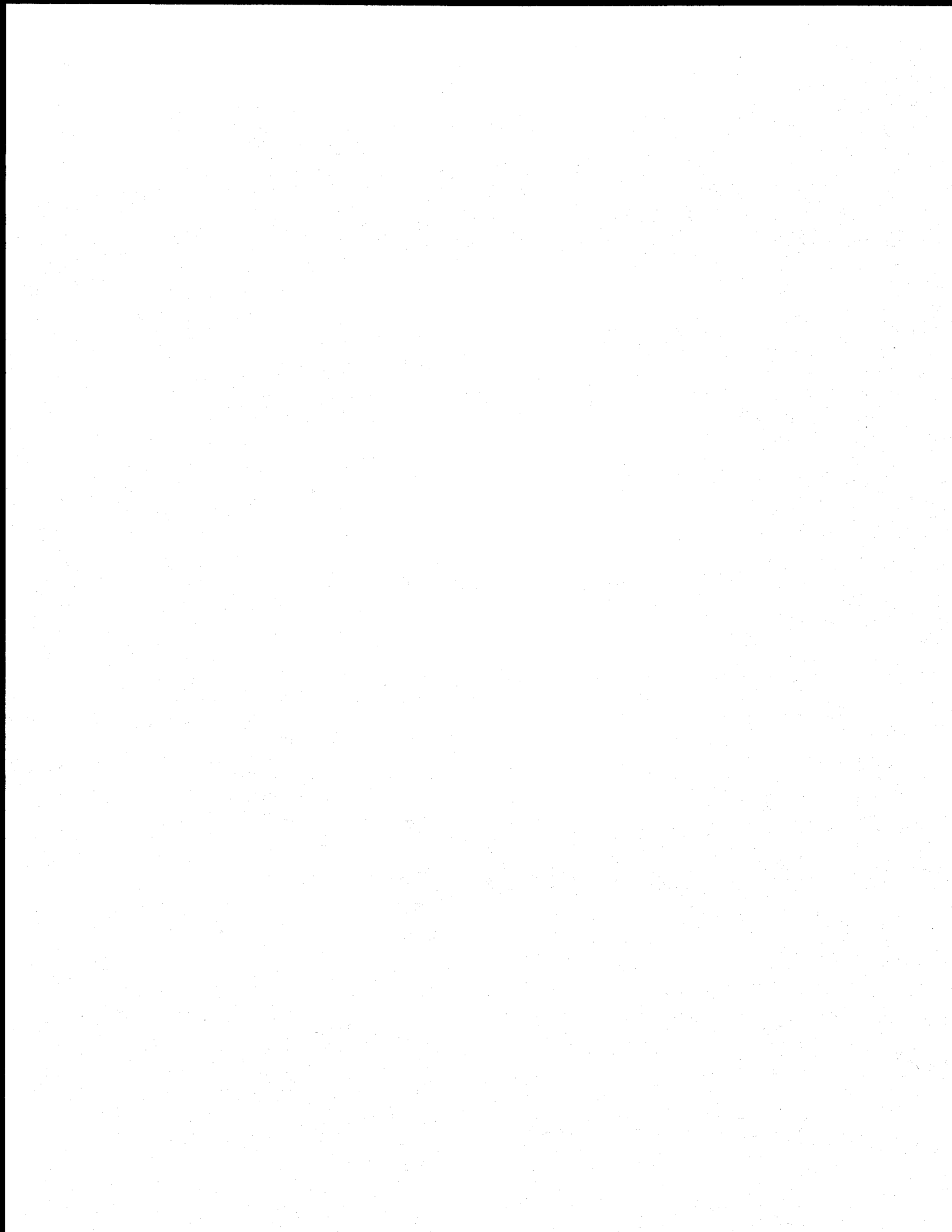
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Public Services - Fire Protection (continued)</p> <p>6.13-9: The specific plan shall incorporate provisions for fuel-modification zones to minimize the potential exposure of the developed areas to wildfire hazards consistent with the requirements of RCFD and SCSD. A landscaped/fuel-modification buffer shall be required surrounding each home site and structure in planning adjacent to open space areas. The following fuel-modification design guidelines shall be incorporated:</p> <ul style="list-style-type: none"> • The fuel-modification zone shall incorporate a program of brush clearance and thinning of combustible plant materials. • The fuel-modification zone shall be designated around all structures as measured from face of building. • Thinned native plants of high habitat value, may be located throughout this zone as a transition between open space and developed areas. • fuel-modification zones shall be maintained by the homeowner's association (HOA) in accordance with the RCFD and SCSD guidelines (except estate lots). <p>The exact location, dimension, and requirements for the fuel-modification zones would be determined and refined in agreements established between RCFD, SCSD and County staff, and ultimately during the processing of tentative tract maps. The following descriptions provide a conceptual fuel-modification plan with the minimum treatment for the zones.</p> <p>Zone A - Setback zone from the structure to the property line</p> <p>Most vegetation in this zone is limited to ground covers, green lawns, and a limited number of selected ornamental plants. This zone provides defensible space for fire suppression that will be maintained by homeowners.</p>	<p>Significant</p>	<p>During processing of tentative tract maps</p>	<p>County Fire Department</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures Public Services - Fire Protection (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.13-9 (continued):</p> <p>Zone B - Irrigated zone includes manufactured slopes This 20-foot-wide zone would augment irrigation and planting required, relating to manufactured slopes and landscape requirements. The 20-foot band of irrigation outside the fence line provides defensible space for fire suppression and will be HOA-maintained. This space would adjoin manufactured slope along the property line to provide a band of irrigation prior to Zone A. Special consideration would be given for rare and endangered plant species, geologic hazards, tree ordinances, or other conflicting restrictions.</p> <p>Zone C - Thinning zone This 80-foot-wide zone would be the beginning of the thinning zone and would be designed to eliminate the spread of fire from one plant to another via ladder fuels and eliminate horizontal continuity by properly spacing remaining vegetation and limiting large masses of unbroken vegetation. Thinning would reduce existing vegetation with removal of the majority of undesirable tall flammable plants species, including trees and tree form shrubs, and would be HOA-maintained. Reduction of fuel loading is accomplished by reducing shrubs or trees without substantial decrease in the canopy cover or removal of soil-holding root systems. Natural vegetation is thinned in reduced amounts as the zone moves away from development.</p> <p>Zone D - Interface Thinning zone This 100-foot-wide area would be the initial interface between wildland areas and fuel-modification zones. It would consist of native vegetation individually thinned to reduce foliage or fuel loading. This zone does not necessarily require the removal of plants but thinning those that exist. Proper thinning and spacing of remaining tree and tree form native shrubs will reduce fuel load without overly exposing the soil to threat of erosion. Native vegetation is thinned by reduced amounts as the zone moves away from development, depending on fuel type in this area. Typical tree and shrub maintenance is required every 3 to 5 years depending on growth and native grasses; this zone would be maintained as needed annually by the HOA.</p>	Significant	Prior to building final permit	County Fire Department		Less than Significant	
<p>6.13-10: Prior to building final inspection, the applicant shall provide for the purchasers of residential, commercial, and industrial units in planning areas that would be located adjacent to Open Space-Conservation and other off-site undeveloped or natural areas to be notified as to the requirements and maintenance of a brush-clearance radius of 100 feet around all buildings pursuant to Riverside County Ordinance No. 787 and the Imperial County Prevention and Explosives Ordinance as appropriate.</p>						



Impact Category/Mitigation Measures Public Services - Law Enforcement	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.14-1: Prior to grading final for each implementing project, a designated parking area with a security officer shall be provided for the construction workers during grading and construction operations. A site security plan shall be prepared and submitted to the Riverside County Sheriff's Department by the contractor indicating security features that shall be incorporated on the construction site(s), such as fencing and locked entrances, and construction equipment, tools, and material shall be secured by locking or placing them within sheds and/or other inaccessible areas while not in use.</p>	Significant	Prior to grading final	County Sheriff Department		Less than Significant	
<p>6.14-2: Prior to building final inspection for each tract within Imperial County, the applicant(s) to the tentative tract map shall pay the current Imperial County Sheriff Development Impact Fee.</p>	Significant	Prior to building final permit	County Sheriff Department		Less than Significant	
<p>6.14-3: The specific plan shall be modified to include implementation measures that require the construction and operation of at least two sheriff's substations in Riverside County and one in Imperial County, or to the satisfaction of Riverside County Sheriff Depart or Imperial County Sheriff's Department as applicable, as follows:</p> <ul style="list-style-type: none"> • Prior to the issuance of building final permits for the 3,249^{sq} residential unit in Riverside County, a sheriff's substation shall be constructed and be operational; • Prior to the issuance of building final permits for the 6,857^{sq} residential unit in Riverside County, a sheriff's substation shall be constructed and be operational; • Prior to the issuance of building final permits for the 750^{sq} residential unit in Imperial County, a sheriff's substation, or expansion of the Salton City Substation, to service the project site shall be constructed and be operational. 	Significant	Prior to implementing project approval	County Sheriff Department		Less than Significant	
Public Services - Education						
<p>6.15-1: Prior to implementing project approval, applicant(s) for implementing project development shall pay the development impact fees at the designated level (Level I, II, or III) as set forth by the CVUSD, at the current rate. Fees shall be paid based on the square-footage of development per single-family residential unit, multi-family residential unit, commercial unit, and secondary living unit as required by CVUSD policy in each implementing project area. Active adult residential units proposed in the specific plan shall pay the development impact fees at the designated level (Level I, II, or III) for commercial/industrial development, as set forth by the CVUSD, at the current rate.</p>	Significant	Prior to implementing project approval	Coachella Valley Unified School District		Short term Significant and Unavoidable/ Long term: Less than Significant	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Public Services - Parks and Recreation</p> <p>6.16-1 Prior to the implementing project approval, a final bidding Memorandum of Understanding (MOU) shall be executed between the applicant and Desert Recreation District (DRD) for the maintenance and operation of parks, including regional parks, within Riverside County. For the open space areas and other public parks areas within Riverside County not included as part of the final binding MOU between the applicant and DRD, the applicant shall annex into Community Service Area (CSA) 125, or other appropriate CSA, to provide for the maintenance and operation of such areas.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-2 The specific plan's implementation measures shall be modified as follows:</p> <ul style="list-style-type: none"> A minimum of 6.6 acres of neighborhood parks shall be developed in conjunction for every 500 residential dwelling units. Prior to the issuance of building permit for the 3,250th residential unit, 43 acres of park or credits shall be available; Prior to the issuance of building permit for the 6,500th residential unit, 48 acres (91 cumulative) of park or credits shall be available; Prior to the issuance of building permit for the 10,000th residential unit, 47 acres (138 cumulative) of park or credits shall be available; Prior to the issuance of building permit for the 13,500th residential unit, 68 acres (206 cumulative) of park or credits shall be available 	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-3 The specific plans park development standards shall be modified to provide that one out of every four public parks be a sports field and that sports fields be at least 5 acres in size.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-4 The specific plan shall be modified such that development of the trail system within the proposed project shall not allow for the use of motorized vehicles on existing or planned trails/trailheads within or that connect to the Anza-Borrego Desert State Park or the Santa Rosa and San Jacinto Mountains National Monument.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>6.16-5 The specific plan shall be modified to restrict trails that are developed adjacent to the Anza-Borrego Desert State Park and the Santa Rosa and San Jacinto Mountains National Monument and shall terminate no closer than 500 feet from the project boundary and include signage discouraging off-trail access.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	



Impact Category/Mitigation Measures Public Services - Parks and Recreation (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.16-6 The proposed specific plan shall be modified to remove references to connections of on-site trails to off-site trails and add language stating that access to off-site trails from the project site shall be prohibited.</p>	Significant	Prior to implementing project approval.	County Planning Department		Less than Significant	
<p>6.16-7 Prior to approval of any subsequent actions to implement the project in planning areas as defined in the specific plan located adjacent to western boundary of the site, a landscaping plan shall be developed and submitted for drainage channels along the western perimeter of the project site. The landscaping plan shall require the planting of native plant species with thorns, such as cat-claw acacia and mesquite shrubs, adjacent to walls and trails on the western boundary of the site. This plan must be reviewed and approved by the Riverside or Imperial County Planning Director for the portions of the project located in each county.</p>	Significant	Prior to implementing project approval	County Planning Department		Less than Significant	
<p>Public Services - Library Services</p>						
<p>6.17-1: The specific plan shall be modified to adjust the implementation measures to assure that libraries are developed in the following manner:</p> <ul style="list-style-type: none"> • Phase I - Prior to issuance of a building permit for the 3,500th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System; • Phase II - Prior to issuance of a building permit for the 7,000th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System; • Phase III - Prior to issuance of a building permit for the 10,500th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility in coordination with the Riverside County Library System; • Phase V - Prior to issuance of a building permit for the 14,000th dwelling unit, the applicant shall construct an estimated 5,000-square-foot library facility, in coordination with the Riverside County Library System and/or the Imperial County Free Library System. The applicant shall execute a Joint Memorandum of Understanding with both the Riverside County Library System and Imperial County Free Library System that provides for the location of this library site in either Riverside or Imperial County and that this library will provide services to both systems. Regardless of the location of this library, the applicant shall participate in development fees for library services as required by each County. 	Significant	Prior to issuance of a building permit	County Library		Less than Significant	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
Public Services - Medical Services: 6.18-1: Prior to grading final for each implementing project, the contractors for construction activities for the applicants of implementing projects shall prepare a construction safety plan and submit it to the appropriate County Planning Department and Fire Department for review and approval. The plan shall include provisions for safety activities, including prevention, work-related injuries, on-site safety equipment, notification procedures, and other activities to prevent, reduce, and respond to injuries during construction. The specific plan shall be revised to include the following implementation measures: 6.18-2: Prior to building final inspection for the 2,500 th residential unit, an urgent care medical facility within the Travertine Point Specific Plan area shall be developed and operational. The specific plan shall be revised to include the following implementation measures: 6.18-3: Prior to building final inspection for the 5,000 th residential unit, a structure for a hospital within the Travertine Point Specific Plan area shall be developed and operational.	Significant	Prior to grading final	County Planning Department/Fire Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-1: All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.	Significant	Prior to building final inspection	County Planning Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic: 6.19-1: All roads shall be improved to the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department. If there is a conflict between the General Plan and Specific Plan, the General Plan designation would prevail unless specific findings are made by the County that the Specific Plan improvement is consistent with the General Plan.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-2: The project proponent shall be required to pay all applicable fees in accordance with the fee schedule in effect at the time of development.	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-3: During the District Refinement Plan (DRP) process, the project proponent shall prepare a Traffic Impact Analysis (TIA), in accordance with Riverside County guidelines, for each "Development District" within the SP. The district-level traffic analysis will be a refinement of the SP Traffic Impact Analysis and shall determine the need and timing of improvements needed to mitigate the traffic impacts of each Development District under conditions existing at the time of the DRP. In addition, TIAs for individual implementing projects may be required for individual implementing projects within the boundaries of SP00375, at the discretion of the Transportation Department. TIAs for individual implementing projects, if needed, shall identify the impacts of the implementing project and needed transportation system improvements to be constructed prior to each implementing project. Site-specific focused traffic studies may be required for subsequent implementing projects within the boundaries of SP00375. These subsequent traffic studies shall identify specific project impacts and needed transportation system improvements to be constructed in conjunction with each project. Each implementing project shall make all necessary on-site and off-site improvements to achieve/maintain adequate LOS at all locations.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Planning Department/County Transportation Department</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-4: All intersection spacing for individual tracts, parcel maps, CUPs, or plot plans shall conform to the minimum County intersection spacing standards. All turn pocket lengths shall conform at least to the minimum County turn pocket length standards.</p>	<p>Significant</p>	<p>Prior to building final inspection.</p>	<p>County Transportation Department</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-5: Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal and construct eastbound and westbound left turn lanes at the intersection of SR-96 and 81st Avenue.</p>	<p>Significant</p>	<p>Prior to issuance of building permits</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-6: Prior to the issuance of any building permit for any implementing projects within SP00375, the project proponent shall obtain Caltrans approval to install a traffic signal at the intersection of SR-96 and Lincoln Street (between 83rd Avenue and 84th Avenue) and to provide a southbound left turn lane. The signal at this location will be temporary and shall be removed when a grade separation (no access to SR-96) is constructed at this location.</p>	<p>Significant</p>	<p>Prior to issuance of building permits</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-7: Prior to the issuance of the 659th occupancy permit within SP00375, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-965 and 81st Avenue, and shall construct eastbound and westbound left turn lanes.</p>	<p>Significant</p>	<p>Prior to issuance of 659th occupancy permit</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	

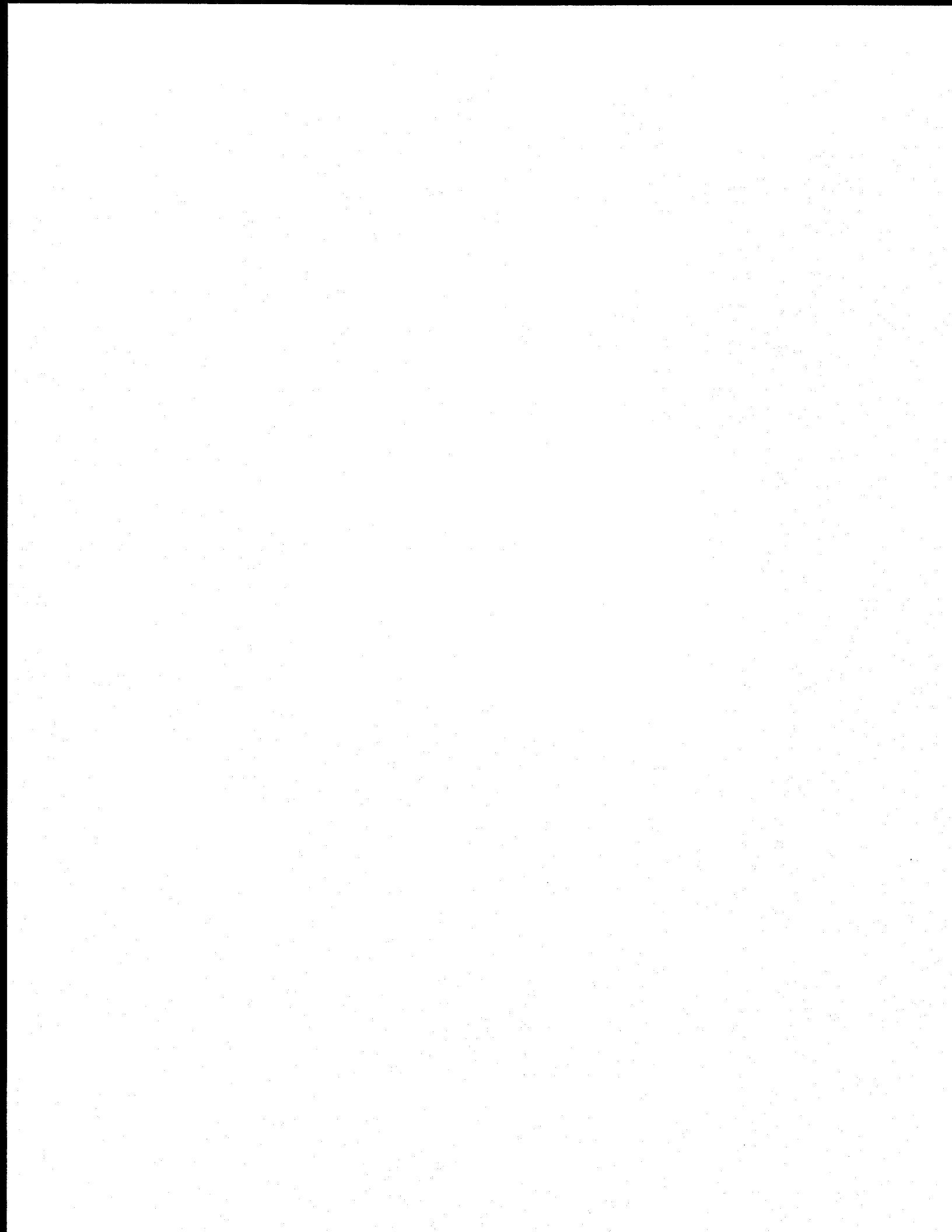


Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-8: Prior to the issuance of the 65th occupancy permit, or earlier if the need is indicated in traffic studies for implementing projects, the proponent of SP00375 and/or implementing projects shall install and activate a traffic signal at SR-86 and Lincoln Street, and shall provide a southbound left turn lane. Access at this location shall be temporary, and the signal at this location shall be removed when a grade separation (no access to SR-86) is constructed.</p>	Significant	Prior to issuance of 65 th occupancy permit	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-9: After building permits for 8,139 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SP00375 until the proponent of SP00375, and/or implementing projects within the SP, shall have constructed a new interchange on SR-86 at Town Center Way North (approximately at 85th Avenue).</p>	Significant	Prior to issuance of 8,140 th occupancy permit	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-10: Where the need is indicated in Traffic Impact Analyses (TIAs) to be conducted during the District Refinement Process (DRP) or based on TIAs for specific implementing projects, taking into consideration conditions prevailing at the time, and unless otherwise implemented by others, the proponent of SP00375 and/or implementing projects shall install and activate off-site traffic signals and construct additional turning or through lanes at intersections along SR-86/SR-86 (between 62nd Avenue and Marina Way) when needed to mitigate the traffic impacts of implementing projects within SP00375, or shall make in lieu payments, or as approved by the Director of Transportation.</p>	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-11: The project proponent, or the implementing projects within the SP, shall be responsible for the design, installation, and necessary modifications to all on-site traffic signals. Signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.</p>	Significant	Prior to building final inspection	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-12: Where the need is indicated in DRP-level or project-level TIAs and, unless the signals are designed and installed by others, the project proponent, or the implementing projects within the SP, shall also be responsible for the design, installation and necessary modifications to off-site traffic signals at the intersections listed below. Any on-site intersections on SR-86 and SR-86S are included in the "off-site" list since they will help accommodate external traffic.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	

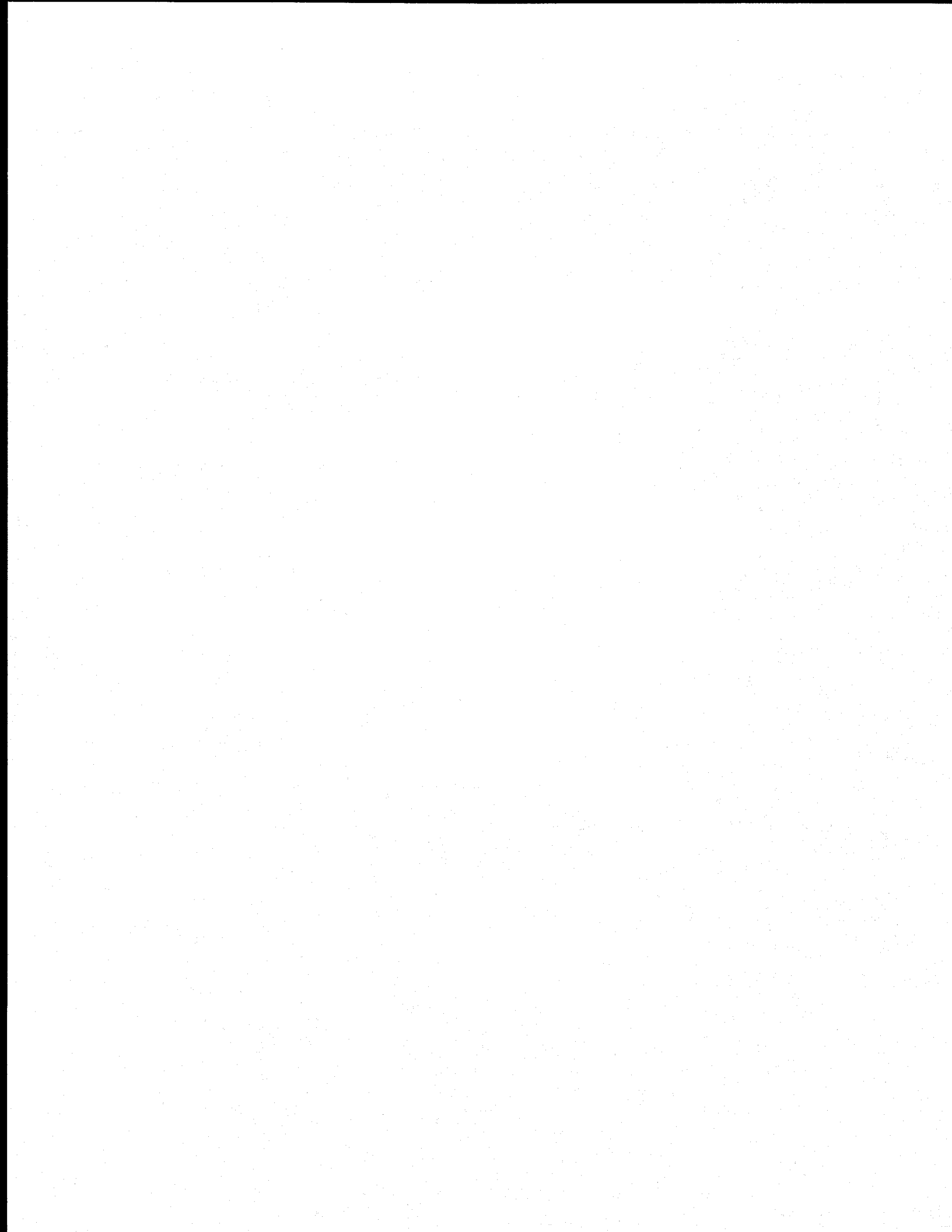


4.0 Mitigation Monitoring Program

Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-12: Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational: SR-86S (NS) at: 81st Avenue (EW) SR-86 (NS) at: Lincoln Street (EW) with no credit given for Traffic Signal Mitigation Fees.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy permits</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-14: Prior to the issuance of any certificates of occupancy that would result in more than 2,600 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational: 81st Avenue (EW) at: Paseo Street (NS)</p>	<p>Significant</p>	<p>Prior to issuance of occupancy permits</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-15: Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in project-level TIAs, the following signals shall be installed and operational, with credit toward signal mitigation fees if the signal is included in the DIF needs list at the time of installation: Harrison Street (NS) at: 62nd Avenue (EW) Harrison Street (NS) at: 66th Avenue (EW) Harrison Street (NS) at: 70th Avenue (EW) Harrison Street (NS) at: 74th Avenue (EW) Harrison Street (NS) at: Pierce Street (EW) unless DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy permits</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



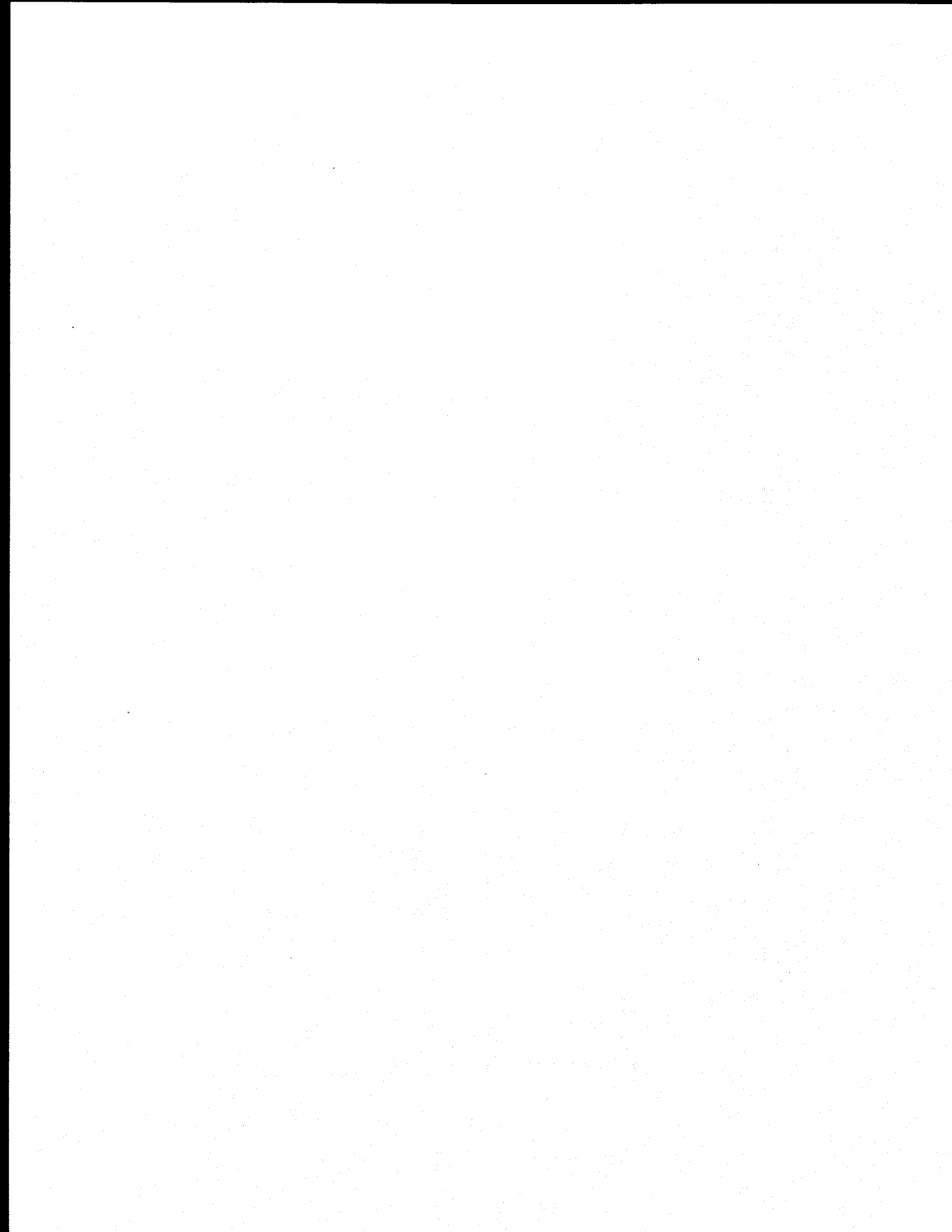
Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-16: Prior to the issuance of any certificates of occupancy that would result in more than 3,071 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational: 81st Avenue (EW) at: Harrison Street/SR-86 (NS) with no credit given for Traffic Signal Mitigation Fees.</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-17: Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed and operational: SR-86 (NS) at: Town Center Way (EW) with no credit given for Traffic Signal Mitigation Fees.</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-18: Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the following signals shall be installed, or modified, and operational, with credit toward signal mitigation fees if the signal is included in the DIP needs list at the time of installation: Harrison Street (NS) at: 72nd Avenue (EW) Harrison Street (NS) at: 78th Avenue (EW) SR-86S (NS) at: 70th Avenue (EW) SR-86S (NS) at: 74th Avenue (EW) SR-86 (NS) at: Desert Shores Drive (EW) SR-86 (NS) at: Brawley Avenue (EW) SR-86 (NS) at: Sea Oasis Boulevard (EW) SR-86 (NS) at: Marina Drive (EW)</p>	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>unless otherwise approved by Imperial County, or DRP-level or project-level TIAs indicate that one or more signals are not needed or can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>						



Impact Category/Mitigation Measures (Transportation and Traffic (continued))	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-19: Prior to the issuance of any certificates of occupancy that would result in more than 15,260 dwelling units in SP00375, or sooner if the need is indicated in DRP-level traffic studies, signals shall be installed, modified as needed, and shall be operational, or other traffic control measures, such as roundabouts, shall be installed at the locations indicated in Exhibit 2.1C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010 with no credit given for Traffic Signal Mitigation Fees	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-20: The modification of traffic signals to accommodate the phased improvements shall be the responsibility of the SP00375 proponent or the implementing projects	Significant	Prior to issuance of occupancy permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-21: Roadways internal to the project shall be developed as needed for development and as determined based on the recommendations presented in Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-22: Prior to the issuance of any building permits within SP00375, the project proponent shall construct Lincoln Street between the northern project boundary and 81 st Avenue and 81 st Avenue between SR-86 and Lincoln Street as two-lane interim roadways (34 feet traveled way).	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-23: Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall construct 81 st Avenue between the western boundary of Planning Area 1-1 and SR-86S as a Secondary (64 foot curb-to-curb, 100 ft right-of-way). At the discretion of the Director of Transportation, the right-of-way requirement in the off-site portion of the facility may be reduced, so long as four through travel lanes and necessary turn lanes at intersections are provided.	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-24: Prior to the issuance of any building permits within Planning Areas 1-1, 1-2, or 1-9 within SP00375, the project proponent shall realign, as necessary, the portion of SR-86/Harrison Street north of 81 st Avenue to form the four-legged intersection at 81 st Avenue/SR-86/Village Way and shall get Caltrans concurrence for the relinquishment of the portion of SR-86 between 81 st Avenue and SR-86S.	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-25: Prior to the issuance of any certificates of occupancy that would result in more than 7,078 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level traffic studies, the project proponent, or implementing projects within SP00375, shall construct 81 st Avenue between SR-86S and Paseo Street as a Major. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	



Impact Category/Mitigation Measure Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-26: The project proponent, or the implementing projects within the SP, shall be responsible for the necessary improvements or modifications at all on-site intersections. The improvements shall be made at the locations indicated and with the number of lanes as specified in Exhibit 21C and Exhibits 6.2-B through 6.2-T of the TSS dated August 5, 2010.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-27: Where the need is indicated in DRP-level or project-level TIAs and, unless the improvements are made by others prior to the time they are needed, the project proponent, or the implementing projects within the SP, shall also be responsible for the improvements at the off-site intersections listed below. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits. Any on-site intersections on SR-86 and SR-96S are included in the "off-site" list, since they will help accommodate external traffic.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-28: While the intersection improvements, both on site and off site, may be made in phases as the need arises, all improvements shall be designed and constructed to be consistent with the ultimate configuration of the intersection. All improvements listed below can be deferred to a later stage, or accelerated to an earlier stage of development, subject to the approval of the Director of Transportation based on subsequent traffic studies. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.</p>	Significant	Prior to implementing project approval	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-29: Prior to the issuance of any certificates of occupancy that would result in more than 658 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The Intersection of SR-86S (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes, one right turn lane Southbound: One left turn lane, two through lanes, one right turn lane Eastbound: One left turn lane, one shared through/right turn lane Westbound: One left turn lane, one shared through/right turn lane</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	

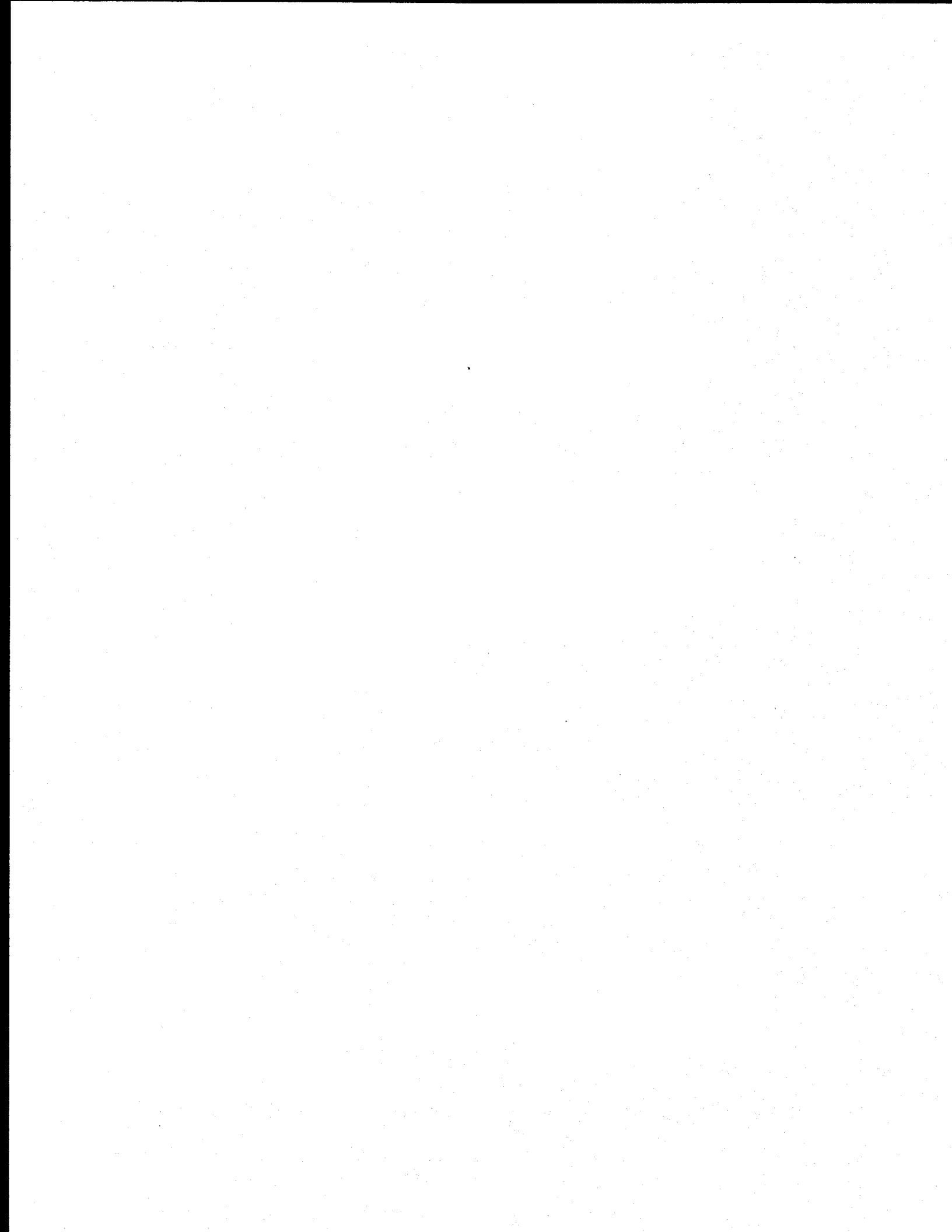


4.0 Mitigation Monitoring Program

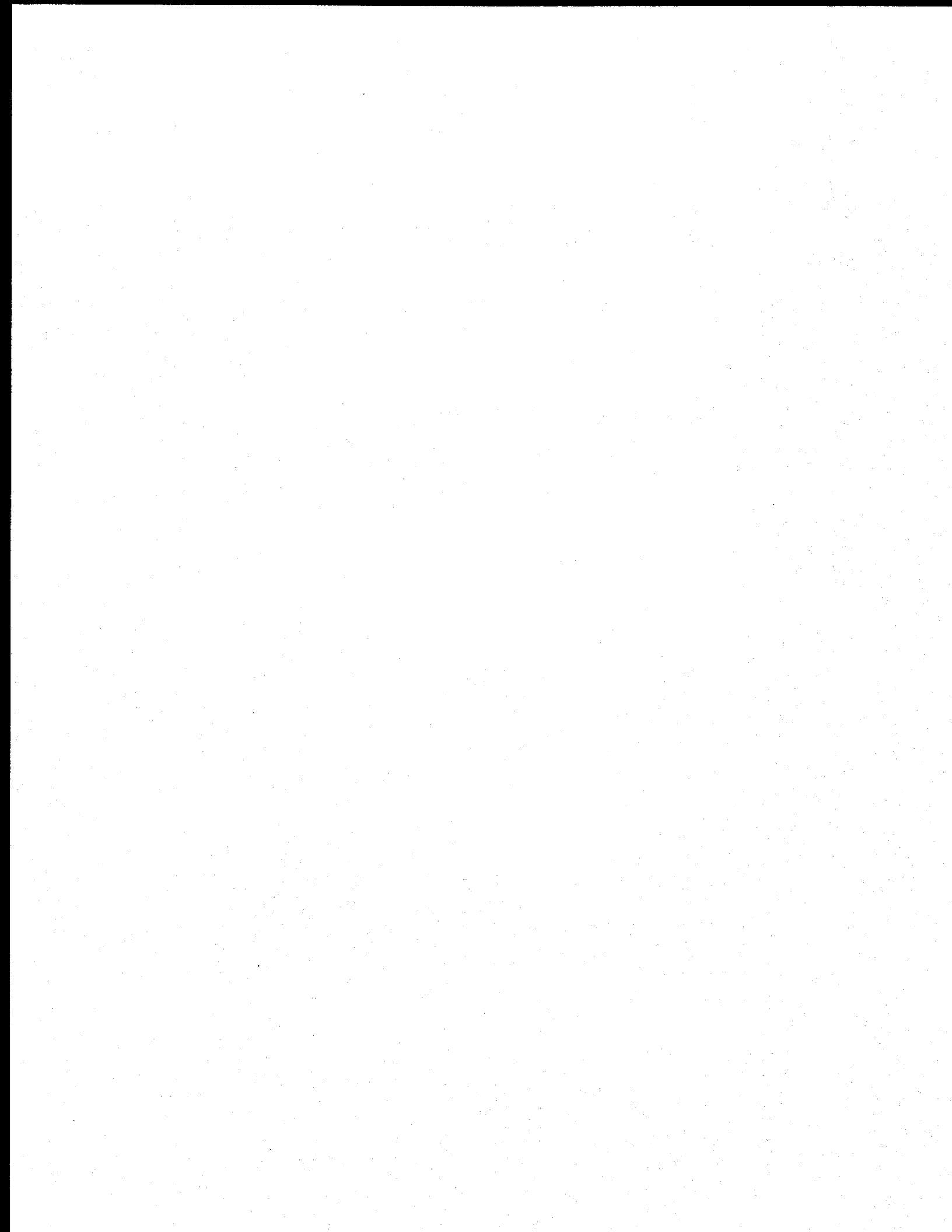
Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-29 (continued):</p> <p>The intersection of SR-865 (N/S) and Lincoln Street (E/W) shall provide the following geometrics:</p> <p>Northbound: Two through lanes, one right turn lane</p> <p>Southbound: One left turn lane, two through lanes</p> <p>Eastbound: N/A</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p>						
<p>The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/right turn lane - stop control</p> <p>Southbound: NA</p> <p>Eastbound: One shared through/right turn lane</p> <p>Westbound: One shared left turn/through lane</p>						
<p>The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane</p> <p>Southbound: NA</p> <p>Eastbound: One right turn lane</p> <p>Westbound: NA</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department/Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-30: Prior to the issuance of any certificates of occupancy that would result in more than 2,618 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits.</p> <p>The intersection of Harrison Street (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one right turn lane</p> <p>Southbound: One left turn lane, one through lane, one right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p>						



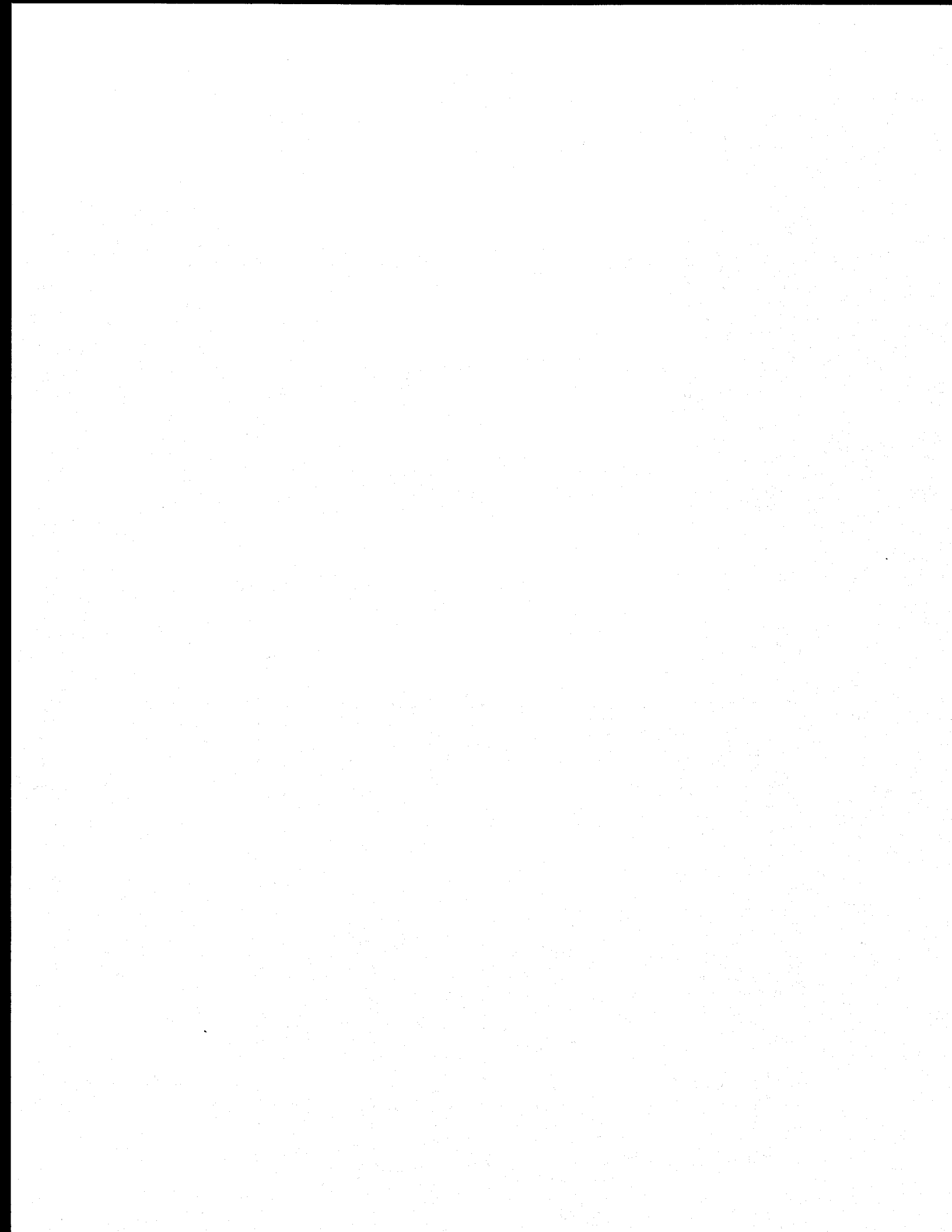
Impact Category/Mitigation Measure Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-30 (continued):						
The intersection of Harrison Street (NS) and 66 th Avenue (E/W) shall provide the following geometrics:						
Northbound:	One left turn lane, one through lane, one right turn lane					
Southbound:	One left turn lane, one through lane, one right turn lane					
Eastbound:	One left turn lane, one shared through/right turn lane					
Westbound:	One left turn lane, one shared through/right turn lane					
The intersection of Harrison Street (NS) and 70 th Avenue (E/W) shall provide the following geometrics:						
Northbound:	One left turn lane, one shared through/right turn lane					
Southbound:	One left turn lane, one shared through/right turn lane					
Eastbound:	One left turn lane, one shared through/right turn lane					
Westbound:	One left turn lane, one shared through/right turn lane					
The intersection of Harrison Street (NS) and 74 th Avenue (E/W) shall provide the following geometrics:						
Northbound:	One left turn lane, one through lane, one right turn lane					
Southbound:	One left turn lane, one through lane, one right turn lane					
Eastbound:	One left turn lane, one shared through/right turn lane					
Westbound:	One left turn lane, one shared through/right turn lane					
The intersection of Harrison Street (NS) and Pierce Street (E/W) shall provide the following geometrics:						
Northbound:	One through lane, one right turn lane					
Southbound:	One left turn lane, one through lane					
Eastbound:	N/A					
Westbound:	One left turn lane, one right turn lane					



Impact Category/Mitigation Measures (Transgression and Traffic (continued))	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-30 (continued): The intersection of SR-865 (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes, one right turn lane Southbound: Two left turn lanes, two through lanes, one right turn lane Eastbound: One left turn lane, one through lane, one right turn lane Westbound: One left turn lane, one through lane, one right turn lane with overlap phasing NOTE: Signal modification will be necessary to accommodate a second southbound left turn lane, an eastbound right turn lane and a westbound right turn lane with overlap phasing. The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one right turn lane Southbound: N/A Eastbound: One through lane, one right turn lane Westbound: One left turn lane, one through lane unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-31: Prior to the issuance of any certificates of occupancy that would result in more than 2,818 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of Harrison Street/Village Way (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one through lane, one right turn lane Southbound: Two left turn lanes, one shared through/right turn lane Eastbound: One shared left turn/through lane, one right turn lane Westbound: Two left turn lanes, one shared through/right turn lane unless DRP-level or project-level TIAs indicate improvements at this intersection are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



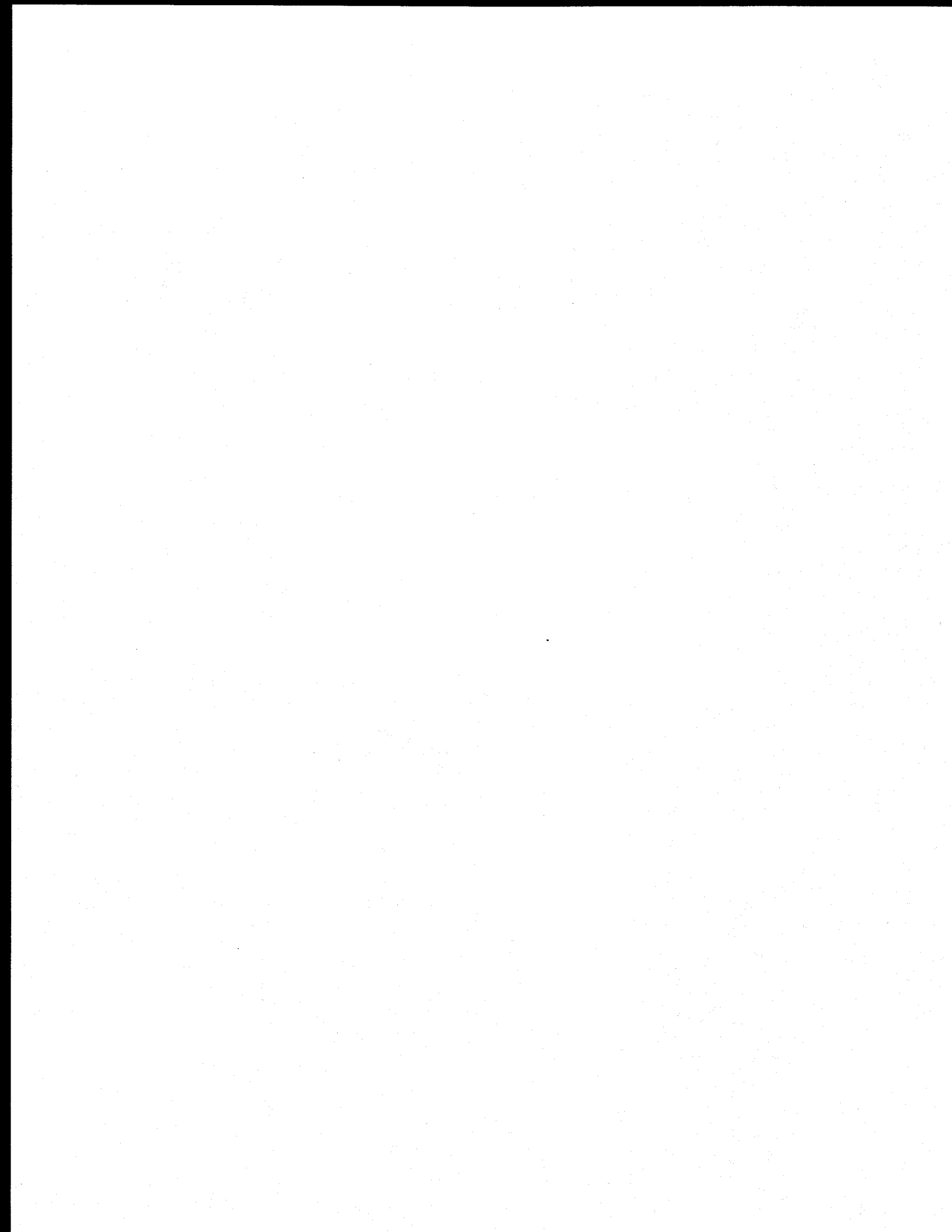
Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-32: Prior to the issuance of any certificates of occupancy that would result in more than 3,478 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-96 (N/S) and Town Center Way North (E/W) shall provide the following geometrics: Northbound: One left turn lane, one through lane, one shared through/right turn lane Southbound: One left turn lane, two through lanes, one right turn lane with overlap Eastbound: Two left turn lanes, two through lanes, one right turn lane Westbound: One left turn lane, two through lanes, one right turn lane unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-33: Prior to the issuance of any certificates of occupancy that would result in more than 5,284 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following off-site intersection improvements shall be made. If eligible under any applicable funding programs in effect at the time of implementation, these improvements may qualify for fee credits. The intersection of Harrison Street (N/S) and 64th Avenue (E/W) shall provide the following geometrics: Northbound: One shared through/right turn lane Southbound: One shared left turn/through lane Eastbound: NA Westbound: One shared left turn/right turn lane - stop control The intersection of Harrison Street (N/S) and 72nd Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one shared through/right turn lane Southbound: One left turn lane, one shared through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrans</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



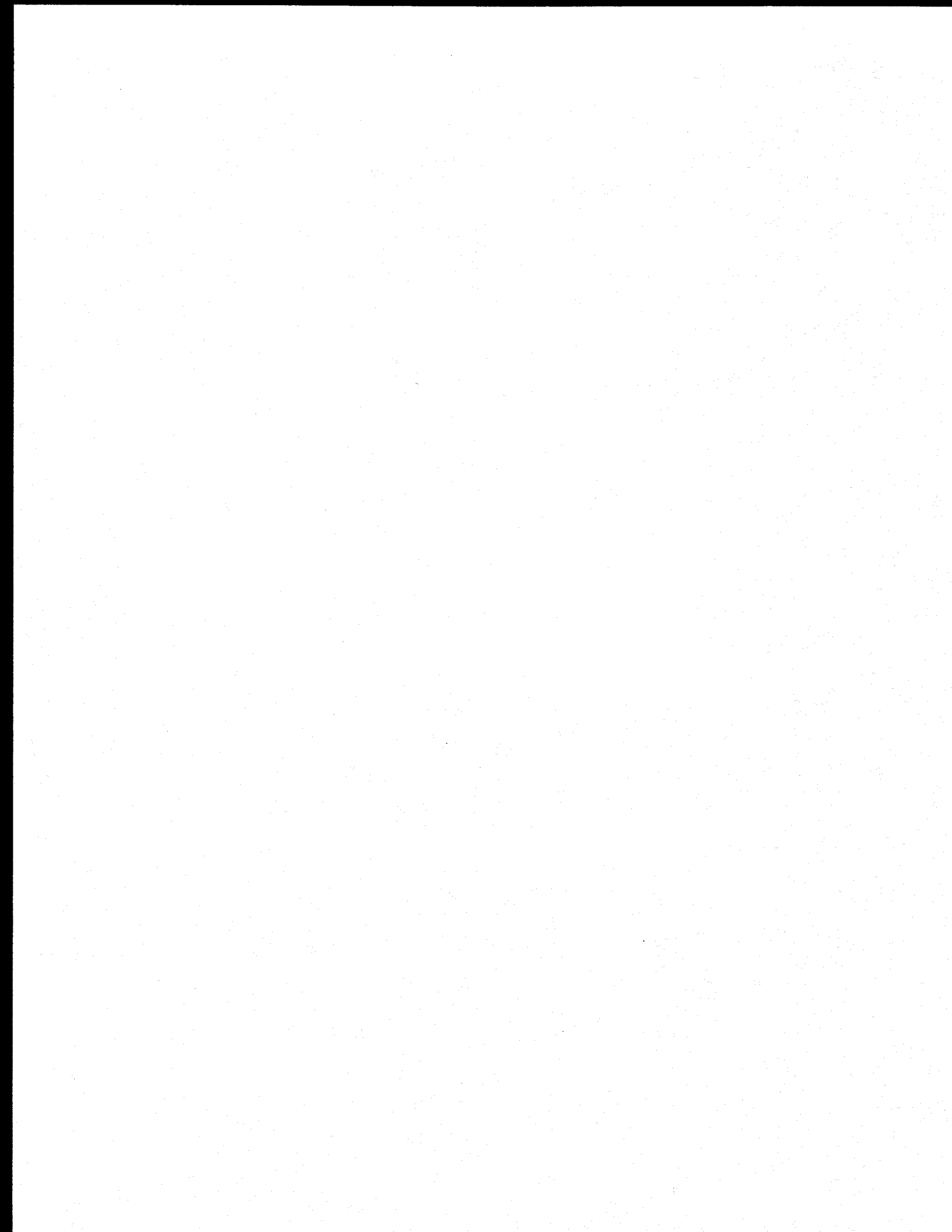
Transportation and Traffic (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-33 (continued):	<p>The intersection of Harrison Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one right turn lane</p> <p>Southbound: One left turn lane, one through lane, one right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>NOTE: Signal modification will be necessary to accommodate an eastbound left turn lane and a westbound left turn lane.</p> <p>The intersection of Folk Street (N/S) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: NA</p> <p>Southbound: One shared left turn/right turn lane - stop control</p> <p>Eastbound: One shared left turn/through lane</p> <p>Westbound: One shared through/right turn lane</p> <p>The intersection of Fillmore Street (N/S) and 76th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/right turn lane - stop control</p> <p>Southbound: NA</p> <p>Eastbound: One shared through/right turn lane</p> <p>Westbound: One shared left turn/through lane</p> <p>The intersection of SR-865 (N/S) and 62nd Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and a westbound left turn lane.</p>						



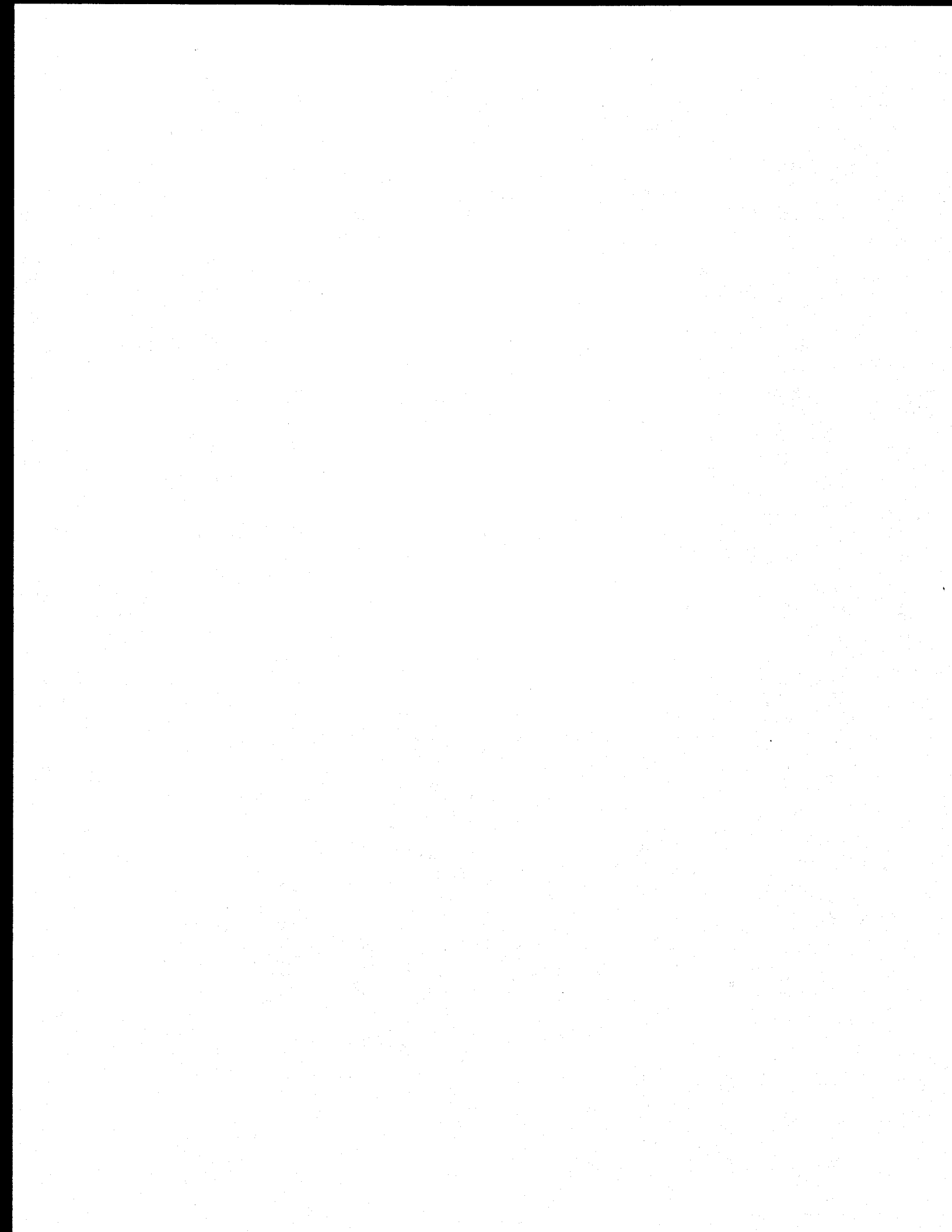
Impact Category/Mitigation Measures Transportation and Traffic (continued)	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Consent/Completion Date
<p>6.19-39: (continued)</p> <p>The intersection of SR-865 (NS) and 66th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: Two left turn lanes, one shared through/right turn lane</p> <p>NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, an eastbound left turn lane, and two westbound left turn lanes.</p> <p>The intersection of SR-865 (NS) and 70th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of SR-865 (NS) and 74th Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Southbound: One shared left turn/through lane, one through lane, one shared through/right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of SR-86 (NS) and Desert Shores Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes, one right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p>						



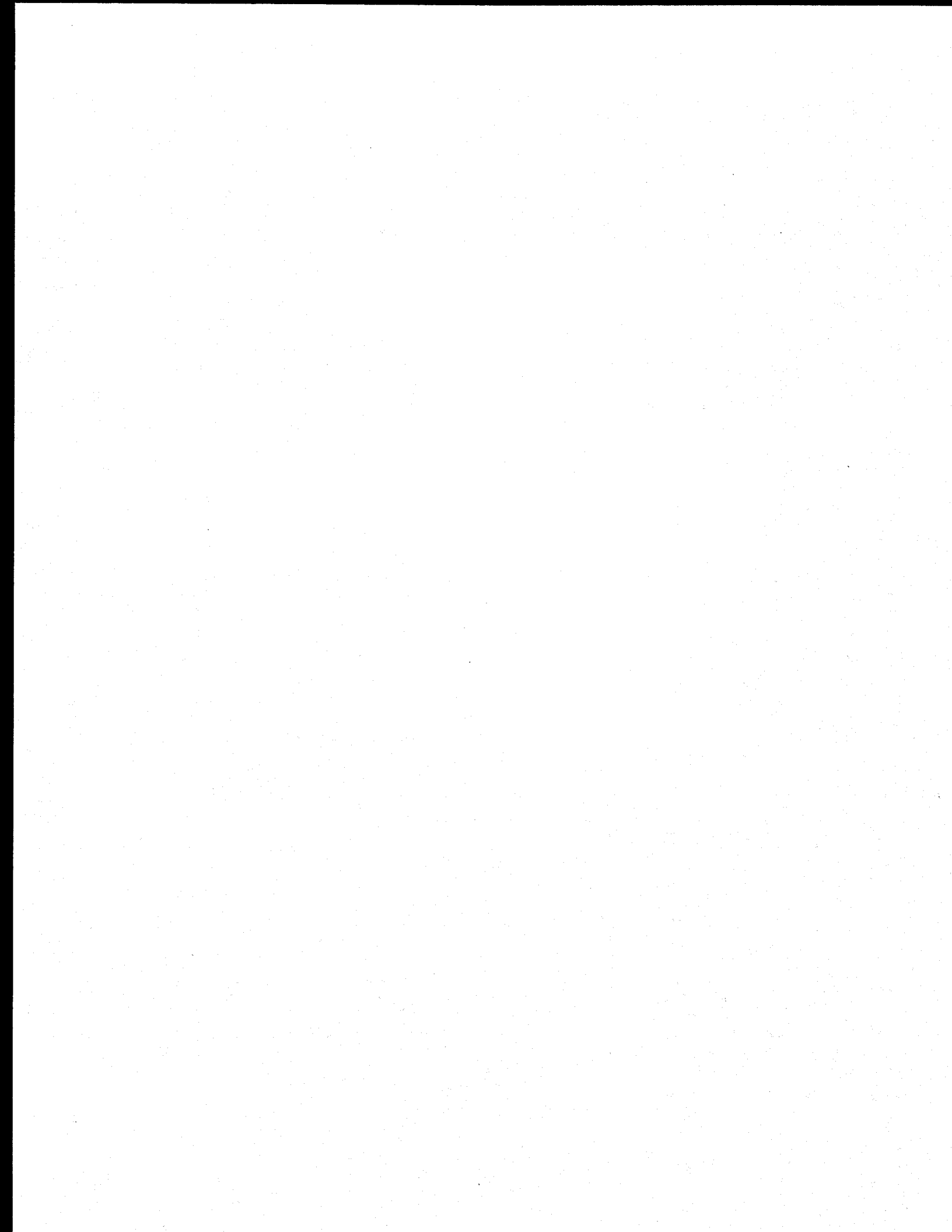
Transposition and Traffic (continued)	Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-33: (continued)	<p>The intersection of SR-86 (N/S) and Brawley Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, two through lanes, one right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of SR-86 (N/S) and Sea Oasis Boulevard (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of SR-86 (N/S) and Marina Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Southbound: One left turn lane, one through lane, one shared through/right turn lane</p> <p>Eastbound: One left turn lane, one shared through/right turn lane</p> <p>Westbound: One left turn lane, one shared through/right turn lane</p> <p>The intersection of Village Way (N/S) and 82nd Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, two through lanes</p> <p>Southbound: Two through lanes, one right turn lane</p> <p>Eastbound: One left turn lane, one right turn lane</p> <p>Westbound: NA</p> <p>The intersection of Travertine Estates (N/S) and Paseo Street (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through/right turn lane</p> <p>Southbound: One shared left turn/through/right turn lane</p> <p>Eastbound: One shared left turn/through/right turn lane</p> <p>Westbound: One shared left turn/through/right turn lane</p>						



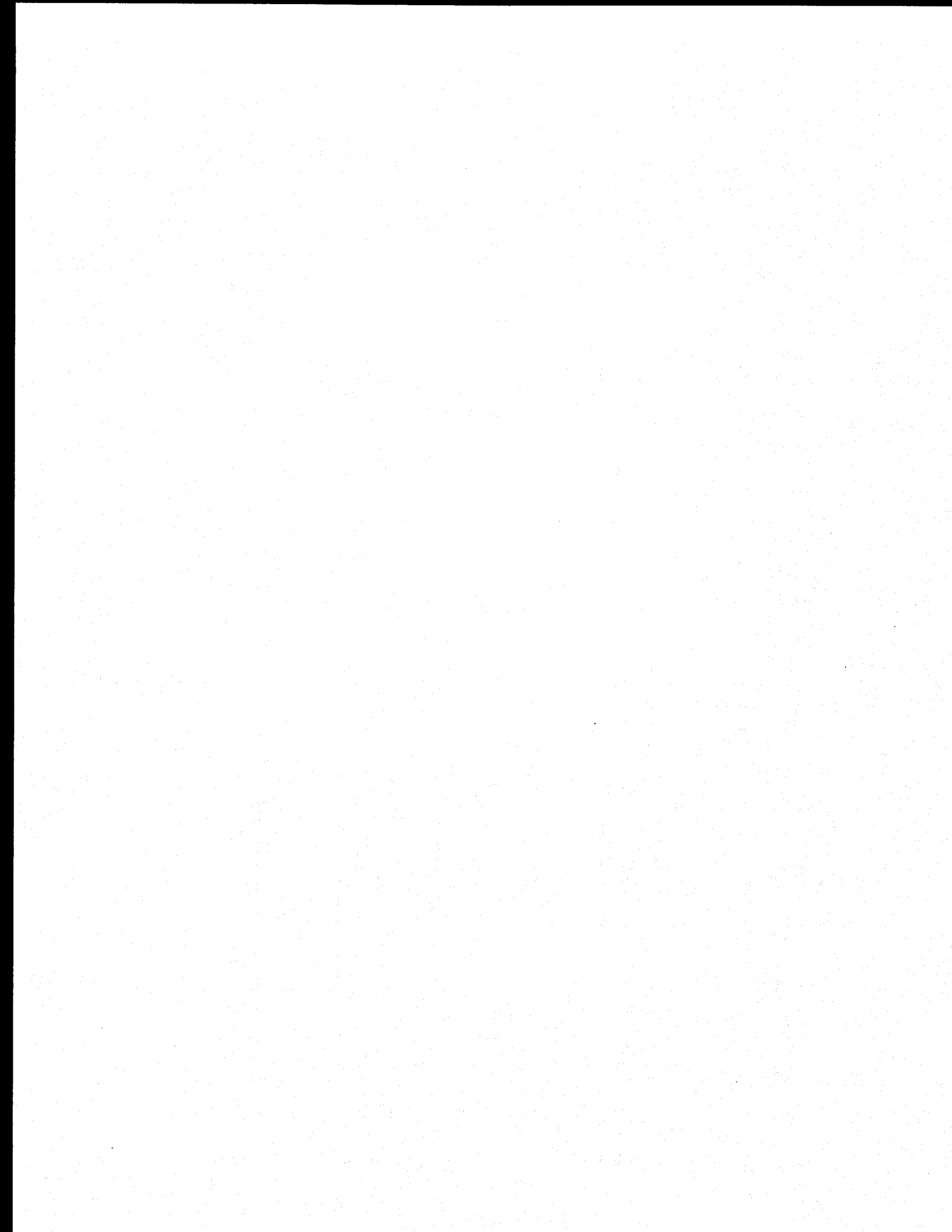
Transportation and Traffic (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-33: (continued)	<p>The intersection of A Street (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through/right turn lane Southbound: One shared left turn/through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p> <p>The intersection of Sea Oasis Drive (N/S) and Travertine Estates (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through lane Southbound: One shared left turn/through lane Eastbound: One shared left turn/through lane Westbound: NA</p> <p>The intersection of Sea Oasis Drive (N/S) and Desert Shores Drive (E/W) shall provide the following geometrics:</p> <p>Northbound: One shared left turn/through/right turn lane Southbound: One shared left turn/through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-34:	<p>Prior to the issuance of any certificates of occupancy that would result in more than 5,464 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made:</p> <p>The intersection of Lincoln Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics:</p> <p>Northbound: One left turn lane, one shared through/right turn lane Southbound: One shared left turn/through/right turn lane Eastbound: One shared left turn/through/right turn lane Westbound: One shared left turn/through/right turn lane</p> <p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	Significant	Prior to issuance of occupancy certificates	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



Transportation and Traffic (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-35: Prior to the issuance of any certificates of occupancy that would result in more than 5,718 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-86 (NS) and Town Center Way North (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes Southbound: One left turn lane, two through lanes, one right turn lane with overlap Eastbound: Two left turn lanes, one through lane, one right turn lane Westbound: One left turn lane, one through lane, one right turn lane</p>	<p>unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-36: Prior to the issuance of any certificates of occupancy that would result in more than 5,770 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of SR-86S (NS) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, two through lanes, one shared through/right turn lane Southbound: Two left turn lanes, three through lanes, one right turn lane Eastbound: Two left turn lanes, two through lanes, one right turn lane Westbound: One left turn lane, two through lanes, one right turn lane with overlap phasing</p> <p>NOTE: Signal modification will be necessary to accommodate three northbound through lanes, three southbound through lanes, two eastbound left turn lanes, two eastbound through lanes, and two westbound through lanes.</p> <p>unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>unless DRP-level or project-level TIAs indicate improvements at this intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	

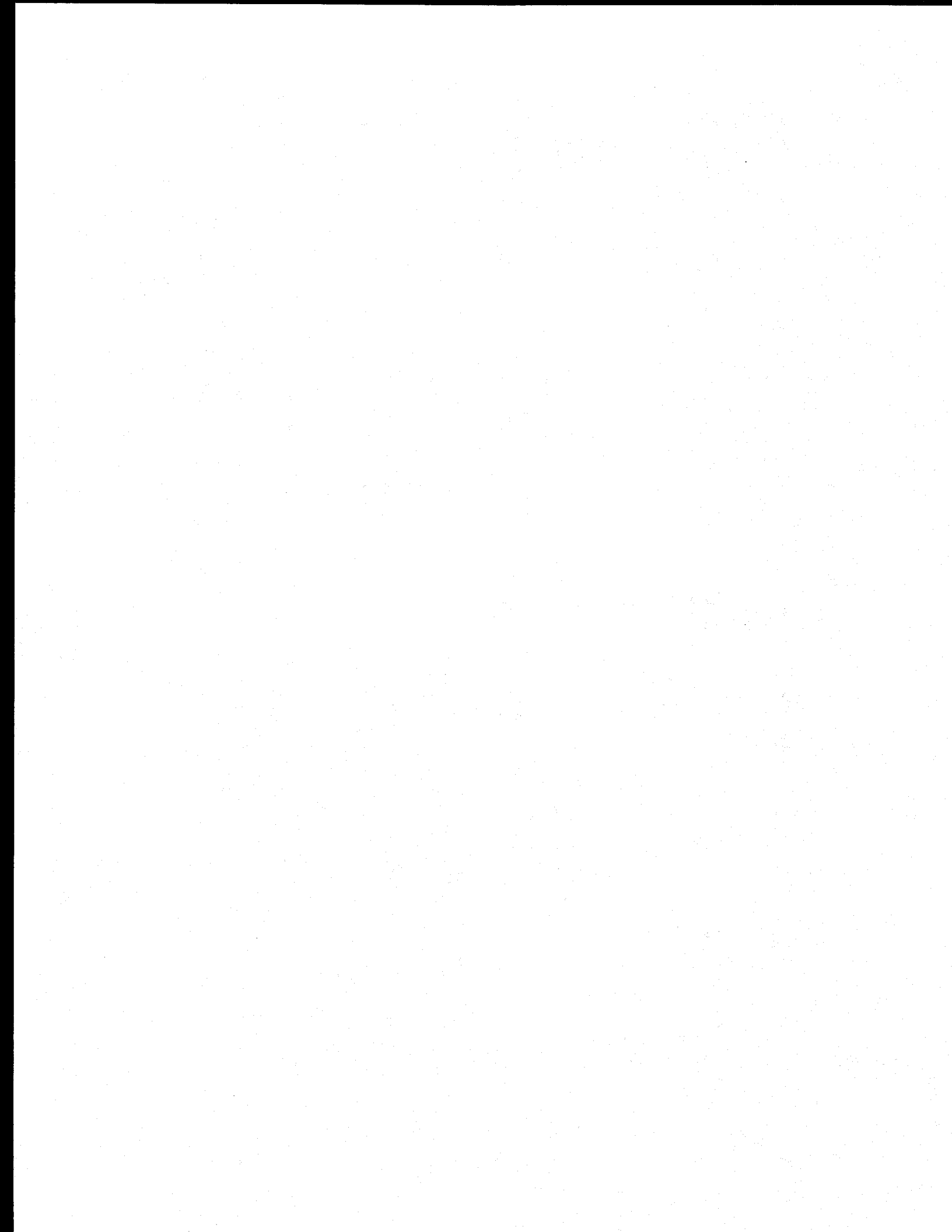


Impact Category/Mitigation Measures <i>Transportation and Traffic (continued)</i>	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-37: Prior to the issuance of any certificates of occupancy that would result in more than 8,139 dwelling units in SP00375, or sooner if the need is indicated in DRP-level or project-level TIAs, the following intersection improvements shall be made: The intersection of Paseo Street (N/S) and 81st Avenue (E/W) shall provide the following geometrics: Northbound: One left turn lane, one shared left turn/through/right turn lane Southbound: One left turn lane, one shared through/right turn lane Eastbound: One left turn lane, one through lane, one right turn lane Westbound: One left turn lane, one shared through/right turn lane unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation. NOTE: Signal modification will be necessary to accommodate a northbound left turn lane, the southbound approach, eastbound left turn and right turn lanes, and the westbound left turn lane. The intersection of SR-86 Southbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics: Northbound: NA Southbound: Two left turn lanes, two right turn lanes Eastbound: Two through lanes, two right turn lanes Westbound: Two through lanes, one right turn lane unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation. The intersection of SR-86 Northbound Ramps (N/S) and Town Center Way (E/W) shall provide the following geometrics: Northbound: Two left turn lanes, one right turn lane Southbound: NA Eastbound: Two through lanes, two right turn lanes Westbound: Two through lanes, two right turn lanes unless DRP-level or project-level TIAs indicate improvements at one or more intersections are not needed, or fewer lanes are needed, or improvements can be deferred to a later stage of development, subject to approval by the Director of Transportation.</p>	<p>Significant</p>	<p>Prior to issuance of occupancy certificates</p>	<p>County Planning Department/County Transportation Department/Caltrens</p>		<p>Short term Significant and Unavoidable/ Long term: Less than Significant</p>	



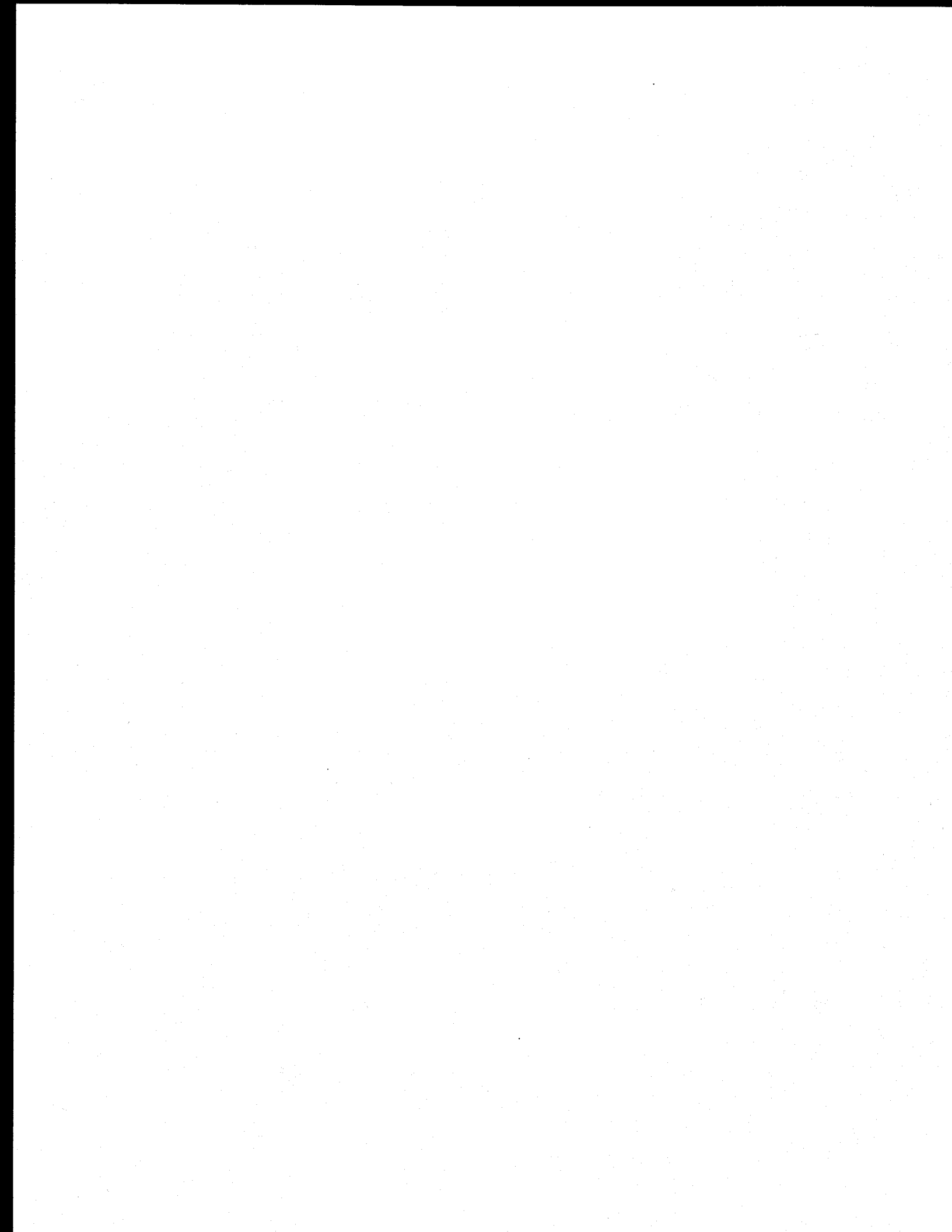
4.0 Mitigation Monitoring Programs

Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-38: All improvements on Caltrans facilities shall conform to Caltrans design guidelines and shall be subject to Caltrans approval.</p>	Significant	Prior to implementing project approval	Caltrans		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic (continued)						
<p>6.19-39: All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the SP00375 property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.</p>	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-40: All implementing projects within the SP00375 shall be subject to a condition of approval providing that: Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer, consistent with Riverside County Ordinance 460 Section 3.2j.</p>	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-41: Drainage studies will be required for all subsequent development proposals within the boundaries of Specific Plan No. 375 as approved by the Transportation Department.</p>	Significant	Prior to implementing project approval	County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
<p>6.19-42: Prior to the issuance of any building permit for any implementing projects within SP00375, Riverside County shall prepare a financial plan to make mainline improvements to add one lane in each direction on SR-965/SR-96 between 62nd Avenue and Marina Drive in Imperial County and to construct interchanges at SR-965/62nd Avenue, SR-965/66th Avenue, SR-965/70th Avenue, SR-965/74th Avenue, SR-965/81st Avenue, SR-96/Town Center Way North, SR-86/Desert Shores Drive, SR-96/Brawley Avenue, SR-96/Sea Oasis Boulevard, and SR-96/Marina Drive. The financial plan shall identify the cost of the improvements based on a Preliminary Engineering study. In addition to fair share developer contributions, the financial plan shall consider funding that may be available through CVAG, RCTC, or other agencies. The County will assist in obtaining available funding that is, or may become available, through CVAG, RCTC, and other agencies, as appropriate.</p>	Significant	Prior to issuance of building permits	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	



4.0 Mitigation Monitoring Program

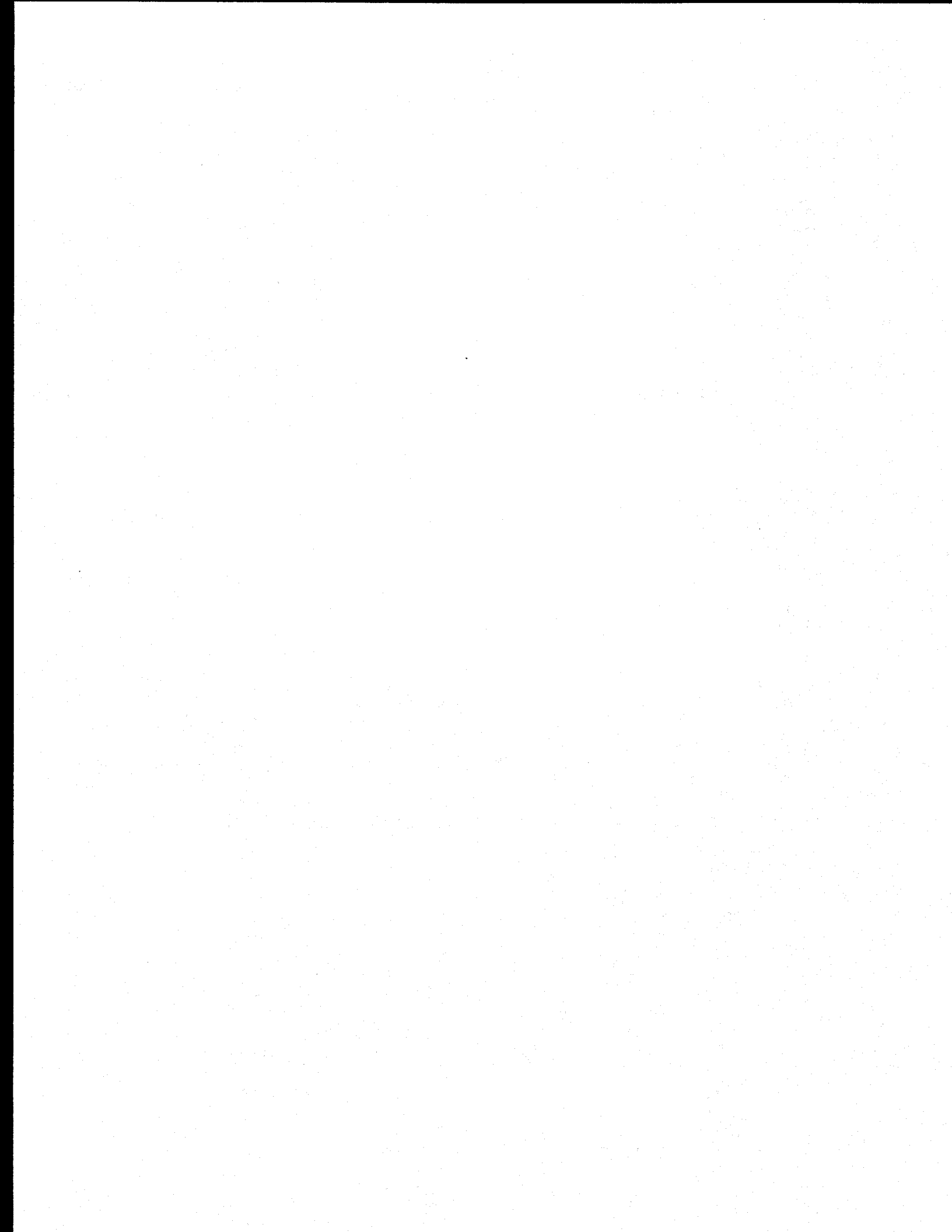
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.19-43: Prior to the issuance of any building permit for any implementing projects within SF00375, Riverside County shall conduct a Nexus Study, based on the financial plan, and establish an RBBID or other funding mechanism in accordance with the Nexus Study recommendations.</p> <p>If the County has not formed an RBBID or other area-wide funding mechanism for SR-86/SR-86S improvements at the time the proponent of SF00375 or any subsequent implementing agencies are ready to request building permits, the project proponent shall establish a Community Facilities District (CFD) or other funding mechanism, prior to the issuance of any building permit within SF00375, to help fund its share of the cost of SR-86S/SR-86 mainline improvements (SF00375's fair share is estimated preliminarily as 37% of the total cost of the SR86 additional lane improvements) and its share of interchange construction at SR-86S/81st Avenue and at SR-86/Town Center Way North (SF00375's share is estimated preliminarily as 95 to 100% of the total cost).</p>	<p>Significant</p>	<p>Prior to issuance of building permits</p>	<p>County Planning Department/County Transportation Department</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>Transportation and Traffic (continued)</p>						
<p>6.19-44: Prior to the issuance of any building permit for any implementing projects within SF00375, the project proponent shall deposit with Riverside County the funds necessary for the County to prepare the Preliminary Engineering Study, the Financial Plan, and the Nexus Study (the studies). The project proponent shall be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBID or other corridor-wide funding mechanism.</p>	<p>Significant</p>	<p>Prior to issuance of building permits</p>	<p>County Planning Department/County Transportation Department</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-45: After building permits for 1,609 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SF00375 until the project proponent, or implementing projects within SF00375, have deposited funds for Riverside County to prepare an environmental document for adding one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. The project proponent, or the implementing projects, will be eligible for fee credits, fee credits not to exceed the amount of actual costs for the Studies, after the establishment of the RBBID or other area-wide funding mechanism. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.</p>	<p>Significant</p>	<p>Prior to issuance of 1,609th building permit</p>	<p>County Planning Department/County Transportation Department</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	
<p>6.19-46: After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SF00375 until Riverside County obtains environmental clearance to add one lane in each direction along SR-86S/SR-86 between 62nd Avenue and Marina Drive in Imperial County. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted. TUMF credit, where eligible, shall be provided in accordance with CVAG's policies and approvals.</p>	<p>Significant</p>	<p>Prior to issuance of 5,718th building permit</p>	<p>County Planning Department/County Transportation Department</p>		<p>Short term: Significant and Unavoidable/ Long term: Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.19-47: After building permits for 5,718 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SF00375 until SR-86 has been improved to add one lane in each direction between the northern boundary of SF00375 and Town Center Way North. Based on subsequent traffic studies and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.	Significant	Prior to issuance of 5,719 th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-48: After building permits for 11,864 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SF00375 until a construction contract, or contracts shall have been let to improve SR-86/SR-86 to add one lane in each direction between 62nd Avenue and Marina Drive in Imperial County.	Significant	Prior to issuance of 11,865 th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
Transportation and Traffic (continued)						
6.19-49: After building permits for 12,788 residential units have been issued, no further building permit, or permits, shall be issued for any residential or non-residential implementing project in SF00375 until SR-86/SR-86 shall have been constructed to provide three lanes in each direction between 62nd Avenue and Marina Drive in Imperial County. Depending on the progress of construction and at the discretion of the Director of Transportation, the threshold number of residential units may be adjusted.	Significant	Prior to issuance of 12,789 th building permit	County Planning Department/County Transportation Department		Short term: Significant and Unavoidable/ Long term: Less than Significant	
6.19-50: The project proponent and individual implementing projects within SF00375 shall implement the system of Travertine Point Walkways/Pedestrian Paths as illustrated in Exhibits 3.1-A and 3.1-B of the TSS.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
6.19-51: The project proponent and individual implementing projects within SF00375 shall implement the system of Travertine Point Bikeways Plan as illustrated in Exhibits 3.2-A and 3.2-B of the TSS.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
6.19-52: The project proponent and individual implementing projects within SF00375 shall implement the Travertine Point Transit Features as illustrated in Exhibits 4.1-A and 4.1-B of the TSS.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
6.19-53: The project proponent and individual implementing projects within SF00375 shall implement the Travertine Point Neighborhood Electrical Vehicle Accommodations as illustrated in Exhibit 6.1-1 of the TIA. State legislation will be required to allow NEVs to use roadways that have a speed limit higher than 35 mph. The applicant shall assist the County in obtaining legislative approval.	Less than Significant	Prior to implementing project approval	County Planning Department/County Transportation Department		Less than Significant	
Utilities/Water						
6.20-1: Prior to implementing project approval, future applicants for development permits must submit plans for water delivery systems to CVWD for review and approval.	Significant	Prior to implementing project approval	CVWD		Less than Significant	

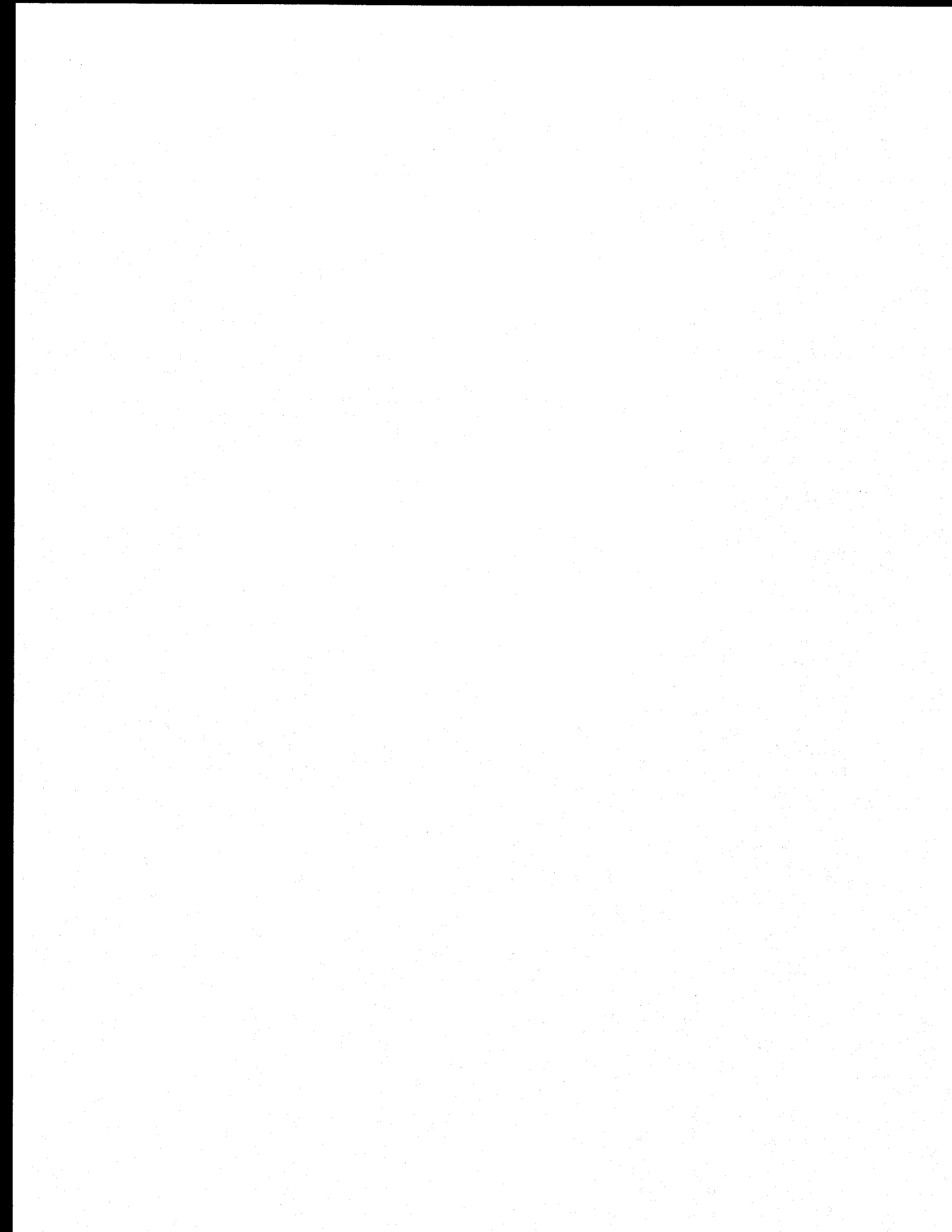


Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.20-2: Prior to implementing project approval, water quality testing for irrigation and fire suppression that uses nonpotable water shall submit documentation to CVWD indicating that the water quality meets the requirements of the California Department of Public Health and fire flow requirements for the Fire Department.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>CVWD/County Fire Department</p>		<p>Less than Significant</p>	
<p>Utilities - Wastewater</p>						
<p>6.21-1: The applicant shall prepare and submit to CVWD, SCSD, the County of Riverside and/or the Imperial County Public Works Department, as appropriate, a Wastewater Management Plan (WMP) that provides for the final location, development, and funding mechanisms of the wastewater conveyance infrastructure system and wastewater treatment system associated with development of the entire project. This WMP shall describe and finalize the design parameters and locations of piping necessary to convey wastewater originating within the project site for the specified tract. Each WMP shall also be submitted to the Regional Water Quality Control Board for approval and to ensure that the wastewater infrastructure conveyance system meets their requirements for collection and treatment of wastewater. The Wastewater Management Plan shall be reviewed and approved by CVWD and Riverside County for the portion of the project in Riverside County prior to the recordation of any final subdivision map in Riverside County and by SCSD and Imperial County prior to the recordation of any final subdivision map in Imperial County.</p>	<p>Less than Significant</p>	<p>Prior to implementing project approval</p>	<p>CVWD/SCSD/County of Riverside Planning Department/Imperial County Public Works Department</p>		<p>Less than Significant</p>	
<p>6.21-2: Prior to the recordation of any final subdivision map in Imperial County, the project developer shall enter into a Development Agreement with the Salton City Community Services District to provide wastewater collection and treatment services for the portion of the project site within the Salton Community Service District service area, consistent with the approved Wastewater Management Plan.</p>	<p>Less than Significant</p>	<p>Prior to implementing project approval</p>	<p>SCSD</p>		<p>Less than Significant</p>	
<p>6.21-3: Prior to building final inspection for the first residential unit and/or commercial unit within the Riverside County portion of the proposed project, the applicant shall execute a Special Agreement with CVWD to design, permit, construct, operate, and maintain an expandable wastewater treatment plant and nonpotable water storage and distribution system. The agreement shall provide for the initial size of the treatment plant to meet the initial development requirements of the project. The agreement shall provide for the plant to be expanded as the project proceeds to meet the project's full wastewater flow requirements within Riverside County and CVWD jurisdiction (estimated to be 3.0 mgd). Wastewater treatment and reuse facilities are provided for in Planning Area 4-3 or alternately an off-site location as provided for in the Wastewater Master Plan (see Figure 3.0-21). The project applicant shall provide necessary funding for the construction of this facility.</p>	<p>Significant</p>	<p>Prior to building final inspection</p>	<p>CVWD/County Planning Department</p>		<p>Less than Significant</p>	

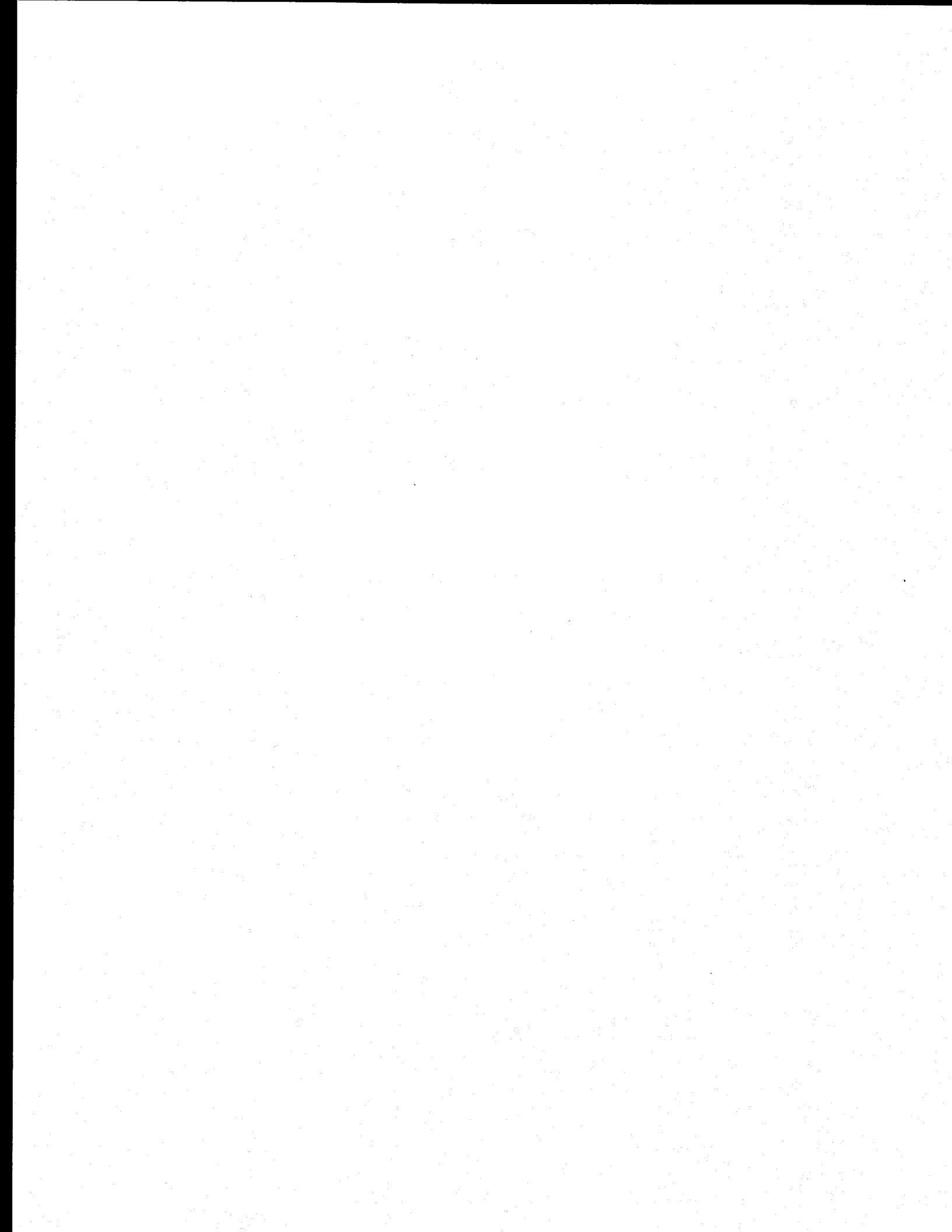


4.0 Mitigation Monitoring Program

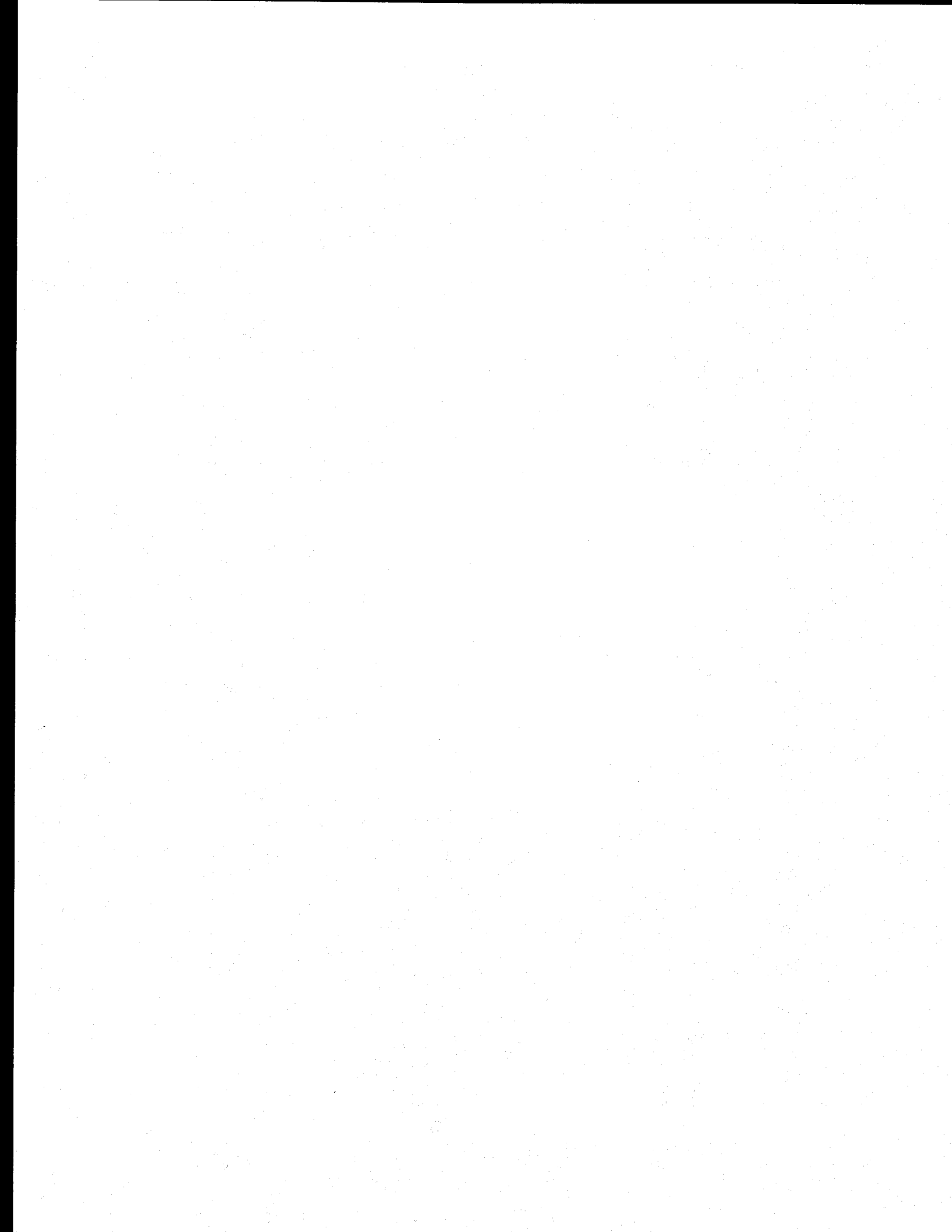
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Utilities - Wastewater (continued)</p> <p>6.21-4: The proposed specific plan shall be modified so that a land use overlay designation for a wastewater treatment plant can be located in a planning area within the Imperial County portion of the proposed project. If it is found that an appropriate location cannot be determined for the development of an expandable wastewater treatment plant on the project site, the applicant through a Special Agreement with SCSD, shall establish an area off site where a modular wastewater treatment plant could be located and be within the service boundaries of the SCSD. This may require additional CEQA review in the future.</p>	Significant	Prior to project approval	SCSD/County Planning Department		Less than Significant	
<p>6.21-5: The proposed specific plan shall be modified so that prior to building final inspection for the first residential unit and/or commercial unit within the Imperial County portion of the proposed project, the applicant shall execute a Special Agreement providing for SCSD to design, permit, construct, operate, and maintain a modular wastewater treatment plant and nonpotable water storage and distribution system. Such system shall be sized according to the Wastewater Management Master Plan for the portion of the proposed project within Imperial County. The project applicant shall provide necessary funding for the construction of this plant. All wastewater treatment facilities will be creditable toward the facilities component of SCSD's Sanitation Capacity charge for all residential, commercial, and industrial structures within the SCSD's portion of the project boundary. The applicant's financial responsibility for these facilities is only for those components of the wastewater treatment facilities necessary to provide wastewater treatment for the proposed project's and its associated effluent.</p>	Significant	Prior to project approval	SCSD		Less than Significant	



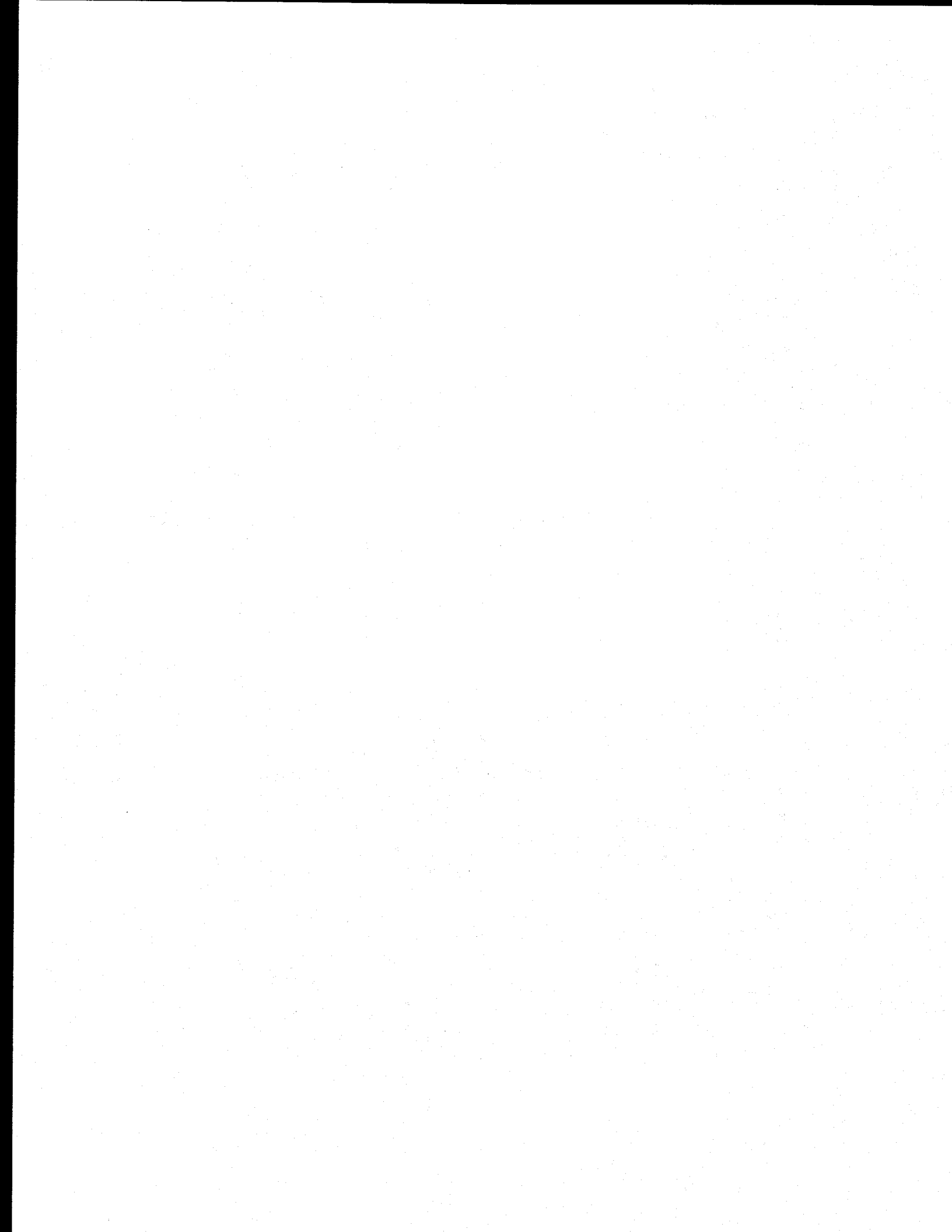
Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Utilities - Solid Waste</p> <p>6.22-1: Prior to implementing project approval, a Waste Recycling Plan (WRP) shall be submitted to the appropriate County Waste Management Department or Planning Department for approval. At a minimum the WRP shall identify the materials (e.g., concrete, asphalt, wood, etc.) that would be generated by construction and development, the project amounts, measures/methods that would be implemented to recycle, reuse, and/or reduce the amount of materials, the facilities and haulers that would be utilized, and the targeted recycling or reduction rates to be achieved.</p>	<p>Significant</p>	<p>Prior to implementing project approval</p>	<p>County Waste Management Department</p>		<p>Less than Significant</p>	
<p>6.22-2: The project proponent shall make every effort feasible to recycle, reuse, and/or reduce the amount of construction and demolition materials (i.e., concrete, asphalt, wood, etc.) generated by development of the project that would otherwise be taken to a landfill. This diversion of waste must exceed a 50 percent reduction by weight. The project shall complete the Riverside County Waste Management Department Construction and Demolition Waste Diversion Program Form B or Form C process as evidence to ensure compliance. Form B (Recycling Plan) must be submitted and approved by the Riverside County Waste Management Department and provided to the Department of Building and Safety prior to the issuance of building permits. Form C (Reporting Form) must be approved by the Riverside County Waste Management Department and submitted to the Department of Building and Safety prior to the issuance of certificate of occupancy/final inspection.</p>	<p>Significant</p>	<p>Prior to issuance of building permits</p>	<p>County Waste Management Department/ Department of Building and Safety</p>		<p>Less than Significant</p>	



Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>Utilities - Solid Waste (continued) 6.22-3: Applicant(s) shall dispose of any hazardous wastes, including paint, used during construction and grading at a licensed facility in accordance with local, state, and federal guidelines.</p>	Significant	During construction and grading	County Waste Management/County Planning Department		Less than Significant	
<p>6.22-4: All commercial and residential refuse generated from the proposed project within Riverside County portion of the proposed project shall be delivered to the Coachella Valley Transfer Station or the Edom Hill Transfer Station; any residual waste that these transfer stations could not accept shall be disposed of at the Lamb Canyon Landfill or Badlands Landfill or other locations as determined by the Riverside County Waste Management Department. All commercial and residential refuse generated from the proposed project within the Imperial County portion of the proposed project shall be delivered to Salton City Landfill or other locations as determined by the Imperial County Waste Management Department.</p>	Significant	During project operation	County Waste Management/County Planning Department		Less than Significant	
<p>6.22-5: The Homeowners Association established for the proposed development shall establish green waste recycling through its yard maintenance or waste hauling contracts. Green waste recycling includes such things as grass recycling (where lawn clippings from a mulching-type mower are left on the lawn) and on- or off-site composting. This measure shall be implemented to reduce green waste going to landfills. If such services are not available through the yard maintenance or waste haulers in the area, the HOA shall provide individual homeowners with information about ways to recycle green waste individually and collectively. Homeowners shall be notified of such in the CC&Rs.</p>	Significant	Prior to implementing project approval	County Waste Management/County Planning Department/HOA		Less than Significant	
<p>6.22-6: Prior to issuance of Building Permits for any multi-unit residential, commercial or industrial facilities, clearance from the Riverside County Waste Management Department is needed to verify compliance with California Solid Waste Reuse and Recycling Act of 1991 (AB 1327), which requires the local jurisdiction to require adequate areas for collecting and loading recyclable materials.</p>	Significant	Prior to issuance of building permits	County Waste Management Department		Less than Significant	
<p>6.22-7: Prior to implementing project approval, applicant(s) shall submit for review and approval landscape plans that provide for the use of xeriscape landscaping and the use of drought tolerant low maintenance vegetation in all landscaped areas of the project.</p>	Significant	Prior to implementing project approval	County Waste Management/County Planning Department		Less than Significant	
<p>6.22-8: Prior to implementing project approval for Planning Areas 2-17, 2-21, 2-19, and 2-20, the applicant(s) shall provide for a buffer and restrict development adjacent to the active or closed landfill from the Oasis Landfill property line for a distance of a minimum of 1,000 feet and a maximum of 1,320 feet originating at the Oasis Landfill disposal footprint, until the landfill is closed to provide adequate spacing for monitoring probes, as recommended by the RCWMD and in accordance with the Southern California Air Quality Management District's Rule 1150.1.</p>	Significant	Prior to implementing project approval	County Waste Management Department		Less than Significant	



Impact Category/Mitigation Measure	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
URB10c - Solid Waste (continued)						
6.22-9: Prior to implementing project approval for Planning Areas 2-18 and 2-19, the Oasis landfill shall be closed by the RCWMD in accordance with CalRecycle guidelines for closure with waste in place.	Significant	Prior to implementing project approval	County Waste Management Department		Less than Significant	
6.22-10: Prior to implementing project approval in Planning Area 2-18, the applicant shall consult with officials from RCWMD and agree on a circulation plan for roads that would be developed around and adjacent to the Oasis Landfill site. Best Management Practices (BMPs) shall be developed and implemented within the circulation plan for Planning Areas 2-18 and 2-19 to avoid the restructuring of roadways around and adjacent to the Oasis Landfill.	Significant	Prior to implementing project approval	County Planning Department/RCWMD		Less than Significant	
URB10d - Energy						
6.23-1: Prior to building final, residential and commercial buildings shall be conditioned to participate in any future programs, such as green pricing programs, which allow customers to support the development of renewable energy sources by paying a small premium on their electric bills, established by the Imperial Irrigation District. If the district establishes a green pricing program whereby energy generated from renewable resources either exclusively or at a higher proportion may be purchased, the proposed project shall participate in the program. Proof of participation (enrollment) shall be submitted to the Planning Department within 30 days of occupancy.	Less than Significant	Prior to building final	Imperial Irrigation District		Less than Significant	
6.23-2: Prior to implementing project approval, the applicant shall submit plans showing the proposed locations of electricity transmission and distribution infrastructure to the Imperial Irrigation District for review and approval.	Less than Significant	Prior to project approval	Imperial Irrigation District/County Planning Department		Less than Significant	
6.23-3: The Travertine Point Specific Plan shall be modified to require the installation, prior to initial building construction, of rooftop solar power generation equipment on all new development when economically feasible and cost competitive. Should more efficient technology become available and economically feasible, that technology may be used in place of rooftop solar power generation equipment. The installation of solar equipment shall be considered feasible and cost competitive when the addition of rooftop solar increases the cost of construction by no more than 5 percent.	Less than Significant	Prior to project approval	County Planning Department		Less than Significant	
6.23-4: Prior to the first implementing project approval for each development phase, the project applicant shall submit a plan for providing local transit services within the project site to the Riverside County Planning Department for review and approval.	Significant	Prior to building final	Riverside County Planning Department		Less than Significant	

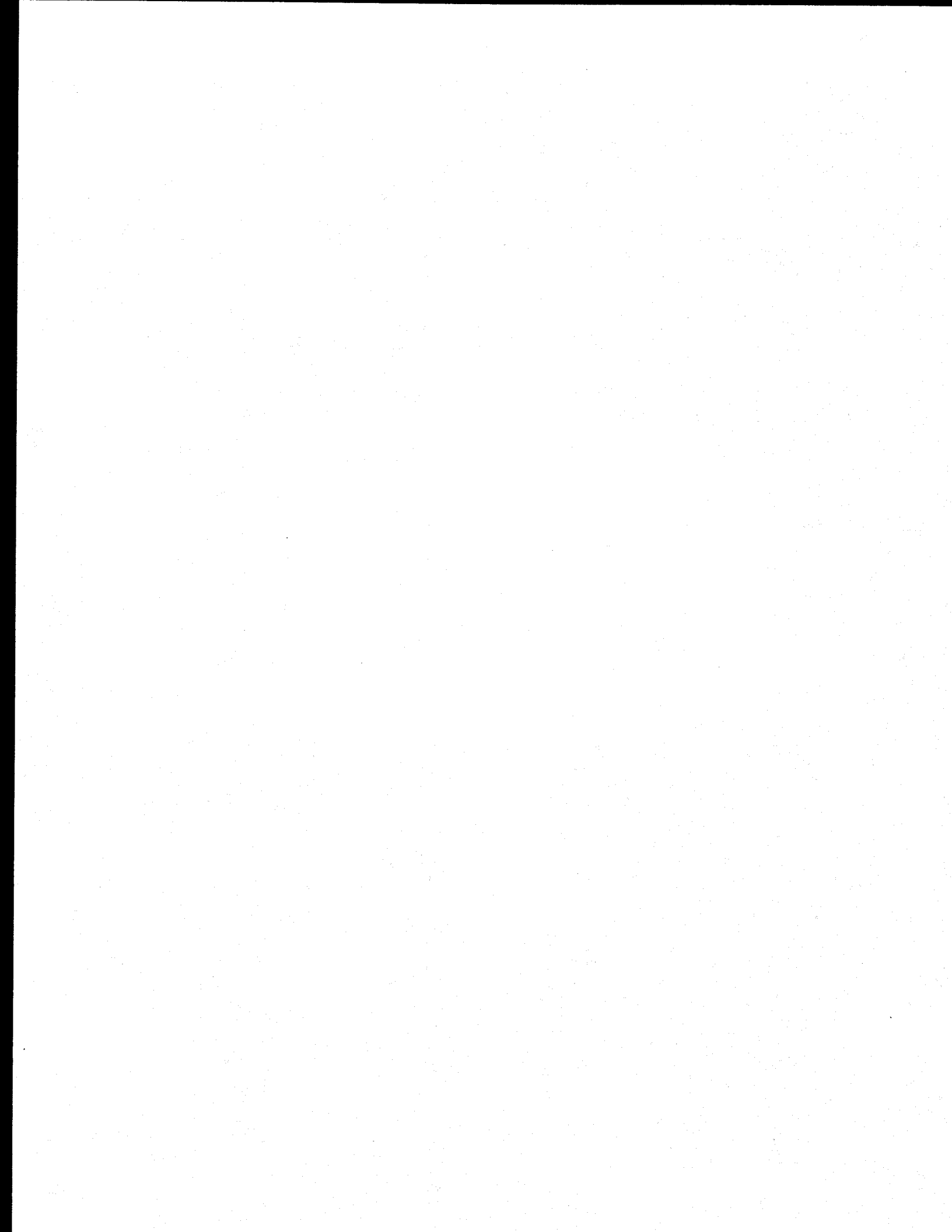


4.0 Mitigation Monitoring Program

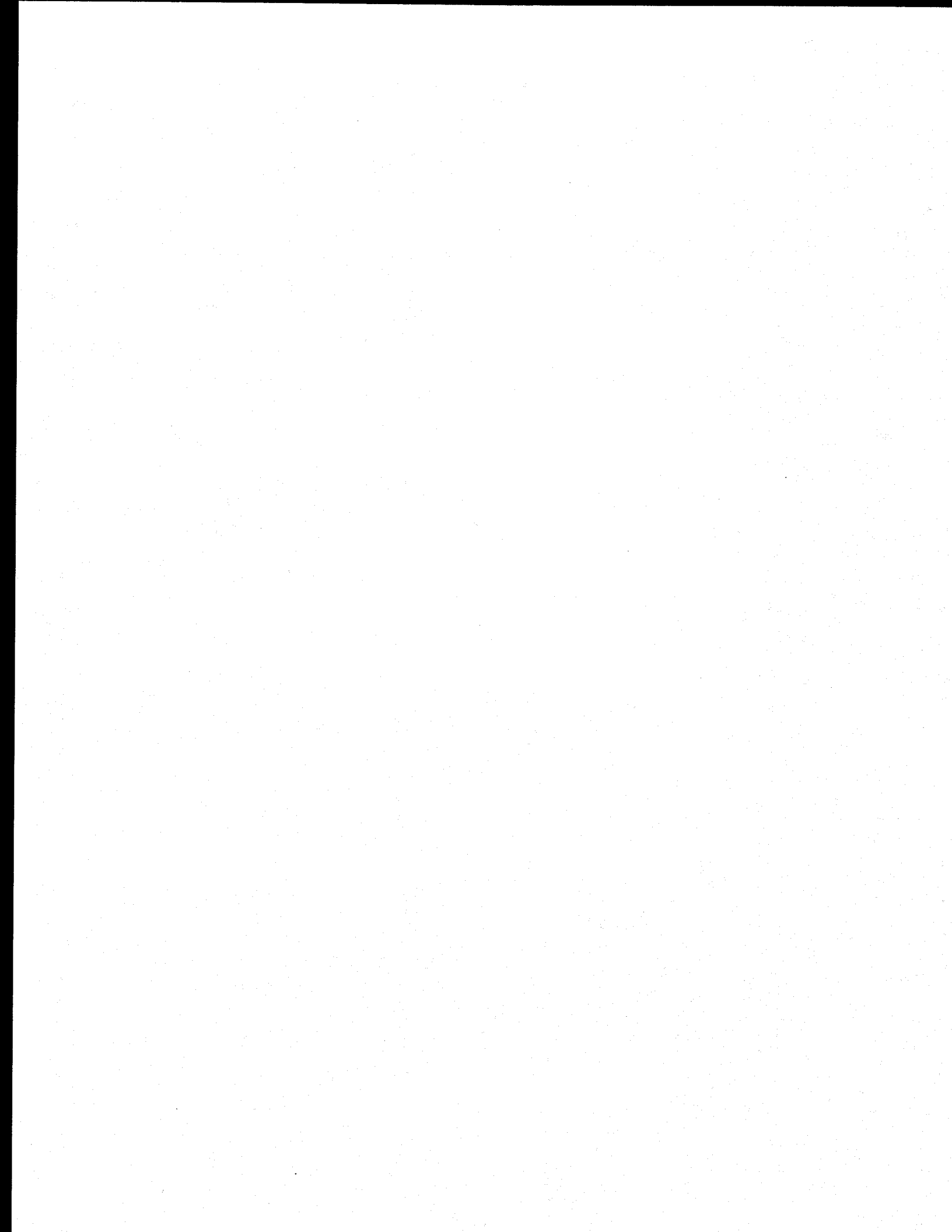
Greenhouse Gases	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.24-1:	Prior to the issuance of each building permit, the applicant shall provide a listing of the green building practices and design elements used in the building that reduce GHG emissions to the appropriate Planning Department. The green building practices and design elements shall be consistent with the CAP and any other green building standards adopted by either Riverside County or Imperial County. (See, e.g., California Department of Housing and Community Development's Green Building & Sustainability Resources handbook at www.hcd.ca.gov/hpd/green_build.pdf ; e.g., the American Institute of Architects at http://www.wiki.aia.org/Wiki%20Pages/Home.aspx)	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-2:	Prior to the issuance of each building permit, the applicant shall provide evidence of its use of energy-efficient designs meeting and/or consistent with the standards in the CAP and any other green building standards adopted by either Riverside County or Imperial County to the appropriate Planning Department. In accordance with the CAP, all residential buildings shall, at a minimum, exceed Title 24 (2008) by 30 percent and all non-residential buildings shall, at a minimum, exceed Title 24 (2008) by 15 percent. This measure does not exempt buildings from meeting future energy efficiency obligations that may result from future revisions to the Title 24 standards. Furthermore, the project shall commit to exceeding future Title 24 standards as close to the 30 percent and 15 percent targets for residential and commercial buildings as possible to the extent that it is feasible to do so based on the technological and financial feasibility factors at the time of permit application.	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-3:	Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of its use of energy efficient lighting, heating and cooling systems, appliances, equipment and control systems, including the installation of ENERGY STAR-certified products, consistent with the standards in the CAP and any other energy efficiency standards adopted by either Riverside County or Imperial County. (Information about ENERGY STAR-certified products are available at http://www.energystar.gov/index.cfm?fuseaction=find_a_product ; see also the California Energy Commission's database of appliances meeting federal or state energy standards at http://www.appliances.energy.ca.gov ; see the Electronic Product Environmental Assessment Tool for ranking of energy efficient computer equipment at http://www.epaat.net/AboutEPEAT.aspx ; see the Online Guide to Energy Efficient Commercial Equipment at http://www.aces.org/ogeece/chi_index.htm)	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	



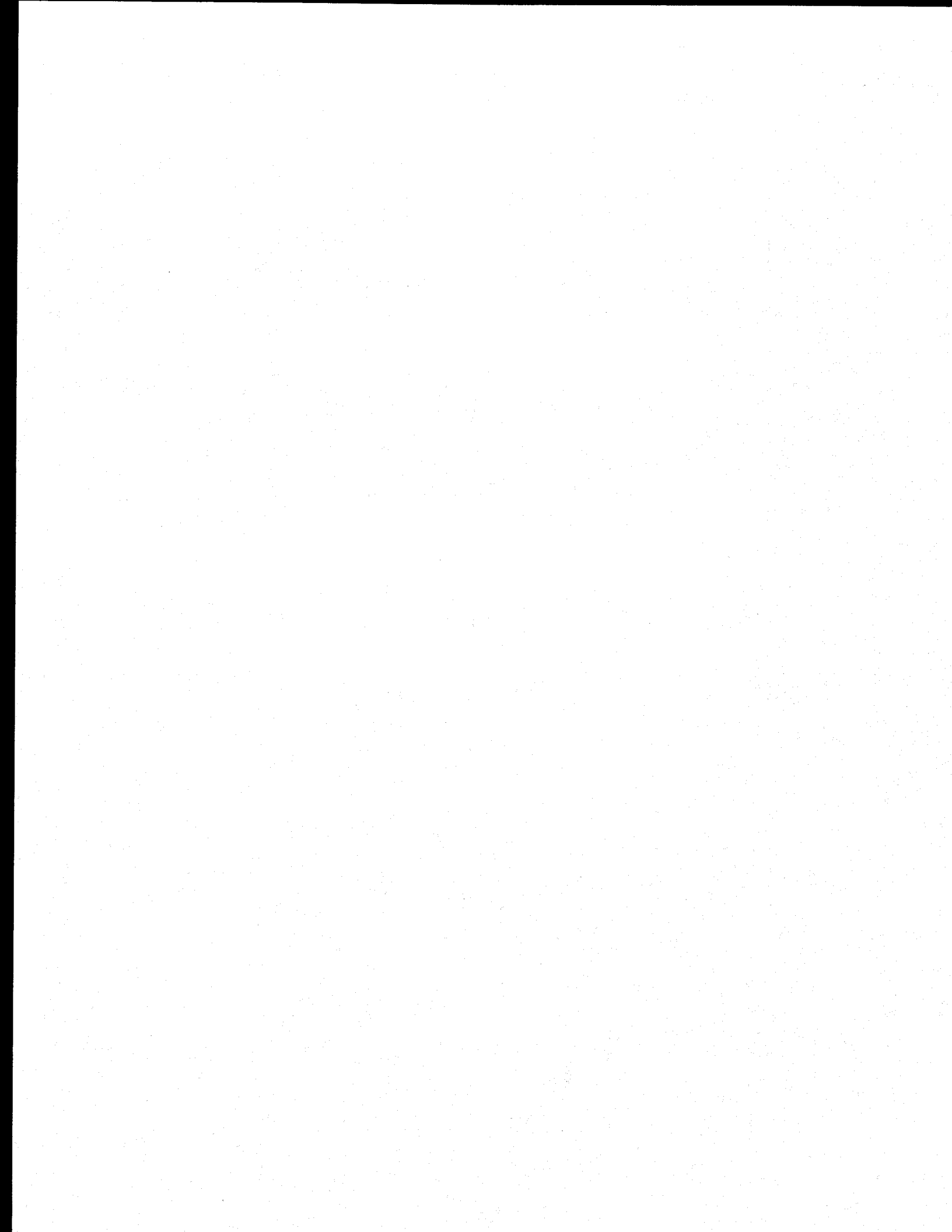
Greenhouse Gases (Continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.24-4:	Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "cool" roofs or "green" roofs, and cool pavements for all roofs and pavements to the extent that such products are commercially available for the implementing project. (See Consumer Energy Center, Cool Roofs at http://www.consumerenergycenter.org/coolroof/)	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-5:	Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of automatic covers, efficient pumps and motors, and solar heating for pools and spas to the extent that such products are commercially available for the implementing project. (See http://www.consumerenergycenter.org/home/outside/pools_spas.html).	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-6:	Prior to the issuance of each building permit, the applicant shall provide evidence that the building is consistent with and/or does not conflict with the following Specific Plan-wide renewable energy targets: <ul style="list-style-type: none"> • 80 percent of residential units shall meet 60 percent of their baseline demand power energy needs with renewable energy; and • 80 percent of commercial building square footage shall meet 40 percent of their baseline demand power energy needs with renewable energy. Should the individual structure not be able to demonstrate that power provided by IID does not comply with this standard, then the individual structure shall comply by providing renewable energy power from a source within the limits of the Specific Plan.	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	



Greenhouse Gas (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.24-7: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of water efficient irrigation systems and devices, such as soil-based irrigation controls and use water-efficient irrigation methods consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide water conservation measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following water conservation measures:</p> <ul style="list-style-type: none"> • 90 percent of all builder-installed plumbing devices in each residential buildings will be low-flow and water-efficient; • 90 percent of all builder-installed plumbing devices in each non-residential buildings will be low-flow and water-efficient; • Turf will not exceed 20 percent of the total landscaped area of each Planning Area, with the exception of parks, recreation centers, and schools; • 80 percent of public and common landscape areas will use smart irrigation systems per project; and • 80 percent of public and common landscape areas will use drought-tolerant, native, and/or water-efficient plant materials per project. <p>(See http://www1.sere.energy.gov/emp/program/waterefficiency_bmp5.html; see also http://www.water.ca.gov/wateruseefficiency/landscape/.)</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	
<p>6.24-8: Prior to grading final for each implementing project, the applicant or their contractor shall submit to the appropriate Public Works Department for review and approval of a site construction management plan for the reuse and recycle construction and demolition waste (including soil, vegetation, concrete, lumber, metal, and cardboard). (See http://www.ciwrmb.ca.gov/condemo/).</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	



Greenhouse Gases (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
<p>6.24-9 Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of reuse and recycling measures in residential, industrial, and commercial projects consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide recycling and waste reduction measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following recycling and waste reduction measures:</p> <ul style="list-style-type: none"> • Provide recycling containers within all multi-family residential communities; • Provide recycling containers within all commercial, office, and light industrial buildings; • Provide containers for community composting within all multi-family residential communities; and • Provide containers for community composting within all commercial, office, and light industrial buildings. <p>(See http://zerowaste.ca.gov; see also http://www.ca-ilg.org/wastereduction).</p>	<p>Significant</p>	<p>Prior to the issuance of building permits</p>	<p>County Planning Department</p>			<p>Significant and Unavoidable</p>	
<p>6.24-10: Prior to the issuance of each building permit, the applicant shall provide evidence to the appropriate Planning Department of the use of "smart growth" principles to reduce GHG emissions (i.e., ensure mixed-use, infill and higher density projects provide alternatives to individual vehicle travel and promote efficient delivery of goods and services) consistent with measures recommended in the CAP. In accordance with the CAP, the applicant shall provide evidence that the building is consistent with the following Specific Plan-wide "smart growth" measures and/or does not prevent or conflict with the Specific Plan's ability to meet the following "smart growth" measures:</p> <ul style="list-style-type: none"> • 60 percent of building frontages will have the principal functional entry facing a public space such as a street, square, park, paseo, or plaza, but not a parking lot based on type of project; • 75 percent of mixed-use streets shall have minimum 8-foot-wide sidewalks that front primarily commercial retail uses and all other areas will have minimum 4-foot-wide sidewalks; • 60 percent of all housing with a density of 7 dwelling units per acre or more will lie within 0.5 mile of a transit stop; <p>(See http://www.epa.gov/smartgrowth/index.htm).</p>	<p>Significant</p>	<p>Prior to grading final</p>	<p>County Public Works Department</p>			<p>Significant and Unavoidable</p>	



4.0 Mitigation Monitoring Program

General Case (continued)	Impact Category/Mitigation Measures	Level of Impact	Implementation Timing	Responsible Party	Monitoring/Reporting Method	Impact After Mitigation	Comments/Completion Date
6.24-11:	<p>Prior to implementing project approval for each tract map, the applicant shall preserve existing trees to the extent feasible and encourage the planting of new trees consistent with the final landscape palette in the Specific Plan. Removed trees shall be replaced at a minimum 1:1 ratio in accordance with acceptable tree species defined in the final landscape palette. (See http://www.epa.gov/cead/brownfields.htm)</p>	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	
6.24-12:	<p>The Specific Plan shall be modified to include a comprehensive parking policy that disfavors private vehicle use and favors the use of alternative transportation. Comprehensive parking policy measures shall include but are not limited to the measures listed below:</p> <ul style="list-style-type: none"> • Seek approval from the appropriate County Department(s) to waive minimum parking requirements and reduce parking from the minimum standards by as much as 20 percent for projects within a quarter mile of a transit station; • Use shared and/or centralized parking facilities consistent with a "park once" approach; • Require that employers provide information on public transportation options to employees; • Require that large employers (250 or more employees at a single work-site location) and encourage small employers (less than 250 employees at a single work-site location) to provide bicycle parking facilities, employee break rooms with refrigerators and microwaves, and automated teller machines (ATMs); and/or <p>Require that large employers (250 or more employees at a single work-site location) provide a transportation demand management program, such as vanpools/carpools, ride-sharing/ride-matching, and/or "guaranteed ride home" services that allow employees who use public transit to get a free ride home if they need to stay at work late.</p>	Significant	Prior to the issuance of building permits	County Planning Department		Significant and Unavoidable	



ORDINANCE NO. 348.4737
ADOPTING CHANGE OF ZONE NO. 7623

1 uses identified under Section 6.1.b. shall also include multiple family dwellings;
2 recycling collection facilities; guest quarters; power generation and distribution
3 facilities, including solar, wind, geothermal, and other alternative forms to
4 traditional hydrocarbon-based energy; and walkable commercial uses subject to a
5 plot plan as defined in Section 2.a.(6) of this Ordinance. In addition, the permitted
6 uses identified under Section 6.1.c. of Ordinance No. 348 shall also include cell
7 towers concealed within architectural projections or similar structures; congregate
8 care residential facilities; day care centers; private schools; and walkable
9 commercial uses as defined in Section 2.a.(6) of this Ordinance.

- 10 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
11 Planning Areas 1-9, 1-14, 3-2 and 3-6, of Specific Plan No. 375 the uses permitted
12 shall be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance
13 No. 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12),
14 (14) and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4),
15 (5), (6), (7), (9), (10) and (11) shall not be permitted.

16 No use, other than an agricultural use and any use incidental thereto permitted in
17 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject
18 to Agricultural Preserves and/or Williamson Act contracts within Planning Areas 1-
19 9, 1-14, 3-2 and 3-6 of Specific Plan No. 375 until such time as Map Nos. 162, 171,
20 359 and 777 of Coachella Valley Agricultural Preserves Nos. 27, 31, and 97 have
21 been diminished or disestablished in the affected planning area and any
22 corresponding Williamson Act contract is no longer in effect for Planning Areas 1-
23 9, 1-14, 3-2 and 3-6. Prior to issuance of a grading permit for uses other than the
24 aforementioned agricultural uses within Planning Areas 1-9, 1-14, 3-2 and 3-6 of
25 Specific Plan No. 375, all agricultural uses including uses incidental thereto within
26 the affected planning area shall cease and shall no longer be a permitted use.
27
28

1 Thereafter, the uses permitted on land formerly subject to Agricultural Preserve
2 and/or Williamson Act contracts within Planning Areas 1-9, 1-14, 3-2 and 3-6 of
3 Specific Plan No. 375 shall be the same as those uses permitted in Planning Areas
4 1-2, 1-3, 1-20, 2-1, 2-6, 2-10, 3-7 and 3-8 of Specific Plan No. 375.

5 (3) The development standards for interim agriculture uses within Planning Areas 1-2,
6 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 shall be the same
7 standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

8 (4) The development standards for one family dwellings, within Planning Areas 1-2,
9 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific Plan No. 375
10 shall be the same standards as those identified in Article XVIII, Section 18.5 of
11 Ordinance No. 348 except that the development standards set forth in Article
12 XVIII, Section 18.5.b., c., and e. shall be deleted and replaced with the following:

- 13 A. Residential lot area shall be not less than three thousand five hundred
14 (3,500) square feet.
- 15 B. The minimum average width of each lot shall be forty feet (40') and the
16 minimum average depth shall be forty-five feet (45').
- 17 C. The minimum frontage of a lot along a straight street shall be thirty-five
18 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
19 frontage along curvilinear streets shall be measured at the building setback
20 in accordance with zone development standards.
- 21 D. The maximum building height shall be forty feet (40').
- 22 E. In no case shall more than eight-five percent (85%) of any lot be covered
23 by a dwelling.
- 24

25 ///

26 ///

27 ///

28 ///

- 1 F. The minimum space between buildings shall be ten feet (10').
- 2 G. The front yard shall be not less than five feet (5'), measured from the
- 3 existing street right-of-way or from any interior drive or future street right-
- 4 of-way.
- 5 H. Side yards on interior and through lots shall be not less than five feet (5').
- 6 Side yards on corner and reverse corner lots shall not be less than five feet
- 7 (5') from the existing street right-of-way or from any interior drive or
- 8 future street right-of-way as shown on any Specific Plan Circulation Plan,
- 9 whichever is nearer to the structure, upon which the main building sides.
- 10 I. The rear yard shall be not less than ten feet (10') from any property line or
- 11 interior drive, except that second floor living space and balconies located
- 12 in the rear yard shall be permitted within eight feet (8') of the rear property
- 13 line and garages shall be permitted within five feet (5') of the rear property
- 14 line.
- 15 J. Fireplaces, media niches, bay windows, porches, window boxes, and
- 16 similar architectural features shall be allowed to encroach a maximum of
- 17 two and one-half feet (2.5') into setbacks. At least one side of the
- 18 structure shall maintain a minimum four foot (4') side yard setback with
- 19 no encroachments. Media niches shall be a maximum of eight feet (8') in
- 20 width. No second floor structural encroachments shall be permitted within
- 21 eight feet (8') of the rear property line. No other structural encroachments
- 22 shall be permitted in the front, rear, or side yard setback except as
- 23 provided for in Section 18.19 of Ordinance No. 348.
- 24 K. The minimum private usable yard space per dwelling unit shall be three
- 25 hundred (300) square feet, with a minimum yard dimension of four (4) by
- 26 four (4) feet.
- 27
- 28

///

1 (5) The development standards for multiple family dwellings permitted in Planning
2 Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of Specific
3 Plan No. 375, shall be the standards for Planned Residential Developments set
4 forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards
5 set forth in Section 18.5.b., c., and e. shall be deleted and replaced with the
6 following:

- 7 A. The maximum building height shall be forty-five feet (45').
8 B. No lot shall have more than sixty percent (60%) of its net area covered
9 with buildings or structures.
10 C. The minimum front and rear yard building setbacks from a project's
11 exterior streets and boundary lines shall be ten feet (10') and the minimum
12 side yard setback from a project's exterior streets and boundary lines shall
13 be five feet (5'). The minimum building setbacks from interior drives
14 shall be three feet (3'). Second floor living space and balconies shall be
15 permitted within eight feet (8') of the front, rear, or side property lines.
16 D. The distance between buildings shall be no less than fifteen feet (15')
17 where primary (e.g., front and/or rear) building setbacks are involved, and
18 no less than ten feet (10') where solely secondary (side) building setbacks
19 or accessory building setbacks are involved.
20 E. The minimum private usable yard space per residential unit shall be fifty
21 (50) square feet, with a minimum yard dimension of three (3) by (3) feet.
22 F. The maximum ratio of floor area to lot area shall not be greater than two to
23 one (2:1), not including basement floor area.
24

25 (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-
26 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
27 building square footage in any one planning area.
28

1 A. The following uses are permitted in a walkable commercial area of
2 Planning Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and
3 3-8 of Specific Plan No. 375 provided a plot plan has been approved
4 pursuant to Section 18.30 of Ordinance No. 348: antique shops; art
5 galleries; art supply shops and studios; bakery shops, including baking
6 only when incidental to retail sales on the premises; banks and financial
7 institutions; bicycle sales and rentals; book stores and binders; clothing
8 stores; convenience stores, not including the sale of motor vehicle fuel;
9 delicatessens; florist's shops; food markets and frozen food lockers; gift
10 shops; golf cart sales and service; grocery, dry goods, health food, and
11 variety stores; hardware stores, including not more than one thousand
12 (1,000) square feet of outside storage lumber; hobby shops; ice cream
13 shops; interior decorating shops; jewelry stores, including incidental
14 repairs; laundries and laundromats; laundries, with dry cleaning shops;
15 leather goods stores; libraries; locksmith shops; meat markets, not
16 including slaughtering; music stores; neighborhood electric vehicle (NEV)
17 sales and service; news stores; non-profit community centers; notions or
18 novelty stores; nurseries and garden supply stores; parcel delivery services
19 (stores); pet shops and pet supply shops; post offices; produce markets;
20 real estate offices; residences, live-work dwellings; restaurants and other
21 eating establishments; shoe stores and repair shops; shoeshine stands; spas,
22 including day spas and medical spas; sporting goods stores; stationer
23 stores; studios for professional work in or teaching of any form of fine arts,
24 including but not limited to photography, music, drama, and dance, where
25 no stock of goods is maintained for sale; tailor shops; tourist information
26 centers; toy shops; travel agencies; utilities, both public and private; and
27 watch repair shops.
28

1 In addition, the following uses shall be permitted, provided a conditional
2 use permit has been approved pursuant to the provisions of Section 18.28
3 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns,
4 clinics, including but not limited to medical, dental and chiropractic; and
5 micro-breweries and micro-winereries.

6 B. The development standards for walkable commercial uses within Planning
7 Areas 1-2, 1-3, 1-9, 1-14, 1-20, 2-1, 2-6, 2-10, 3-2, 3-6, 3-7 and 3-8 of
8 Specific Plan No. 375, shall be the same standards as identified in Article
9 IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth
10 in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with
11 the following:

- 12 (a) No more than one walkable commercial use area shall be
13 permitted within each planning area.
- 14 (b) Walkable commercial uses may be located within and/or
15 adjacent to facilities owned and operated by a homeowners
16 association.
- 17 (c) The commercial building(s) and structure(s) that comprise the
18 walkable commercial use area shall be located at the
19 intersection of two streets on a corner lot with a minimum
20 distance of one thousand feet (1,000') between commercial
21 buildings or structures. Walkable commercial use building(s)
22 not located at an intersection shall require approval of a
23 conditional use permit.
- 24 (d) There shall be no minimum lot area for walkable commercial
25 uses. However, the maximum lot area shall be twenty thousand
26 (20,000) square feet. More than one use may be permitted on a
27 lot.
28

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
- (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
 - (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way
 - (g) The minimum side yard setback from a residential lot line shall be ten feet (10').
 - (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
 - (i) All uses shall be conducted within buildings unless otherwise expressly authorized by a plot plan or conditional use permit. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
 - (j) No outdoor storage shall be permitted.
 - (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
 - (l) Hours of operation shall be limited from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.
 - (m) No commercial vehicle shall be parked on the street or on the premises overnight except in an enclosed structure.

1 (n) Access for service vehicles should provide a direct route to
2 service and loading dock areas.

3 (7) Except as provided above, all other zoning requirements shall be the same as those
4 requirements identified in Article VI of Ordinance No. 348.

5
6 b. Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 (Medium-
7 High Density Residential).

8 (1) The uses permitted in Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-
9 11, 2-17, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those uses
10 permitted in Article VI, Section 6.1 of Ordinance No. 348, except that the uses
11 permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and (9); b.(1) and (5); and c.(1)
12 shall not be permitted. In addition, the permitted uses identified under Section
13 6.1.a. shall include community recreation and assembly buildings and facilities
14 lakes, including the non-commercial fishing there from; second units provided a
15 second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348;
16 sport courts and recreational fields and facilities; and accessory buildings to a
17 specific use, provided that the accessory building is established as an incident to a
18 principal use, does not change the character of that use, and any applicable
19 provisions of Section 18.18 of Ordinance No. 348 are complied with. In addition,
20 the permitted uses identified under Section 6.1.b. shall also include multiple
21 family dwellings; recycling collection facilities; guest quarters; power generation
22 and distribution facilities, including solar, wind, geothermal, and other alternative
23 forms to traditional hydrocarbon-based energy; and walkable commercial uses as
24 defined in Section 2.b.(6) of this Ordinance. In addition, the permitted uses
25 identified under Section 6.1.c. of Ordinance No. 348 shall also include cell towers
26
27
28

1 concealed within architectural projections or similar structures; congregate care
2 residential facilities; day care centers; private schools; and walkable commercial
3 uses as defined in Section 2.b.(6) of this Ordinance.

4
5 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
6 Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the
7 same as those uses permitted in Article XIII, Section 13.1 of Ordinance No. 348.
8 No use, other than an agricultural use and any use incidental thereto permitted in
9 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
10 Areas 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 until such time as
11 Map Nos.162, 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos.
12 27, 31, and 97 have been diminished or disestablished in the affected planning
13 area and any corresponding Williamson Act contract is no longer in effect for
14 Planning Areas 1-13, 1-18, 1-19, 3-1 and 3-4. Prior to issuance of a grading permit
15 for uses other than the aforementioned agricultural uses within Planning Areas 1-
16 13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375, all agricultural uses including
17 uses incidental thereto within the affected planning area shall cease and shall no
18 longer be a permitted use. Thereafter, the uses permitted on land formerly subject
19 to Agricultural Preserves and/or Williamson Act contracts within Planning Areas
20 1-13, 1-18, 1-19, 3-1 and 3-4 of Specific Plan No. 375 shall be the same as those
21 uses permitted in Planning Areas 1-1, 1-7, 1-8, 2-3, 2-8, 2-11 and 2-17 of Specific
22 Plan No. 375.
23
24
25

26 ///

27 ///

28

1 (3) The development standards for interim agriculture uses within Planning Areas 1-1
2 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 shall be the same
3 standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.

4 (4) The development standards for one family dwellings within Planning Areas 1-1, 1-
5 7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific Plan No. 375
6 shall be the same standards as those identified in Article XVIII, Section 18.5 of
7 Ordinance No. 348 except that the development standards set forth in Article
8 XVIII, Section 18.5.b., c. and e. shall be deleted and replaced with the following:

9 A. Residential lot area shall be not less than three thousand five hundred
10 (3,500) square feet.

11 B. The minimum average width of each lot shall be forty feet (40') and the
12 minimum average depth shall be forty-five feet (45').

13 C. The minimum frontage of a lot along a straight street shall be thirty-five
14 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
15 frontage along curvilinear streets shall be measured at the building setback
16 in accordance with zone development standards.

17 D. The maximum building height shall be forty feet (40').

18 E. In no case shall more than eight-five percent (85%) of any lot be covered
19 by a dwelling.

20 F. The minimum space between buildings shall be ten feet (10').

21 G. The front yard shall be not less than five feet (5'), measured from the
22 existing street right-of-way or from any interior drive or future street right-
23 of-way. Porches at the front of the structure may encroach two and one-
24 half (2.5') into the front yard setback.

25 H. Side yards on interior and through lots shall be not less than five feet (5')
26 Side yards on corner and reverse corner lots shall not be less than five feet
27

1 (5') from the existing street right-of-way or from any interior drive or
2 future street right-of-way as shown on any Specific Plan Circulation Plan,
3 whichever is nearer to the structure, upon which the main building sides.

4 I. The rear yard shall be not less than ten feet (10') from any property line or
5 interior drive, except that second floor living space and balconies located
6 in the rear yard shall be permitted within eight feet (8') of the rear property
7 line, and garages shall be permitted within five feet (5') of the rear
8 property line.

9 J. Fireplaces, media niches, bay windows, porches, window boxes, and
10 similar architectural features shall be allowed to encroach a maximum of
11 two and one-half feet (2.5') into setbacks. At least one side of the
12 structure shall maintain a minimum four foot (4') side yard setback
13 regardless of encroachments. Media niches shall be a maximum of eight
14 feet (8') in width. No second floor structural encroachments shall be
15 permitted within eight feet (8') of the rear property line. No other
16 structural encroachments shall be permitted in the front, rear, or side yard
17 setback except as provided for in Section 18.19 of Ordinance No. 348.

18 K. No dwelling unit shall be constructed unless it has a minimum floor living
19 area of seven hundred fifty (750) square feet. Porches, garages, patios, and
20 similar features, whether attached or detached to a dwelling, shall not be
21 included when calculating the floor living area.

22 L. The minimum private usable yard space per residential unit shall be three
23 (300) square feet, with a minimum yard dimension of four (4) by four (4)
24 feet.
25

26
27 ///

28 ///

1 (5) The development standards for multiple family dwellings permitted in Planning
2 Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of Specific
3 Plan No. 375 shall be the standards for Planned Residential Developments set forth
4 in Article XVIII, Section 18.5 of Ordinance No. 348 except that the standards set
5 forth in Section 18.5.b., c. and e. shall be deleted and replaced with the following:

- 6 A. The maximum building height shall be forty-five feet (45').
- 7 B. No lot shall have more than sixty percent (60%) of its net area covered
8 with buildings or structures.
- 9 C. The minimum front and rear yard building setbacks from a project's
10 exterior streets and boundary lines shall be ten feet (10') and the minimum
11 side yard setback from a project's exterior streets and boundary lines shall
12 be five feet (5'). The minimum building setbacks from interior drives
13 shall be three feet (3'). Second floor living space and balconies shall be
14 permitted within eight feet (8') of the front, rear, or side property lines.
- 15 D. The distance between buildings shall be no less than fifteen feet (15')
16 where primary (e.g., front and/or rear) building setbacks are involved and
17 no less than ten feet (10') where solely secondary (side) building setbacks
18 or accessory building setbacks are involved.
- 19 E. The minimum private usable yard space per residential unit shall be fifty
20 (50) square feet, with a minimum yard dimension of three (3) by three (3)
21 feet.
- 22 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
23 than two to one (2:1), not including basement floor area.
- 24 G. No multi-family dwelling unit shall be constructed unless it has a
25 minimum floor living area of seven hundred fifty (750) square feet.
26 Porches, garages, patios, and similar features, whether attached or
27
28

1 detached to a dwelling, shall not be included when calculating the floor
2 living area.

3
4 (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-
5 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
6 building square footage in any one planning area.

7 A. The following uses are permitted in a walkable commercial use area
8 of Planning Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1
9 and 3-4 of Specific Plan No. 375 provided a plot plan has been approved
10 pursuant to Section 18.30 of Ordinance No. 348: antique shops; art
11 galleries; art supply shops and studios; bakery shops, including baking only
12 when incidental to retail sales on the premises; banks and financial
13 institutions; bicycle sales and rentals; book stores and binders; clothing
14 stores; convenience stores, not including the sale of motor vehicle fuel;
15 delicatessens; florist's shops; food markets and frozen food lockers; gift
16 shops; golf cart sales and service; grocery, dry goods, health food, and
17 variety stores; hardware stores, including not more than one thousand
18 (1,000) square feet of outside storage lumber; hobby shops; ice cream
19 shops; interior decorating shops; jewelry stores, including incidental repairs;
20 laundries and laundromats; laundries, with dry cleaning shops; leather goods
21 stores; libraries; locksmith shops; meat markets, not including slaughtering;
22 music stores; neighborhood electric vehicle (NEV) sales and service; news
23 stores; non-profit community centers; notions or novelty stores; nurseries
24 and garden supply stores; parcel delivery services (stores); pet shops and pet
25
26
27
28

1 supply shops; post offices; produce markets; real estate offices; residences
2 live-work dwellings; restaurants and other eating establishments; shoe stores
3 and repair shops; shoeshine stands; spas, including day spas and medical
4 spas; sporting goods stores; stationery stores; studios for professional work
5 in or teaching of any form of fine arts, including but not limited to
6 photography, music, drama, and dance, where no stock of goods is
7 maintained for sale; tailor shops; tourist information centers; toy shops;
8 travel agencies; utilities, both public and private; and watch repair shops.
9 In addition, the following uses shall be permitted provided a conditional use
10 permit has been approved pursuant to the provisions of Section 18.28 of
11 Ordinance No. 348: bars and cocktail lounges, bed and breakfast inns,
12 clinics, including but not limited to medical, dental and chiropractic, and
13 micro-breweries and micro-winereries.
14

15
16 B. The development standards for walkable commercial uses within Planning
17 Areas 1-1, 1-7, 1-8, 1-13, 1-18, 1-19, 2-3, 2-8, 2-11, 2-17, 3-1 and 3-4 of
18 Specific Plan No. 375, shall be the same standards as identified in Article
19 IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth
20 in Article IXa, Section 9.26.a., b. and c. shall be deleted and replaced with
21 the following:

- 22 (a) No more than one walkable commercial use area shall be
23 permitted within each planning area.
24 (b) Walkable commercial uses may be located within and/or
25 adjacent to facilities owned and operated by a homeowners
26 association.

27 ///

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
- (c) The commercial building(s) that comprise the walkable commercial use area shall be located at the intersection of two streets on a corner lot with a minimum distance of one thousand feet (1,000') between usable commercial structures. Walkable commercial use building(s) not located at an intersection shall require approval of a conditional use permit.
 - (d) There shall be no minimum lot area for walkable commercial uses. However, the maximum lot area shall be twenty thousand (20,000) square feet. More than one use shall be permitted on a lot.
 - (e) Within any one walkable commercial area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
 - (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
 - (g) The minimum side yard setback from a residential lot line shall be ten feet (10').
 - (h) The minimum rear yard setback from a residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.

26 ///

27 ///

28 ///

- 1 (i) All uses must be conducted within buildings unless otherwise
2 expressly authorized by a plot plan or conditional use permit
3 condition of approval. This requirement does not apply to off-
4 street parking or loading areas, automated teller machines, or
5 outdoor seating areas for a coffee shop, café, or restaurant.
- 6 (j) No outdoor storage shall be permitted.
- 7 (k) All trash areas and waste containers shall be enclosed within a
8 building or a fully enclosed architectural structure that is
9 visually compatible with the main building.
- 10 (l) Hours of operation shall be limited from 6:00 A.M. to 10:00
11 P.M. except for automated tellers and similar operations.
- 12 (m) No commercial vehicle shall be parked on the street or on the
13 premises overnight except in an enclosed structure.
- 14 (n) Access for service vehicles should provide a direct route to
15 service and loading dock areas.

16 (7) Except as provided above, all other zoning requirements shall be the same as those
17 requirements identified in Article VI of Ordinance No. 348.

18 c. Planning Areas 1-11, 1-15, 1-16, 1-17, and 2-9 (High Density Residential).

- 19 (1) The uses permitted in Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific
20 Plan No. 375 shall be the same as those uses permitted in Article VI, Section 6.1 of
21 Ordinance No. 348, except that the uses permitted pursuant to Section 6.1.a.(3),
22 (5), (7), (8) and (9); b.(1) and (5); and c.(1) shall not be permitted. In addition, the
23 permitted uses identified under Section 6.1.a. shall include community recreation
24 and assembly buildings and facilities; lakes, including the non-commercial fishing
25 there from; second units provided a second unit permit is obtained pursuant to
26 Section 18.28.a. of Ordinance No. 348; sport courts and recreational fields and
27 facilities; and accessory buildings to a specific use, provided that the accessory
28

1 building is established as an incident to a principal use, does not change the
2 character of that use, and any applicable provisions of Section 18.18 of Ordinance
3 No. 348 are complied with. In addition, the permitted uses identified under
4 Section 6.1.b. shall also include multiple family dwellings; recycling collection
5 facilities; guest quarters; power generation and distribution facilities, including
6 solar, wind, geothermal, and other alternative forms to traditional hydrocarbon-
7 based energy; and walkable commercial uses subject to a plot plan as defined in
8 Section 2.c.(6) of this Ordinance. In addition, the permitted uses identified under
9 Section 6.1.c. shall also include cell towers concealed within architectural
10 projections or similar structures; congregate care residential facilities; day care
11 centers; private schools; and walkable commercial uses as defined in Section
12 2.c.(6) of this Ordinance.

13 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the
14 uses permitted in Planning Areas 1-16 and 1-17 of Specific Plan No. 375 shall be
15 the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
16 348. No use, other than an agricultural use and any use incidental thereto
17 permitted in Article XIII, Section 13.1 of Ordinance 348 shall be permitted within
18 Planning Areas 1-16 and 1-17 of Specific Plan No. 375 until such time as Map No.
19 171, 359 and 777 of Coachella Valley Agricultural Preserves Nos. 31 and 97 has
20 been diminished or disestablished in the planning area and any corresponding
21 Williamson Act contract is no longer in effect for Planning Areas 1-16 and 1-17.
22 Prior to issuance of a grading permit for uses other than the aforementioned
23 agricultural uses within Planning Areas 1-16 and 1-17 of Specific Plan No. 375, all
24 agricultural uses including uses incidental thereto within these planning areas shall
25 cease and shall no longer be a permitted use.

26 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
27 and/or Williamson Act contracts within Planning Areas 1-16 and 1-17 of Specific
28

1 Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-11, 1
2 15 and 2-9 of Specific Plan No. 375.

3 (3) The development standards for interim agriculture uses within Planning Areas 1-
4 11, 1-15, 1-16, 1-17 and 2-9 shall be the same standards as identified in Article
5 XIII, Section 13.2 of Ordinance No. 348.

6 (4) The development standards for one family dwellings within Planning Areas 1-11,
7 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the same standards as
8 those identified in Article XVIII, Section 18.5 of Ordinance No. 348 except that
9 the development standards set forth in Article XVIII, Section 18.5.b., c. and e.
10 shall be deleted and replaced with the following:

- 11 A. Residential lot area shall be not less than one thousand eight hundred
12 (1,800) square feet.
- 13 B. The minimum average width of each lot shall be forty feet (40') and the
14 minimum average depth shall be forty feet (40').
- 15 C. The minimum frontage of a lot along a straight street shall be thirty-five
16 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
17 frontage along curvilinear streets shall be measured at the building setback
18 in accordance with zone development standards.
- 19 D. The maximum building height shall be forty feet (40').
- 20 E. In no case shall more than eight-five percent (85%) of any lot be covered
21 by a dwelling.
- 22 F. The minimum space between buildings shall be ten feet (10').
- 23 G. The front yard shall be not less than five feet (5'), measured from the
24 existing street right-of-way or from any interior drive or future street right-
25 of-way. Porches at the front of the structure may encroach two and one-
26 half feet (2.5') into the front yard setback.
27
28

- 1 H. Side yards on interior and through lots shall be not less than five feet (5').
2 Side yards on corner and reverse corner lots shall be not less than five feet
3 (5') from the existing street right-of-way or from any interior drive or
4 future street right-of-way as shown on any Specific Plan Circulation Plan,
5 whichever is nearer to the structure, upon which the main building sides.
- 6 I. The rear yard shall be not less than ten feet (10') from any property line or
7 interior drive, except that second floor living space and balconies located
8 in the rear yard shall be permitted within eight feet (8') of the rear property
9 line, and garages shall be permitted within five feet (5') of the rear
10 property line.
- 11 J. Fireplaces, media niches, bay windows, porches, window boxes, and
12 similar architectural features shall be allowed to encroach a maximum of
13 two and one-half feet (2.5') into setbacks. At least one side of the
14 structure shall maintain a minimum four foot (4') side yard setback
15 regardless of encroachments. Media niches shall be a maximum of eight
16 feet (8') in width. No second floor structural encroachments shall be
17 permitted within eight feet (8') of the rear property line. No other
18 structural encroachments shall be permitted in the front, rear, or side yard
19 setback except as provided for in Section 18.19 of Ordinance No. 348.
- 20 K. No dwelling unit shall be constructed unless it has a minimum floor living
21 area of not less than seven hundred fifty (750) square feet. Porches,
22 garages, patios, and similar features, whether attached or detached to a
23 dwelling, shall not be included when calculating the floor living area.
- 24 L. The minimum private usable yard space per residential unit shall be three
25 hundred (300) square feet, with a minimum yard dimension of four (4) by
26 four (4) feet.
27
28

1 (5) The development standards for multiple family dwellings permitted in Plannin
2 Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375, shall be the
3 standards for Planned Residential Developments set forth in Article XVIII, Section
4 18.5 of Ordinance No. 348 except that the standards set forth in Section 18.5.b., c.
5 and e. shall be deleted and replaced with the following:

6 A. The maximum building height shall be fifty feet (50').

7 B. No lot shall have more than sixty percent (60%) of its net area covered
8 with buildings or structures.

9 C. The minimum front and rear yard building setbacks from a project's
10 exterior streets and boundary lines shall be ten feet (10') and the minimum
11 side yard setback from a project's exterior streets and boundary lines shall
12 be five feet (5'). The minimum building setbacks from interior drives
13 shall be three feet (3'). Second floor living space and balconies shall be
14 permitted within eight feet (8') of the front, rear, or side property lines.

15 D. The distance between buildings shall be no less than fifteen feet (15')
16 where primary (e.g., front and/or rear) building setbacks are involved, and
17 no less than ten feet (10') where solely secondary (side) building setbacks
18 or accessory building setbacks are involved.

19 E. The minimum private usable yard space per residential unit shall be fifty
20 (50) square feet, with a minimum yard dimension of three (3) by three (3)
21 feet.

22 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
23 than two to one (2:1), not including basement floor area.

24 (6) Walkable commercial uses shall be defined as resident-serving and pedestrian-
25 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
26 building square footage in any one planning area.
27
28

1 A. The following uses are permitted in a walkable commercial use area of
2 Planning Areas 1-11, 1-15, 1-16, 1-17 and 2-9 of Specific Plan No. 375
3 provided a plot plan has been approved pursuant to the provisions of
4 Section 18.30 of Ordinance No. 348: antique shops; art galleries; art
5 supply shops and studios; bakery shops, including baking only when
6 incidental to retail sales on the premises; banks and financial institutions;
7 bicycle sales and rentals; book stores and binders; clothing stores;
8 convenience stores, not including the sale of motor vehicle fuel;
9 delicatessens; florist's shops; food markets and frozen food lockers; gift
10 shops; golf cart sales and service; grocery, dry goods, health food, and
11 variety stores; hardware stores, including not more than one thousand
12 (1,000) square feet of outside storage lumber; hobby shops; ice cream
13 shops; interior decorating shops; jewelry stores, including incidental
14 repairs; laundries and laundromats; laundries, with dry cleaning shops;
15 leather goods stores; libraries; locksmith shops; meat markets, not
16 including slaughtering; music stores; neighborhood electric vehicle (NEV)
17 sales and service; news stores; non-profit community centers; notions or
18 novelty stores; nurseries and garden supply stores; parcel delivery services
19 (stores); pet shops and pet supply shops; post offices; produce markets;
20 real estate offices; residences, live-work dwellings; restaurants and other
21 eating establishments; shoe stores and repair shops; shoeshine stands; spas,
22 including day spas and medical spas; sporting goods stores; stationery
23 stores; studios for professional work in or teaching of any form of fine arts,
24 including but not limited to photography, music, drama, and dance, where
25 no stock of goods is maintained for sale; tailor shops; tourist information
26 centers; toy shops; travel agencies; utilities, both public and private; and
27 watch repair shops.
28

1 In addition, the following uses shall be permitted, provided a conditional
2 use permit has been granted pursuant to the provisions of Section 18.28 of
3 Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn,
4 clinics, including but not limited to medical, dental and chiropractic, and
5 micro-breweries and micro-winereries.

6 B. The development standards for walkable commercial uses within Planning
7 Areas 1-11, 1-15, 1-16, 1-17, and 2-9 of Specific Plan No. 375 shall be the
8 same standards as identified in Article IXa, Section 9.26 of Ordinance No.
9 348 except that the standards set forth in Article IXa, Section 9.26.a., b.
10 and c. shall be deleted and replaced with the following:

11 (a) No more than one walkable commercial use area shall be
12 permitted within each Planning Area.

13 (b) Walkable commercial uses may be located within and/or
14 adjacent to facilities owned and operated by a Homeowners
15 Association.

16 (c) The commercial building(s) and structure(s) that comprise the
17 walkable commercial use area shall be located at the
18 intersection of two streets on a corner lot with a minimum
19 distance of one thousand feet (1,000) between usable
20 commercial structures. Walkable commercial use building(s)
21 not located at an intersection shall require approval of a
22 conditional use permit.

23 (d) There shall be no minimum lot area for walkable commercial
24 uses. However, the maximum lot area shall be twenty thousand
25 (20,000) square feet. More than one use shall be permitted on a
26 lot.
27
28

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
- (e) Within any one walkable commercial use area, the total square footage of commercial buildings shall not exceed ten thousand (10,000) square feet.
 - (f) The minimum front yard setback and the minimum side yard setback adjacent to any street shall be five feet (5'), measured from the existing street right-of-way or from any future street right-of-way.
 - (g) The minimum side yard setback from the residential lot line shall be ten feet (10').
 - (h) The minimum rear yard setback from the residential lot line shall be ten feet (10'). The rear setback shall be measured from the rear lot line or a recorded alley or easement unless the rear line adjoins a street, in which case it shall be measured as required for a front setback.
 - (i) All uses must be conducted within buildings unless otherwise expressly authorized as part of a plot plan or conditional use permit condition of approval. This requirement does not apply to off-street parking or loading areas, automated teller machines, or outdoor seating areas for a coffee shop, café, or restaurant.
 - (j) No outdoor storage shall be permitted.
 - (k) All trash areas and waste containers shall be enclosed within a building or a fully-enclosed architectural structure that is visually compatible with the main building.
 - (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00 P.M. except for automated tellers and similar operations.

1 (m) No commercial vehicle shall be parked on the street or on the
2 premises overnight except in an enclosed structure.

3 (n) Access for service vehicles should provide a direct route to
4 service and loading dock areas.

5 (7) Except as provided above, all other zoning requirements shall be the same as those
6 requirements identified in Article VI of Ordinance No. 348.

7 d. Planning Area 3-3 (Highest Density Residential).

8 (1) The uses permitted in Planning Area 3-3 of Specific Plan No. 375 shall be the
9 same as those as the uses permitted in Article VI, Section 6.1 of Ordinance No.
10 348, except that the uses permitted pursuant to Section 6.1.a.(3), (5), (7), (8), and
11 (9); Section 6.1.b.(1), and (5); and Section 6.1.c.(1) shall not be permitted. In
12 addition, the permitted uses identified under Section 6.1.a. shall include
13 community recreation and assembly buildings and facilities; lakes, including the
14 non-commercial fishing there from; second units provided a second unit permit is
15 obtained pursuant to Section 18.28.a. of Ordinance No. 348; sport courts and
16 recreational fields and facilities; and accessory buildings to a specific use, provided
17 that the accessory building is established as an incident to a principal use, does not
18 change the character of that use, and any applicable provisions of Section 18.18 of
19 Ordinance No. 348 are complied with. In addition, the permitted uses identified
20 under Section 6.1.b. shall also include multiple family dwellings; recycling
21 collection facilities; guest quarters; power generation and distribution facilities,
22 including solar, wind, geothermal, and other alternative forms to traditional
23 hydrocarbon-based energy; and walkable commercial uses subject to a plot plan as
24 defined in Section 2.d.(5) of this Ordinance. In addition, the permitted uses
25 identified under Section 6.1.c. shall also include cell towers concealed within
26 architectural projections or similar structures; congregate care residential facilities,
27
28

1 day care centers; private schools; and walkable commercial uses subject to a
2 conditional use permit as defined in Section 2.d.(5) of this Ordinance.

3 (2) The development standards for interim agriculture uses within Planning Area 3-3
4 shall be the same standards as identified in Article XIII, Section 13.2 of Ordinance
5 No. 348.

6 (3) The development standards for one family dwellings within Planning Area 3-3 of
7 Specific Plan No. 375 shall be the same standards as those identified in Article
8 XVIII, Section 18.5 of Ordinance No. 348 except that the development standards
9 set forth in Article XVIII, Section 18.5.b., c. and e. shall be deleted and replaced
10 with the following:

11 A. Residential lot area shall be not less than one thousand eight hundred
12 (1,800) square feet.

13 B. The minimum average width of each lot shall be forty feet (40') and the
14 minimum average depth shall be forty feet (40').

15 C. The minimum frontage of a lot along a straight street shall be thirty-five
16 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
17 frontage along curvilinear streets shall be measured at the building setback
18 in accordance with zone development standards.

19 D. The maximum building height shall be forty feet (40').

20 E. In no case shall more than eight-five percent (85%) of any lot be covered
21 by a dwelling.

22 F. The minimum space between buildings shall be ten feet (10').

23 G. The front yard shall be not less than five feet (5'), measured from the
24 existing street right-of-way or from any interior drive or future street right-
25 of-way. Porches at the front of the structure may encroach two and one-
26 half feet (2.5') into the front yard setback.
27
28

- 1 H. Side yards on interior and through lots shall be not less than five feet (5')
- 2 Side yards on corner and reverse corner lots shall not be less than five feet
- 3 (5') from the existing street right-of-way or from any interior drive or
- 4 future street right-of-way as shown on any Specific Plan Circulation Plan,
- 5 whichever is nearer to the structure, upon which the main building sides.
- 6 I. The rear yard shall be not less than ten feet (10') from any property line or
- 7 interior drive, except that second floor living space and balconies located
- 8 in the rear yard shall be permitted within eight feet (8') of the rear property
- 9 line, and garages shall be permitted within five feet (5') of the rear
- 10 property line.
- 11 J. Fireplaces, media niches, bay windows, porches, window boxes, and
- 12 similar architectural features shall be allowed to encroach a maximum of
- 13 two and one-half feet (2.5') into setbacks. At least one side of the
- 14 structure shall maintain a minimum four foot (4') side yard setback
- 15 regardless of encroachments. Media niches shall be a maximum of eight
- 16 feet (8') in width. No second floor structural encroachments shall be
- 17 permitted within eight feet (8') of the rear property line. No other
- 18 structural encroachments shall be permitted in the front, rear, or side yard
- 19 setback except as provided for in Section 18.19 of Ordinance No. 348.
- 20 K. No dwelling unit shall be constructed unless it has a minimum floor living
- 21 area of not less than seven hundred fifty (750) square feet. Porches,
- 22 garages, patios, and similar features, whether attached or detached to a
- 23 dwelling, shall not be included when calculating the floor living area.
- 24 L. The minimum private usable yard space per residential unit shall be three
- 25 hundred (300) square feet, with a minimum yard dimension of four (4) by
- 26 four (4) feet.
- 27
- 28

1 (4) The development standards for multiple family dwellings permitted in Planning
2 Area 3-3 of Specific Plan No. 375, shall be the standards for Planned Residential
3 Developments set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except
4 that the standards set forth in Section 18.5.b. and c. shall be deleted and replaced
5 with the following:

- 6 A. The maximum building height shall be seventy-five feet (75').
7 B. No lot shall have more than sixty percent (60%) of its net area covered
8 with buildings or structures.
9 C. The minimum front and rear yard building setbacks from a project's
10 exterior streets and boundary lines shall be ten feet (10') and the minimum
11 side yard setback from a project's exterior streets and boundary lines shall
12 be five feet (5'). The minimum building setbacks from interior drives
13 shall be three feet (3'). Second floor living space and balconies shall be
14 permitted within eight feet (8') of the front, rear, or side property lines.
15 D. The distance between buildings shall be no less than fifteen feet (15')
16 where primary (e.g., front and/or rear) building setbacks are involved, and
17 no less than ten feet (10') where solely secondary (side) building setbacks
18 or accessory building setbacks are involved.
19 E. The minimum private usable yard space per residential unit shall be fifty
20 (50) square feet, with a minimum yard dimension in any direction of six
21 feet (6').
22 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
23 than two to one (2:1), not including basement floor area.
24 G. No multi-family dwelling unit shall be constructed unless it has a
25 minimum floor living area of not less than seven hundred and fifty (750)
26 square feet. Porches, garages, patios, and similar features, whether
27
28

1 attached or detached to a dwelling, shall not be included when calculating
2 the floor living area.

3 (5) Walkable commercial shall be defined as resident serving and pedestrian oriented
4 commercial uses not to exceed ten thousand (10,000) square feet of gross building
5 square footage in any one planning area.

6 A. The following uses are permitted in a walkable commercial use area of
7 Planning Area Planning Area 3-3 of Specific Plan No. 375 provided a plot
8 plan has been approved pursuant to the provisions of Section 18.30 of
9 Ordinance No. 348: antique shops; art galleries; art supply shops and
10 studios; bakery shops, including baking only when incidental to retail sales
11 on the premises; banks and financial institutions; bicycle sales and rentals;
12 book stores and binders; clothing stores; convenience stores, not including
13 the sale of motor vehicle fuel; delicatessens; florist's shops; food markets
14 and frozen food lockers; gift shops; golf cart sales and service; grocery,
15 dry goods, health food, and variety stores; hardware stores, including not
16 more than one thousand (1,000) square feet of outside storage lumber;
17 hobby shops; ice cream shops; interior decorating shops; jewelry stores,
18 including incidental repairs; laundries and laundromats; laundries, with dry
19 cleaning shops; leather goods stores; libraries; locksmith shops; meat
20 markets, not including slaughtering; music stores; neighborhood electric
21 vehicle (NEV) sales and service; news stores; non-profit community
22 centers; notions or novelty stores; nurseries and garden supply stores;
23 parcel delivery services (stores); pet shops and pet supply shops; post
24 offices; produce markets; real estate offices; residences, live-work
25 dwellings; restaurants and other eating establishments; shoe stores and
26 repair shops; shoeshine stands; spas, including day spas and medical spas
27 sporting goods stores; stationery stores; studios for professional work in or
28

1 teaching of any form of fine arts, including but not limited to photography,
2 music, drama, and dance, where no stock of goods is maintained for sale;
3 tailor shops; tourist information centers; toy shops; travel agencies;
4 utilities, both public and private; and watch repair shops.

5 In addition, the following uses shall be permitted, provided a conditional
6 use permit has been approved pursuant to the provisions of Section 18.28
7 of Ordinance No. 348: bars and cocktail lounges, bed and breakfast inn,
8 clinics, including but not limited to medical, dental and chiropractic, and
9 micro-breweries and micro-wineries.

10 B. The development standards for walkable commercial uses within Planning
11 Areas 3-3 of Specific Plan No. 375 shall be the same standards as
12 identified in Article IXa, Section 9.26 of Ordinance No. 348 except that
13 the standards set forth in Article IXa, Section 9.26.a, b. and c. shall be
14 deleted and replaced with the following:

- 15 (a) No more than one walkable commercial use area shall be
16 permitted within Planning Area 3-3.
17
18 (b) Walkable commercial uses may be located within and/or
19 adjacent to facilities owned and operated by a Homeowners
20 Association.
21
22 (c) The commercial building(s) that comprise the walkable
23 commercial use area shall be located at the intersection of two
24 streets on a corner lot with a minimum distance of one thousand
25 feet (1,000') between usable commercial structures. Walkable
26 commercial use building(s) not located at an intersection shall
27 require approval of a conditional use permit.

28 ///

///

- 1 (d) There shall be no minimum lot area for walkable commercial
2 uses. However, the maximum lot area shall be twenty thousand
3 (20,000) square feet. More than one use shall be permitted on a
4 lot.
- 5 (e) Within any one walkable commercial use area, the total square
6 footage of commercial buildings shall not exceed ten thousand
7 (10,000) square feet.
- 8 (f) The minimum front yard setback and the minimum side yard
9 setback adjacent to any street shall be five feet (5'), measured
10 from the existing street right-of-way.
- 11 (g) The minimum side yard setback from an interior residential lot
12 line shall be ten feet (10').
- 13 (h) The minimum rear yard setback from a residential lot line shall
14 be ten feet (10'). The rear setback shall be measured from the
15 rear lot line or a recorded alley or easement unless the rear line
16 adjoins a street, in which case it shall be measured as required
17 for a front setback.
- 18 (i) All uses must be conducted within buildings unless otherwise
19 expressly authorized by a plot plan or conditional use permit
20 condition of approval. This requirement does not apply to off-
21 street parking or loading areas, automated teller machines, or
22 outdoor seating areas for a coffee shop, café, or restaurant.
- 23 (j) No outdoor storage shall be permitted.
- 24 (k) All trash areas and waste containers shall be enclosed within a
25 building or a fully-enclosed architectural structure that is
26 visually compatible with the main building.
27
28

1 (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00
2 P.M. except for automated tellers and similar operations.

3 (m) No commercial vehicle shall be parked on the street or on the
4 premises overnight except in an enclosed structure.

5 (n) Access for service vehicles should provide a direct route to
6 service and loading dock areas.

7 (6) Except as provided above, all other zoning requirements shall be the same as those
8 requirements identified in Article VI of Ordinance No. 348.

9 e. Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 (Mixed
10 Use).

11 (1) The uses permitted in Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
12 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses
13 permitted in Article IX, Section 9.1 of Ordinance No. 348 except that the uses
14 permitted pursuant to Section 9.1.a.(1), (23), (33), (42), (51), (54), (61), (91), and
15 (93); Section 9.1.b.(3), (6), (7), (10), (11), (12), (15), (18), (19), and (20); and
16 Section 9.1.d.(1), (2), (3), (4), (6), (7), (9), (10), (11), (12), and (18) shall not be
17 permitted. Governmental uses, offices, and facilities including but not limited to
18 federal, state and local agencies, and civic centers, police and fire stations,
19 libraries, public health and welfare offices, and employment departments shall be
20 permitted within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 2-21, 4-2, 4-4,
21 4-5, 4-6, 4-7 and 4-8. Field crops, flower and vegetable gardening, tree crops, and
22 greenhouses used only for purposes of propagation and culture, including the sale
23 thereof from the premises and one unlighted sign that does not exceed two square
24 feet in size pertaining to the sale of products shall be permitted within Planning
25 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific
26 Plan No. 375 as an interim use. Prior to issuance of a grading permit for uses other
27 than the aforementioned agricultural uses within Planning Areas 1-4, 2-12, 2-13, 2-
28

1 14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375, and
2 agricultural uses including uses incidental thereto within the affected planning area
3 shall cease and shall no longer be a permitted use.

4 In addition, the uses permitted under Section 9.1.a. shall include: automobile sales
5 and rental agencies; automobile and truck service stations, not including the
6 concurrent sale of beer and wine for off-premise consumption; bed and breakfast
7 inns; cell towers concealed by architectural features or similar structures; clinics,
8 including but not limited to medical, dental and chiropractic; community recreation
9 facilities; conference center; convenience stores, not including the sale of motor
10 vehicle fuel; cultural centers; farmers markets; grocery, including dry goods, health
11 food, and variety stores; health and exercise centers, provided all facilities are
12 located within an enclosed building; hospitals, including medical/surgical,
13 convalescent, nursing, and hospice care facilities; home occupations; lakes
14 including noncommercial fishing therefrom; laundries, with dry cleaning shops;
15 libraries; mini-warehouse structures; museums; noncommercial community
16 association recreation and assembly buildings and facilities; non-profit community
17 centers; office equipment sales and service; parcel delivery services; pedestrian
18 paseos; planned residential developments, provided a land division is approved
19 pursuant to the provisions of County Ordinance No. 460 and the development
20 standards in Section 18.5 or 18.6 of Ordinance No. 348 are complied with; post
21 offices; prescription pharmacy when related and incidental to a professional office
22 building; professional offices; real estate offices; recycling collection facilities, not
23 to exceed five thousand (5,000) square feet gross building structure; live-work
24 dwellings; multiple-family dwellings; one-family dwellings; second units provided
25 a second unit permit is obtained pursuant to Section 18.28.a. of Ordinance No. 348;
26 guest quarters; spas, including day spas and medical spas; studios for professional
27 work in or teaching of any form of fine arts, including but not limited to
28

1 photography, music, drama, and dance, where no stock of goods is maintained for
2 sale; sports courts and recreational fields and facilities; warehouse stores/big-box
3 retail; water wells and appurtenant facilities; wedding chapels; and accessory
4 buildings to a specific use, provided that the accessory building is established as an
5 incident to a principal use and does not change the character of that use. In
6 addition, the permitted uses identified under Section 9.1.b shall also include:
7 building supply stores and equipment rental, including outside storage;
8 neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural;
9 power generation and distribution, including solar, wind, geothermal, and other
10 alternative forms to traditional hydrocarbon-based energy facilities; parks and
11 playgrounds, golf courses with standard length fairways, and country clubs; and
12 walkable commercial uses subject to a plot plan as defined in Section 2.e.(9) of this
13 ordinance. In addition, the permitted uses identified under Section 9.1.d shall also
14 include: automobile service stations, truck service stations, including the
15 concurrent sale of beer and wine for off-premises consumption; convenience
16 stores, including the sale of motor vehicle fuel; gasoline service stations, not
17 including the concurrent sale of beer and wine for off-premises consumption; golf
18 courses and appurtenant facilities, including clubhouses with customary retail
19 shops and restaurant facilities; liquid petroleum service stations, not including the
20 concurrent sale of beer and wine, provided the total capacity of all tanks shall not
21 exceed ten thousand (10,000) gallons; micro-breweries and micro-wineries;
22 performing arts theaters and centers including live music and other stage
23 productions; private schools; sports and recreational facilities, not including motor-
24 driven vehicles and riding academies, but including archery ranges, athletic fields,
25 beaches, golf driving ranges, gymnasiums, miniature golf, parks, playgrounds,
26 sports arenas, skating rinks, stadiums, and commercial swimming pools; and
27 walkable commercial uses subject to a conditional use permit as defined in Section
28

1 2.e.(9) of this Ordinance. The following uses are permitted provided a public use
2 permit is approved pursuant to the provisions of Section 18.29 of Ordinance No.
3 348: churches, temples and other places of religious worship.

- 4 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
5 Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375, the uses permitted shall
6 be the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
7 348 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14)
8 and (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5),
9 (6), (7), (9), (10) and (11) shall not be permitted.

10 No use, other than an agricultural use and any use incidental thereto permitted in
11 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted on land subject
12 to Agricultural Preserves and/or Williamson Act contracts within Planning Area 4-
13 6, 4-7 and 4-8 of Specific Plan No. 375 until such time as Map Nos.162, 171, 359
14 and 777 of Coachella Valley Agricultural Preserve Nos. 27, 31 and 97 has been
15 diminished or disestablished in the planning area and any corresponding
16 Williamson Act contract is no longer in effect for Planning Areas 4-6, 4-7 and 4-8.
17 Prior to issuance of a grading permit for uses other than the aforementioned
18 agricultural uses within Planning Areas 4-6, 4-7 and 4-8 of Specific Plan No. 375,
19 all agricultural uses including uses incidental thereto within the affected planning
20 area shall cease and shall no longer be a permitted use.

21 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
22 and/or Williamson Act contracts within Planning Areas 4-6, 4-7 and 4-8 of Specific
23 Plan No. 375 shall be the same as those uses permitted in Planning Areas 1-4, 2-12,
24 2-13, 2-14, 2-15, 2-16, 4-2, 4-4 and 4-5 of Specific Plan No. 375.

- 25 (3) The development standards for interim agriculture uses within Planning Areas 1-4,
26 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be the same
27 standards as identified in Article XIII, Section 13.2 of Ordinance No. 348.
28

1 (4) Any land division application submitted within Planning Areas 1-4, 2-12, 2-13, 2-
2 14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 shall be heard concurrently with a
3 comprehensive plot plan application for the entire affected Planning Area by the
4 Planning Commission in accordance with Section 18.30.d.(3) of Ordinance No.
5 348. The application for a comprehensive plot plan shall be submitted in
6 accordance with the provisions of Section 18.30 of Ordinance No. 348 and shall
7 also at a minimum, include the following:

8 A. A statement indicating how the land division and comprehensive plot plan
9 applications implement Specific Plan No. 375 and comply with the
10 conditions of approval for said specific plan.

11 B. A comprehensive plot plan for the entire planning are, a conceptual
12 grading plan and a tentative subdivision map, based upon a contour
13 interval no greater than four feet (4') which in addition to the requirements
14 of Ordinance No. 460 and Section 18.30 of Ordinance No. 348 shall
15 include:

16 the proposed lots including lot lines and proposed easements, if any;

17 (a) building footprints;

18 (b) floor plan assignments;

19 (c) pad elevations, street grades and all cut and fill slopes in excess
20 of one (1) foot in vertical height;

21 (d) the proposed uses, their location and architectural designs;

22 (e) the proposed internal circulation system; and

23 (f) buffers, if any.

24 C. A design manual which includes:

25 (a) description of residential floor plans and their mix;

26 (b) lot and building calculations for each lot and building as
27 follows:
28

- (c) lot area and lot pad area;
- (d) building footprint area;
- (e) percentage of lot coverage;
- (f) front setback;
- (g) useable rear yard area and depth;
- (h) building square footage for commercial and residential uses;
- (i) a fencing plan including details of proposed materials to be used;
- (j) dimensioned conceptual floor plans and elevations, including details of proposed materials for elevations, and square footages and heights of individual units; and
- (k) a proposed phasing plan showing the planned sequence of subdivision map recordation and development.

(5) Unless one of the Mixed Use Overlay Zones as outlined in Section 3 of this Ordinance is utilized, the development standards for mixed use projects within Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be as follows:

- A. The maximum building height shall be fifty feet (50').
- B. No lot shall have more than fifty percent (50%) of its net area covered with buildings or structures.
- C. The minimum front and rear yard building setbacks from a project's exterior streets and boundary lines shall be ten feet (10') and the minimum side yard setback from a project's exterior streets and boundary lines shall be five feet (5'). The minimum building setbacks from interior drives shall be three feet (3'). Second floor living space and balconies shall be permitted within eight feet (8') of the front, rear, or side property lines.

1 D. The distance between buildings shall be no less than fifteen feet (15')
2 where primary (e.g., front and/or rear) building setbacks are involved, and
3 no less than ten feet (10') where solely secondary (side) building setbacks
4 or accessory building setbacks are involved.

5 E. The minimum private usable yard space per residential unit shall be fifty
6 (50) square feet, with a minimum yard dimension in any direction of six
7 feet (6').

8 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
9 than two to one (2:1), not including basement floor area.

10 (6) The development standards for one family dwellings, within Planning Areas 1-4,
11 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No.
12 375 shall be the same standards as those for Planned Residential Developments set
13 forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the
14 development standards set forth in Article XVIII, Section 18.5.b., c. and e. shall be
15 deleted and replaced with the following:

16 A. Residential lot area shall be not less than one thousand eight hundred
17 (1,800) square feet and shall not exceed four thousand, five hundred
18 (4,500) square feet.

19 B. The minimum average width of each lot shall be forty feet (40') and the
20 minimum average depth shall be forty feet (40').

21 C. The minimum frontage of a lot along a straight street shall be thirty-five
22 feet (35') and along a curvilinear street shall be twenty feet (20'). Lot
23 frontage along curvilinear streets shall be measured at the building setback
24 in accordance with zone development standards.

25 D. The maximum building height shall be forty feet (40').

26 E. In no case shall more than eight-five percent (85%) of any lot be covered
27 by a dwelling.
28

- 1 F. The minimum space between buildings shall be ten feet (10').
- 2 G. The front yard shall be not less than five feet (5'), measured from the
- 3 existing street right-of-way or from any interior drive or future street right-
- 4 of-way. Porches at the front of the structure may encroach two and one-
- 5 half (2.5') into the front yard setback.
- 6 H. Side yards on interior and through lots shall be not less than five feet (5').
- 7 Side yards on corner and reverse corner lots shall not be less than five feet
- 8 (5') from the existing street right-of-way or from any interior drive or
- 9 future street right-of-way.
- 10 I. The rear yard shall be not less than ten feet (10') from any property line or
- 11 interior drive, except that second floor living space and balconies located
- 12 in the rear yard shall be permitted within one and one-half foot (1.5') of
- 13 the rear property line.
- 14 J. Fireplaces, media niches, bay windows, porches, window boxes, and
- 15 similar architectural features shall be allowed to encroach a maximum of
- 16 one and one-half feet (1.5') into setbacks. At least one side of the structure
- 17 shall maintain a minimum three foot (3') side yard setback regardless of
- 18 encroachments. Media niches shall be a maximum of eight feet (8') in
- 19 width. No second floor structural encroachments shall be permitted within
- 20 one and one-half foot (1.5') of the rear property line. No other structural
- 21 encroachments shall be permitted in the front, rear, or side yard setback
- 22 except as provided for in Section 18.19 of Ordinance No. 348.
- 23 K. No dwelling unit shall be constructed unless it has a minimum floor living
- 24 area of not less than seven hundred and fifty (750) square feet. Porches,
- 25 garages, patios, and similar features, whether attached or detached to a
- 26 dwelling, shall not be included when calculating the floor living area.
- 27
- 28

1 L. The minimum private usable yard space per residential unit shall be three
2 hundred (300) square feet, with a minimum yard dimension of four (4) by
3 four (4) feet.

4 (7) The development standards for multiple family dwellings permitted in Planning
5 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-5, 4-6, 4-7, and 4-8 of Specific Plan
6 No. 375, shall be subject to the standards for Planned Residential Developments
7 set forth in Article XVIII, Section 18.5 of Ordinance No. 348 except that the
8 standards set forth in Section 18.5.b., c. and e. shall be deleted and replaced with
9 the following:

10 A. The maximum building height shall be fifty feet (50').

11 B. No lot shall have more than fifty percent (50%) of its net area covered with
12 buildings or structures.

13 C. The minimum front and rear yard building setbacks from a project's
14 exterior streets and boundary lines shall be ten feet (10') and the minimum
15 side yard setback from a project's exterior streets and boundary lines shall
16 be five feet (5'). The minimum building setbacks from interior drives
17 shall be three feet (3'). Second floor living space and balconies shall be
18 permitted within eight feet (8') of the front, rear, or side property lines.

19 D. The distance between buildings shall be no less than fifteen feet (15')
20 where primary (e.g., front and/or rear) building elevations are involved,
21 and no less than ten feet (10') where solely secondary (side) building
22 elevations or accessory building elevations are involved.

23 E. The minimum private usable yard space per residential unit shall be fifty
24 (50) square feet, with a minimum dimension in any direction of six feet
25 (6').

26 F. The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater
27 than two to one (2:1), not including basement floor area.
28

1 (8) The development standards for commercial development permitted in Planning
2 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific
3 Plan No. 375 shall be the same as those standards identified in Article IX, Section
4 9.4 of Ordinance No. 348 except that the development standards set forth in Article
5 IX, Section 9.4.b shall be deleted and replaced by the following:

6 A. There are no yard requirements for commercial buildings except that a
7 fifteen foot (15') minimum rear and/or side yard setback shall be required
8 where a commercial building within a commercial planning area adjoins a
9 residential planning area or a residential development within a mixed use
10 planning area. For commercial buildings over forty feet (40') in height, an
11 additional one foot (1') of side and/or rear yard setback shall be added for
12 each one foot (1') of height over forty feet (40').

13 For purposes of this section, a commercial use shall be defined as
14 development which includes any permitted use other than an agricultural
15 use, single family dwelling, multiple family dwelling or apartment.

16 (9) Walkable commercial uses shall be defined as resident serving and pedestrian
17 oriented commercial uses not to exceed ten thousand (10,000) square feet of gross
18 building square footage in any one planning area.

19 A. The following uses are permitted in a walkable commercial use area of
20 Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2,4-4, 4-5, 4-6, 4-7 and
21 4-8 of Specific Plan No. 375 provided a plot plan has been approved
22 pursuant to the provisions of Section 18.30 of Ordinance No. 348: antique
23 shops; art galleries; art supply shops and studios; bakery shops, including
24 baking only when incidental to retail sales on the premises; banks and
25 financial institutions; bicycle sales and rentals; book stores and binders;
26 clothing stores; convenience stores, not including the sale of motor vehicles
27 fuel; delicatessens; florist's shops; food markets and frozen food lockers;
28

1 gift shops; golf cart sales and service; grocery, dry goods, health food, and
2 variety stores; hardware stores, including not more than one thousand
3 (1,000) square feet of outside storage lumber; hobby shops; ice cream
4 shops; interior decorating shops; jewelry stores, including incidental
5 repairs; laundries and laundromats; laundries, with dry cleaning shops;
6 leather goods stores; libraries; locksmith shops; meat markets, not
7 including slaughtering; music stores; neighborhood electric vehicle (NEV)
8 sales and service; news stores; non-profit community centers; notions or
9 novelty stores; nurseries and garden supply stores; parcel delivery services
10 (stores); pet shops and pet supply shops; post offices; produce markets;
11 real estate offices; residences, live-work dwellings; restaurants and other
12 eating establishments; shoe stores and repair shops; shoeshine stands; spas,
13 including day spas and medical spas; sporting goods stores; stationer
14 stores; studios for professional work in or teaching of any form of fine arts,
15 including but not limited to photography, music, drama, and dance, where
16 no stock of goods is maintained for sale; tailor shops; tourist information
17 centers; toy shops; travel agencies; utilities, both public and private; and
18 watch repair shops.

19 In addition, the following uses shall be permitted, provided a conditional
20 use permit has been approved pursuant to the provisions of Section 18.28
21 of Ordinance No. 348: bars and cocktail lounges; bed and breakfast inns;
22 clinics, including but not limited to medical, dental and chiropractic; and
23 micro-breweries and micro-wineries.

24
25 B. The development standards for walkable commercial uses within Planning
26 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7, and 4-8 of
27 Specific Plan No. 375, shall be the same standards as identified in Article
28 IXa, Section 9.26 of Ordinance No. 348 except that the standards set forth

1 in Article IXa, Section 9.26.a, b. and c. shall be deleted and replaced with
2 the following:

- 3 (a) No more than one walkable commercial use area shall be
4 permitted within each planning area.
- 5 (b) Walkable commercial uses may be located within and/or
6 adjacent to facilities owned and operated by a Homeowners
7 Association.
- 8 (c) The commercial building(s) that comprise the walkable
9 commercial use area shall be located at the intersection of two
10 streets on a corner lot with a minimum distance of one
11 thousand feet (1,000') between usable commercial structures.
12 Walkable commercial use building(s) not located at an
13 intersection shall require approval of a conditional use permit.
- 14 (d) There shall be no minimum lot area for walkable commercial
15 uses. However, the maximum lot area shall be twenty thousand
16 (20,000) square feet. More than one use shall be permitted on a
17 lot.
- 18 (e) Within any one walkable commercial use area, the total square
19 footage of commercial buildings shall not exceed ten thousand
20 (10,000) square feet.
- 21 (f) The minimum front yard setback and the minimum side yard
22 setback adjacent to any street shall be five feet (5'), measured
23 from the existing street right-of-way or from any future street
24 right-of-way.
- 25 (g) The minimum side yard setback from an interior residential lot
26 line shall be ten feet (10').
27
28

- 1 (h) The minimum rear yard setback from a residential lot line shall
2 be ten feet (10'). The rear setback shall be measured from the
3 rear lot line or a recorded alley or easement unless the rear line
4 adjoins a street, in which case it shall be measured as required
5 for a front setback.
- 6 (i) All uses must be conducted within buildings unless otherwise
7 expressly authorized as part of the plot plan or conditional use
8 permit conditions of approval. This requirement does not apply
9 to off-street parking or loading areas, automated teller
10 machines, or outdoor seating areas for a coffee shop, café, or
11 restaurant.
- 12 (j) No outdoor storage shall be permitted.
- 13 (k) All trash areas and waste containers shall be enclosed within a
14 building or a fully-enclosed architectural structure that is
15 visually compatible with the main building.
- 16 (l) Hours of operation shall be limited to from 6:00 A.M. to 10:00
17 P.M. except for automated tellers and similar operations.
- 18 (m) No commercial vehicle shall be parked on the street or on the
19 premises overnight except in an enclosed structure.
- 20 (n) Access for service vehicles should provide a direct route to
21 service and loading dock areas.

22
23 f. Planning Areas 1-12, 2-2, and 3-5 (Local Commercial Retail).

- 24 (1) The uses permitted in Planning Areas 1-12, 2-2 and 3-5 of Specific Plan No. 375
25 shall be the same as those as the uses permitted in Article IX, Section 9.1 of
26 Ordinance No. 348 except that the uses permitted pursuant to Section 9.1.a.(1), (5),
27 (6), (7), (9), (17), (18), (25), (28), (29), (30), (33), (35), (43), (49), (54), (61), (66),
28 (68), (69), (80), (82), (83), (84), (85), (91), (93), and (94); Section 9.1.b.(3), (6),

1 (10), (11), (12), (15), (16), (18), (19), and (20); and Section 9.1.d.(1), (2), (3), (4)
2 (6), (7), (9), (10), (11), (12), and (18) shall not be permitted. Governmental uses,
3 offices, and facilities including but not limited to federal and state agencies, and
4 local civic centers, police and fire stations, libraries, public health and welfare
5 offices, and employment departments shall be permitted within Planning Areas 1-
6 12, 2-2 and 3-5. Field crops, flower and vegetable gardening, tree crops, and
7 greenhouses used only for purposes of propagation and culture, including the sale
8 thereof from the premises and one (1) unlighted sign that does not exceed two (2)
9 square feet in size pertaining to the sale of products within Planning Areas 1 - 12,
10 2-2 and 3-5 of Specific Plan No. 375 shall be permitted as an interim use. Prior to
11 issuance of a grading permit for uses other than the aforementioned agricultural
12 uses within Planning Areas 1-12, 2-2 and 3-5 all agricultural uses including those
13 incidental thereto within the affected Planning Area shall cease and shall no longer
14 be a permitted use.

15 In addition, the uses permitted under Article IX Section 9.1.a. shall include:
16 administrative and professional offices, including but not limited to business, law,
17 medical, dental, chiropractic, architectural, engineering, community planning, and
18 real estate offices, in which no activity is carried on catering to retail sales and no
19 stock of goods is maintained for sale; art galleries; cell towers concealed within
20 architectural projections or similar structures; clinics, including but not limited to
21 medical, dental and chiropractic; community recreation facilities; conference
22 centers; dance schools; farmers markets; grocery, including but not limited to dry
23 goods, health food, and variety stores; health and exercise centers; lakes, including
24 noncommercial fishing therefrom; laundries, with dry cleaning shops; micro-
25 breweries and micro-wineries; museums; non-profit community centers; parcel
26 delivery services (stores); pedestrian paseos; post offices; professional offices;
27 live-work dwellings; spas, including day spas and medical spas; studios for
28

1 professional work in or teaching of any form of fine arts, including but not limited
2 to photography, music, drama, and dance, where no stock of goods is maintained
3 for sale; sports courts and recreational fields and uses; utilities, both public and
4 private; warehouse stores/big-box retail; and accessory buildings to a specific use,
5 provided that the accessory building is established as an incident to a principal use
6 and does not change the character of that use.

7 In addition, the permitted uses identified under Section 9.1.b shall also include:
8 neighborhood electric vehicle (NEV) sales and service; nurseries, horticultural;
9 power generation and distribution, including solar, wind, geothermal, and other
10 alternative forms to traditional hydrocarbon-based energy facilities; and public
11 parks and playgrounds, golf courses with standard length fairways, and country
12 clubs.

13 In addition, the permitted uses identified under Section 9.1.d shall also include:
14 automobile and truck service stations, including the concurrent sale of beer and
15 wine for off-premises consumption; bed and breakfast inns; automobile and truck
16 service stations, not including the concurrent sale of beer and wine for off-
17 premises consumption; libraries; liquid petroleum service stations, not including
18 the concurrent sale of beer and wine, provided the total capacity of all tanks shall
19 not exceed 10,000 gallons; private schools; archery ranges; golf driving ranges;
20 gymnasiums; miniature golf facilities; parks and playgrounds; sports arenas;
21 skating rinks; stadiums; commercial swimming pools; theaters, not including
22 drive-ins; and wedding chapels.

23 The following uses are permitted provided a public use permit has been granted
24 pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
25 temples and other places of religious worship.

26
27 ///

28 ///

1 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
2 Planning Area 3-5, the uses permitted in Planning Area 3-5 of Specific Plan No.
3 375 shall be the same as those uses permitted in Article XIII, Section 13.1 of
4 Ordinance No. 348.

5 No use, other than an agricultural use and any use incidental thereto permitted in
6 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
7 Area 3-5 of Specific Plan No. 375 until such time as Map No. 162 of Coachella
8 Valley Agricultural Preserves No. 27 has been diminished or disestablished in
9 Planning Area 3-5 and any corresponding Williamson Act contract is no longer in
10 effect for Planning Area 3-5. Prior to issuance of a grading permit for uses other
11 than the aforementioned agricultural uses within Planning Area 3-5 of Specific Plan
12 No. 375, all agricultural uses including uses incidental thereto within Planning Area
13 3-5 shall cease and no longer be a permitted use.

14 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
15 and/or Williamson Act contracts within Planning Area 3-5 of Specific Plan No. 375
16 shall be the same as those uses permitted in Planning Areas 1-12 and 2-2 of
17 Specific Plan No. 375.

18 (3) The development standards for interim agriculture uses within Planning Areas 1-
19 12, 2-2 and 3-5 of Specific Plan No. 375 shall be the same as those standards
20 identified in Article XIII, Section 13.2 of Ordinance No. 348.

21 (4) The development standards for Planning Areas 1-12, 2-2 and 3-5 of Specific Plan
22 No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of
23 Ordinance No. 348 except that the development standards set forth in Article IX,
24 Section 9.4.b shall be deleted and replaced by the following:

25 A. There are no yard requirements for commercial buildings except that a
26 fifteen foot (15') minimum rear and/or side yard setback shall be required
27 where a commercial building within a Commercial Planning Area adjoins
28

1 a Residential Planning Area or a residential development within a Mixed
2 Use Planning Area. For commercial buildings over forty feet (40') in
3 height, an additional one foot (1') of side and/or rear yard setback shall be
4 added for each one foot (1') of height over forty feet (40').

- 5 (5) Except as provided above, all other zoning requirements shall be the same as those
6 requirements identified in Article IX of Ordinance No. 348.

7 g. Planning Area 2-19 (Regional Commercial Retail).

- 8 (1) The uses permitted in Planning Area 2-19 of Specific Plan No. 375 shall be the
9 same as those uses permitted in Article IX, Section 9.1 of Ordinance No. 348,
10 except that the uses permitted pursuant to Section 9.1.a.(30), (33), (43), (54), (61),
11 (80), (82) and (93); Section 9.1.b.(10), (11), (15) and (16); and Section 9.1.d.(1),
12 (3), (4), (6), (7), (9), (10) and (18) shall not be permitted. Governmental uses,
13 offices, and facilities including but not limited to federal and state agencies, and
14 local civic centers, police and fire stations, libraries, public health and welfare
15 offices, and employment departments shall be permitted within Planning Area 2-
16 19.

17 Field crops, flower and vegetable gardening, tree crops, and greenhouses used only
18 for purposes of propagation and culture, including the sale thereof from the
19 premises and one unlighted sign that does not exceed two square feet in size
20 pertaining to the sale of products shall be permitted within Planning Area 2-19 of
21 Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a
22 grading permit for uses other than the aforementioned agricultural uses within
23 Planning Area 2-19 of Specific Plan No. 375, all agricultural uses including uses
24 incidental thereto within this planning area shall cease and shall no longer be a
25 permitted use.

26 In addition, the uses permitted under Article IX Section 9.1.a. shall include:
27 administrative and professional offices, including but not limited to business, law,
28

1 medical, dental, chiropractic, architectural, engineering, community planning, and
2 real estate offices, in which no activity is carried on catering to retail sales and no
3 stock of goods is maintained for sale; art galleries; automobile sales and rental
4 agencies; automobile and truck service stations, not including the concurrent sale
5 of beer and wine for off-premises consumption; cell towers concealed within
6 architectural projections or similar structures; clinics, including but not limited to
7 medical, dental and chiropractic; community recreation facilities; conference
8 center; cultural centers; dance school; entertainment venues and night clubs;
9 farmers markets; grocery, dry goods, health food, and variety stores; health and
10 exercise centers, provided all facilities are located within an enclosed building;
11 hospitals (medical/surgical, convalescent, nursing, hospice care, etc.); lakes,
12 including noncommercial fishing therefrom; laundries, with dry cleaning shops;
13 libraries; micro-breweries and micro-wineries; museums; non-profit community
14 centers; office equipment sales and service; parcel delivery services (stores);
15 pedestrian paseos; post offices; prescription pharmacy when related and incidental
16 to a professional office building; professional offices; real estate offices;
17 residences, live-work dwellings; sale, rental, repair, or demonstration of
18 motorcycles, scooters, and motorbikes; spas, including day spas and medical spas;
19 studios for professional work in or teaching of any form of fine arts, including but
20 not limited to photography, music, drama, and dance, where no stock of goods is
21 maintained for sale; sport courts and recreational fields and uses; utilities, both
22 public and private; warehouse stores/big-box retail; and accessory buildings to a
23 specific use, provided that the accessory building is established as an incident to a
24 principal use and does not change the character of that use.

25 In addition, the permitted uses identified under Section 9.1.b shall also include:
26 boat and other marine rentals and services; building supply stores and equipment
27 rental, including outside storage; neighborhood electric vehicle (NEV) sales and
28

1 service; nurseries, horticultural; power generation and distribution, including solar,
2 wind, geothermal, and other alternative forms to traditional hydrocarbon-based
3 energy facilities; parks and playgrounds, golf courses with standard length
4 fairways, and country clubs; and travel trailers, motor homes and recreational
5 vehicles sales and service.

6 In addition, the permitted uses identified under Section 9.1.d shall also include:
7 automobile and truck service stations, including the concurrent sale of beer and
8 wine for off-premises consumption; concrete batch plants and asphalt plants;
9 gasoline service stations, not including the concurrent sale of beer and wine for
10 off-premises consumption; liquid petroleum service stations, not including the
11 concurrent sale of beer and wine, provided the total capacity of all tanks shall not
12 exceed ten thousand (10,000) gallons; mortuaries; performing arts theaters and
13 centers including live music, stage productions, etc.; schools, private; archery
14 ranges, golf driving ranges, gymnasiums, miniature golf, parks and playgrounds;
15 sports arenas; skating rinks; stadiums; commercial swimming pools; and wedding
16 chapels.

17 The following uses are permitted provided a public use permit has been granted
18 pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
19 temples and other places of religious worship.

20 (2) The development standards for interim agriculture uses within Planning Area 2-19
21 of Specific Plan No. 375 shall be the same standards as identified in Article XIII,
22 Section 13.2 of Ordinance No. 348.

23 (3) The development standards for Planning Area 2-19 of Specific Plan No. 375 shall
24 be the same as those standards identified in Article IX, Section 9.4 of Ordinance
25 No. 348 except that the development standards set forth in Article IX, Section
26 9.4.b shall be deleted and replaced by the following:
27
28

1 A. There are no yard requirements for commercial buildings except that
2 fifteen foot (15') minimum rear and/or side yard setback shall be required
3 where a commercial building within a Commercial Planning Area adjoins
4 a Residential Planning Area or a residential development within a Mixed
5 Use Planning Area. For commercial buildings over forty feet (40') in
6 height, an additional one foot (1') of side and/or rear yard setback shall be
7 added for each one foot (1') of height over forty feet (40').

8 (4) Except as provided above, all other zoning requirements shall be the same as those
9 requirements identified in Article IX of Ordinance No. 348.

10 h. Planning Areas 3-9, 5-3 and 5-4 (Commercial Tourist / Resort).

11 (1) The uses permitted in Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375
12 shall be the same as those uses permitted in Article IX, Section 9.1 of Ordinance
13 No. 348 except that the uses permitted pursuant to Section 9.1.a(1), (3), (4), (5)
14 (8), (9), (15), (25), (26), (27), (28), (29), (30), (33), (36), (37), (39), (42), (43), (47),
15 (48), (49), , (52), (54), (55), (60), (61), (62), (64), (65), (66), (68), (69), (72), (77),
16 (80), (82), (84), (91), (92), (93) and (94); Section 9.1.b.(4), (6), (8), (9), (10), (11),
17 (12), (13), (15), (16), (18), (19) and (20); and Section 9.1.d.(1), (4), (6), (7), (9),
18 (10), (11), (12), (13) and (14) shall not be permitted. Governmental uses, offices,
19 and facilities including but not limited to federal and state agencies, and local civic
20 centers, police and fire stations, libraries, public health and welfare offices, and
21 employment departments shall be permitted within Planning Areas 3-9, 5-3 and 5-
22 4. Field crops, flower and vegetable gardening, tree crops, and greenhouses used
23 only for purposes of propagation and culture, including the sale thereof from the
24 premises and one unlighted sign that does not exceed two square feet in size
25 pertaining to the sale of products within Planning Areas 3-9, 5-3 and 5-4 of
26 Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of
27 grading permit for uses other than the aforementioned agricultural uses within
28

1 Planning Areas 3-9, 5-3 and 5-4 of Specific Plan No. 375, all agricultural uses
2 including uses incidental thereto within this planning area shall cease and shall no
3 longer be a permitted use.

4 In addition, the uses permitted under Article IX Section 9.1.a. shall include:
5 administrative and professional offices, including but not limited to business, law,
6 medical, dental, chiropractic, architectural, engineering, community planning, and
7 real estate offices, in which no activity is carried on catering to retail sales and no
8 stock of goods is maintained for sale; amusement parks; art galleries; bed and
9 breakfast inns; campgrounds; cell towers concealed within architectural projections
10 or similar structures; community recreation facilities; conference center; cultural
11 centers; dance schools; entertainment venues and night clubs; golf courses and
12 appurtenant facilities, including clubhouses (a clubhouse is permitted to have
13 customary retail shop and restaurant facilities); grocery, dry goods, health food, and
14 variety stores; health and exercise centers, provided all facilities are located within
15 an enclosed building; lakes, including noncommercial fishing therefrom; laundries,
16 with dry cleaning shops; libraries; meeting, fraternal lodge, and community halls;
17 micro-breweries and micro-wineries; museums; pedestrian paseos; picnic grounds;
18 prescription pharmacy when related and incidental to a professional office building;
19 rock climbing walls; sale, rental, repair, or demonstration of motorcycles, scooters,
20 and motorbikes; spas, including day spas and medical spas; studios for professional
21 work in or teaching of any form of fine arts, including but not limited to
22 photography, music, drama, and dance, where no stock of goods is maintained for
23 sale; swimming pools; sport courts and recreational fields and uses; utilities, both
24 public and private; warehouse stores/big-box retail; wedding chapels; and
25 accessory buildings to a specific use, provided that the accessory building is
26 established as an incident to a principal use and does not change the character of
27 that use.
28

1 In addition, the permitted uses identified under Section 9.1.b shall also include
2 boat and other marine rentals and services; electrical substations; neighborhood
3 electric vehicle (NEV) sales and service; power generation and distribution
4 facilities, including solar, wind, geothermal, and other alternative forms to
5 traditional hydrocarbon-based energy facilities; public parks and playgrounds, golf
6 courses with standard length fairways, and country clubs; and recreational vehicle
7 parks.

8 In addition, the permitted uses identified under Section 9.1.d shall also include:
9 automobile sales and rental, automobile and truck service stations, including the
10 concurrent sale of beer and wine for off-premises consumption; gasoline service
11 stations, not including the concurrent sale of beer and wine for off-premises
12 consumption; hunting clubs, skeet, trap, rifle and pistol ranges; liquid petroleum
13 service stations, not including the concurrent sale of beer and wine, provided the
14 total capacity of all tanks shall not exceed 10,000 gallons; performing arts theaters
15 and centers; private schools; archery ranges; golf driving ranges; gymnasiums;
16 miniature golf; parks and playgrounds; sports arenas; skating rinks; stadiums; and
17 commercial swimming pools.

18 The following uses are permitted provided a public use permit has been granted
19 pursuant to the provisions of Section 18.29 of Ordinance No. 348: churches,
20 temples and other places of religious worship.

21 (2) The development standards for interim agriculture uses within Planning Areas 3-9,
22 5-3 and 5-4 of Specific Plan No. 375 shall be the same standards as identified in
23 Article XIII, Section 13.2 of Ordinance No. 348.

24 (3) The development standards for Planning Areas 3-9, 5-3 and 5-4 of Specific Plan
25 No. 375 shall be the same as those standards identified in Article IX, Section 9.4 of
26 Ordinance No. 348 except that the development standards set forth in Article IX
27 Section 9.4.b and .c shall be deleted and replaced by the following:
28

1 A. There are no yard requirements for commercial buildings except that a
2 fifteen foot (15') minimum rear and/or side yard setback shall be required
3 where a commercial building within a Commercial Planning Area adjoins
4 a Residential Planning Area or a residential development within a Mixed
5 Use Planning Area. For commercial buildings over forty feet (40') in
6 height, an additional one foot (1') of side and/or rear yard setback shall be
7 added for each one foot (1') of height over forty feet (40').

8 B. No building or structure shall exceed one hundred and fifty feet (150') in
9 height unless a greater height is approved pursuant to Section 18.34 of
10 Ordinance No. 348. In no event, however, shall a building or structure
11 exceed two hundred feet (200') in height, unless a variance is approved
12 pursuant to Section 18.27 of this Ordinance.

13 (4) Except as provided above, all other zoning requirements shall be the same as those
14 requirements identified in Article IX of Ordinance No. 348.

15 i. Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 (Open Space - Recreation).

16 (1) The uses permitted in Planning Area 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan
17 No. 375 shall be the same as those uses permitted in Article VIIIe, Section 8.100 of
18 Ordinance No. 348, except that the uses permitted pursuant to Article VIIIe,
19 Section 8.100.a. (6) and (8) and c.(1) shall not be permitted. Governmental uses,
20 offices, and facilities including but not limited to federal and state agencies and
21 local civic centers, police and fire stations, libraries, public health and welfare
22 offices and employment departments shall be permitted within Planning Areas 1-
23 21, 1-23, 2-4, 2-5 and 3-11. Field crops, flower and vegetable gardening, tree
24 crops, and greenhouses used only for purposes of propagation and culture,
25 including the sale thereof from the premises and one unlighted sign that does not
26 exceed two square feet in size pertaining to the sale of products within Planning
27 Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be permitted as
28

1 an interim use. Prior to issuance of a grading permit for uses other than the
2 aforementioned agricultural uses within Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-
3 11 of Specific Plan No. 375, all agricultural uses including uses incidental thereto
4 within this planning area shall cease and shall no longer be a permitted use.

5 In addition, the uses permitted under Article VIIIe, Section 8.100.a. shall include:
6 boat and other marine sales; boat and other marine rentals and services;
7 campgrounds; cultural centers; fishing and casting pools; museums; non-profit
8 community centers; pedestrian paseos; picnic grounds; public parks and
9 playgrounds; refreshment stands; restaurants and other eating establishments; rock
10 climbing walls; spas, including day spas and medical spas; sports and recreational
11 facilities, not including motor-driven vehicles and riding academies, but including
12 archery ranges, athletic fields, golf driving ranges, gymnasiums, miniature golf,
13 sports arenas, skating rinks, stadiums, and commercial swimming pools; sport
14 courts and recreational fields and uses; tourist information centers; and accessory
15 buildings to a specific use, provided that the accessory building is established as
16 an incident to a principal use and does not change the character of that use.
17 In addition, the uses permitted under Article VIIIe, Section 8.100.b. shall include:
18 auditoriums and conference rooms; hunting clubs, skeet, trap, rifle and pistol
19 ranges; meeting, fraternal lodge, and community halls; performing arts theaters
20 and centers; and recreational vehicle parks.

- 21
22 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts, the
23 uses permitted in Planning Areas 1-21 and 3-11 of Specific Plan No. 375 shall be
24 the same as those uses permitted in Article XIII, Section 13.1 of Ordinance No.
25 348. No use, other than an agricultural use and any use incidental thereto
26 permitted in Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted
27 within Planning Areas 1-21 and 3-11 of Specific Plan No. 375 until such time as
28 Map No. 162 of Coachella Valley Agricultural Preserves No. 27 has been

1 diminished or disestablished in the planning area and any corresponding
2 Williamson Act contract is no longer in effect for Planning Areas 1-21 and 3-11.
3 Prior to issuance of a grading permit for uses other than the aforementioned
4 agricultural uses within Planning Areas 1-21 and 3-11, all agricultural uses
5 including uses incidental thereto within the affected planning area shall cease and
6 shall no longer be a permitted use. Thereafter, the uses permitted on land formerly
7 subject to Agricultural Preserves and/or Williamson Act contracts within Planning
8 Areas 1-21 and 3-11 of Specific Plan No. 375 shall be the same as those uses
9 permitted in Planning Areas 1-23, 2-4 and 2-5 of Specific Plan No. 375.

10 (3) The development standards for interim agriculture uses within Planning Areas 1-
11 21, 1-23, 2-4, 2-5 and 3-11 of Specific Plan No. 375 shall be the same standards as
12 identified in Article XIII, Section 13.2 of Ordinance No. 348.

13 (4) The development standards for Planning Areas 1-21, 1-23, 2-4, 2-5 and 3-11 of
14 Specific Plan No. 375 shall be the same standards as those identified in Article
15 VIIIe, Section 8.101 of Ordinance No. 348 except that the standards set forth in
16 Article VIIIe, Section 8.101.b shall be deleted and replaced with the following:

17 A. Whenever a building is to be constructed on a lot, it shall have a front
18 yard, side yard, and rear yard, each of which shall be not less than twenty
19 feet (20'). If more than one building is constructed on one lot, there shall
20 be not less than twenty feet (20') of separation between the buildings. No
21 structural encroachments shall be permitted in the front, side or rear yard
22 except as provided for in Section 18.19 of this Ordinance.

23
24 (5) Except as provided above, all other zoning requirements shall be the same as those
25 requirements identified in Article VIII of Ordinance No. 348.

26 ///

27 ///

28 ///

1 j. Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28
2 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 (Open Space –
3 Water).

4 (1) The uses permitted in Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-
5 22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-
6 19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same as those uses
7 permitted in Article VIIIe, Section 8.100 of Ordinance No. 348, except that the
8 uses permitted pursuant to Article VIIIe, Section 8.100.a(1), (2) (6) and (8); b.(1)
9 and c.(1) shall not be permitted. Field crops, flower and vegetable gardening, tree
10 crops, and greenhouses used only for purposes of propagation and culture,
11 including the sale thereof from the premises and one unlighted sign that does not
12 exceed two square feet in size pertaining to the sale of products within Planning
13 Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28
14 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of
15 Specific Plan No. 375 shall be permitted as an interim use. Prior to issuance of a
16 grading permit for uses other than the aforementioned agricultural uses within
17 Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-
18 29, 2-30, 2-31, 2-32, 3-17 and 5-24 of Specific Plan No. 375, all agricultural uses
19 including uses incidental thereto within this planning area shall cease and shall no
20 longer be a permitted use.

21 In addition, the uses permitted under Article VIII, Section 8.100.a. shall include:
22 boat marinas; boat and other marine sales, rentals and services; and fishing and
23 casting pools.

24
25 (2) For land subject to Agricultural Preserves and/or Williamson Act contracts within
26 Planning Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11, the uses shall be
27 the same as those uses permitted pursuant to Section 13.1 of Ordinance No. 34
28 except that the uses permitted pursuant to Section 13.1.a.(1), (11), (12), (14) and

1 (15); b.(1), (2), (3), (4), (5), (8), (9), (10) and (11); and c.(1), (2), (3), (4), (5), (6),
2 (7), (9), (10) and (11) shall not be permitted.

3 No use, other than an agricultural use and any use incidental thereto permitted in
4 Article XIII, Section 13.1 of Ordinance No. 348 shall be permitted within Planning
5 Areas 1-28, 1-29, 3-13, 3-15, 3-18, 3-19, 4-10 and 4-11 of Specific Plan No. 375.
6 Thereafter, the uses permitted on land formerly subject to Agricultural Preserves
7 and/or Williamson Act contracts within Planning areas 1-28, 1-29, 3-13, 3-15, 3-
8 18, 3-19, 4-10 and 4-11 of Specific Plan No. 375 shall be the same as those uses
9 within Planning Areas 1-24, 1-25, 1-26, 1-27, 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-
10 28, 2-29, 2-30, 2-31, 2-32, 3-17 and 5-24.

11 (3) The development standards for interim agriculture uses within Planning Areas 1-
12 24, 1-25, 1-26, 1-27, 1-28, 1-29, 1-32 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-
13 30, 2-31, 2-32 3-13, 3-15, 3-17, 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan
14 No. 375 shall be the same as those standards identified in Article XIII, Section 13.2
15 of Ordinance No. 348.

16 (4) The development standards for Planning Areas 1-24, 1-25, 1-26, 1-27, 1-28, 1-29,
17 1-32, 2-22, 2-23, 2-24, 2-25, 2-26, 2-28, 2-29, 2-30, 2-31, 2-32, 3-13, 3-15, 3-17,
18 3-18, 3-19, 4-10, 4-11 and 5-24 of Specific Plan No. 375 shall be the same
19 standards as identified in Article VIIIe, Section 8.101 of Ordinance No. 348 except
20 that the standards set forth in Article VIIIe, Section 8.101.b. shall be deleted and
21 replaced with the following:

22 (5) Yards. Whenever a building is to be constructed on a lot, it shall have a
23 front yard, side yard, and rear yard, each of which shall be not less than
24 twenty feet (20'). If more than one building is constructed on one lot, there
25 shall be not less than twenty feet (20') of separation between the buildings.
26 No structural encroachments shall be permitted in the front, side, or rear
27 yard except as provided for in Section 18.19 of this Ordinance.
28

- 1 (6) Except as provided above, all other zoning requirements shall be the same as those
2 requirements identified in Article VIIIe of Ordinance No. 348.

3 Section 3. Mixed Use Overlays

4 (1) INTENT.

5 This Ordinance hereby creates three Mixed Use Overlay Zones (MUOZ) for
6 Specific Plan No. 375. Although the allowable uses as listed in Section 2.e.1 of
7 this Ordinance are applicable with all three MUOZ, additional allowable uses and
8 different development standards and required findings are unique to each MUOZ.
9 The applicant of a project may decide to apply the uses and development standards
10 of Section 2.e. and use an MUOZ. If there is any conflict between the uses and
11 development standards of Section 2.e. and the MUOZ, the uses and development
12 standards of the MUOZ shall be applicable. The MUOZ are intended to encourage
13 a mixture of compatible land uses, such as residential with compatible non-
14 residential uses including additional retail uses, employment-intensive uses
15 (including light industrial), and entertainment uses (including hotels and night
16 clubs), with a particular focus on fostering pedestrian activity, vertical mixed use
17 projects, public spaces, and other community amenities. Each of the three distinct
18 MUOZs is described below as follows:

- 19 A. MUOZ-1 provides uses and standards for areas appropriate for the
20 development of a broad range of retail commercial uses potentially
21 integrated with office and/or residential uses. Projects may include vertical
22 or horizontal mixed uses. All projects shall provide and maintain strong
23 pedestrian linkages with neighboring Planning Areas, parks and schools.
24 Single use structures in this MUOZ are acceptable. It is envisioned that this
25 MUOZ will permit retail, restaurant, and commercial goods and services in
26 conjunction with residential development early in the implementation of the
27 Specific Plan.
28

1 B. MUOZ-2 provides uses and standards for areas appropriate for the
2 development of high employment-generating land uses – strong retail,
3 office, and/or light industrial uses – integrated with nearby residential
4 development. Projects may include vertical or horizontal mixed uses with
5 the intent of creating a defined, high-energy pedestrian-focused zone where
6 residential uses will be coupled with covenant retail and/or office uses
7 and/or with nearby light industrial uses. Limited single use structures are
8 acceptable, however, it is envisioned that many, if not all, MUOZ-2 projects
9 will be some form of mixed use development.

10 C. MUOZ-3 provides uses and standards for areas appropriate for the
11 development of entertainment-oriented uses, including night clubs and
12 overnight accommodations with limited retail, office, and/or residential use
13 integration. Development may include horizontal or vertical mixed uses
14 with strong pedestrian and vehicular integration with connections to
15 neighboring traffic-ways and complementary Planning Areas. Residential
16 uses in this Overlay are not a requirement but may be provided as an option.
17 It is envisioned, though not required, that up to fifty percent (50%) of the
18 MUOZ-3 may be mixed use.

19 (2) APPLICABILITY.

20 A. The MUOZ may only be used within Districts 1, 2, or 4 as set forth in
21 Specific Plan No. 375. Each MUOZ used shall cover a minimum of one
22 Planning Area.

23 B. The provisions of the MUOZ may also apply to all existing and future
24 development within Districts 1, 2 and 4 unless otherwise specified in this
25 Section.

26
27 ///

28 ///

1 (3) DEFINITIONS.

2 As used in this Section, the following terms shall have the following meanings:

- 3 A. Base Zone. The set of allowable uses and zoning standards that are
4 applicable over Districts 1, 2 and 4 which are found in Section 2.e.1 of this
5 Ordinance.
- 6 B. Mixed Use Structure. A building or structure that contains at least one
7 floor devoted to allowed nonresidential uses and at least one devoted to
8 allowed residential uses.
- 9 C. Block. Traditional grid pattern development with street length limitations,
10 defined within each village, to foster a pedestrian friendly environment.
- 11 D. Mixed Use Dwelling. A dwelling located above the ground floor of a
12 permitted commercial, retail, office, or institutional use permitted by a
13 MUOZ.
- 14 E. Horizontal Mixed Use. A mixing of uses in a development project or with
15 neighboring structures, although not necessarily in the same building.
- 16 F. Vertical Mixed Use. A mixing of uses within the same structure, usually
17 with residential over commercial, retail, office, or institutional use though
18 this is not required to meet the definition.
- 19 G. Pedestrian Friendly. Urban design elements including landscaping,
20 amenities, sidewalk or plaza design, structure placement, or other elements
21 all designed with an emphasis on creating a pleasant, walkable, and
22 comfortable environment.
- 23 H. Covenants, Conditions and Restrictions (CC&Rs). A document used to
24 describe restrictive limitations placed on real property and its uses, and
25 which usually are made a condition of holding legal title to, or leasehold
26 interest in, the real property in question.
27
28

- 1 I. Overlay Zone. A set of zoning requirements that are superimposed upon
2 the underlying base zone. Overlay zones are generally used when a
3 particular mixed use area is intended to emphasize a particular non-
4 residential use (e.g., retail commercial, employment, or entertainment), or
5 requires special protection, or has a special neighborhood concern. If there
6 is any conflict between the uses and development standards of Section 2.e.
7 and the Overlay Zone, the uses and development standards of the Overlay
8 Zone shall be applicable.
- 9 J. Human Scale. The design of neighborhoods, buildings, and recreational
10 spaces that are welcoming and inviting to pedestrian uses, and also
11 encourage the reduced use of automobiles. Density of the neighborhoods
12 and the heights of the buildings are not restricted in this definition.
- 13 K. Conventional Shopping Center. A development of retail and/or other
14 commercial establishments that are planned, developed, owned and
15 managed as a single property, typically with parking provided on-site. The
16 center's size and orientation will be generally determined by the market
17 characteristics of the trade area served by the center.
- 18 L. Project. A development proposal by one or more applicants involving a
19 single structure or series of structures, under one development application.

20
21 (4) REQUIRED FINDINGS.

22 In order for the applicable hearing body to approve a mixed use overlay zone for a
23 project in Districts 1, 2 or 4, the following findings shall be made:

- 24 A. The project is consistent with the applicable District 1, 2 or 4 Refinement
25 Plan(s).
- 26 B. The project integrates with neighboring uses in terms of vehicular
27 connections, pedestrian connections on- and off-street, architectural styles,
28 and landscaping.

- C. The project is designed to a human scale.
- D. Efforts have been adequately made so that parking areas have been located where they can be conveniently and safely accessed and not interfere with pedestrian activity.
- E. Parking does not dominate the street frontage and is screened appropriately.
- F. The project is complimentary to a mix of uses and blends with surrounding developments.
- G. Uses and structures are sited and designed to complement one another.

(5) MIXED USE OVERLAY ZONE 1 (RETAIL FOCUSED).

- A. The uses permitted in Mixed Use Overlay Zone 1 (MUOZ 1) for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those uses permitted pursuant to Section 2.e of this Ordinance. In addition, the following uses shall be permitted provided a plot plan is approved pursuant to Section 18.30 of Ordinance No. 348: dance halls; dance schools; sale, rental, repair or demonstration of motorcycles, scooters, and motorbikes; utilities, both public and private; and wholesale businesses with samples on the premises but not including storage; boat and other marine sales; equipment rental services, including rototillers, power mowers, sanders, power saws, cement and plaster mixers not exceeding ten cubic feet in capacity and other similar equipment; feed and grain sales, including outside storage; fishing and casting pools; and labor temples.

In addition, the following uses shall be permitted provided a conditional use permit has been approved pursuant to Section 18.28 of Ordinance No. 348: ambulance services; body and fender shops and spray painting; building materials sales yards; drive-in theaters; heliports; lumber yards,

1 including only incidental mill work; mortuaries; swap meets; and
2 underground bulk fuel storage.

3 B. The development standards for one family dwellings within the MUOZ 1
4 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7
5 and 4-8 of Specific Plan No. 375 shall be the same as those standards for
6 one family dwellings identified in the Mixed Use Base Zone.

7 C. The development standards for multiple family dwellings within the
8 MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
9 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
10 standards for multiple family dwelling identified in the Mixed Use Base
11 Zone.

12 D. The development standards for walkable commercial uses within the
13 MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
14 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
15 standards for walkable commercial uses identified in the Mixed Use Base
16 Zone.

17 E. The development standards for vertical mixed use projects within the
18 MUOZ 1 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
19 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
20 standards identified in Article IX, Section 9.4 and Article XVIII, Section
21 18.5, except that the development standards set forth in Article IX, Section
22 9.4 b. and c; and those development standards set forth in Article XVIII,
23 Section 18.5 b., c., e., i., and k. shall be deleted and replaced by the
24 following:

25
26 (a) The maximum vertical mixed use building height shall be
27 seventy-five feet (75').
28

- 1 (b) There shall be no minimum yard requirements for vertical
2 mixed use structures, except where adjacent to a Residential
3 Planning Area or a residential building or development within a
4 Mixed Use Planning Area, in which case a minimum fifteen
5 foot (15') rear and/or side yard shall be required. For such
6 vertical mixed use structures over forty feet (40') in height, an
7 additional foot of rear and/or side yard shall be added for each
8 foot above forty feet (40').
- 9 (c) The maximum ration of floor area to lot area (i.e., FAR) shall
10 not be greater than three to one (3:1), not including basement
11 floor area.
- 12 (d) The minimum private yard open space per residential unit
13 within a vertical mixed use structure shall be fifty (50) square
14 feet, with a minimum dimension in any direction of six feet (6').
15 Roof top open space may be used as private yard space when
16 directly accessible to the unit(s) it serves.
- 17 (e) No multiple family dwelling shall be constructed within a
18 vertical mixed use structure unless it has a minimum floor
19 living area of not less than seven hundred fifty (750) square
20 feet. Porches, garages, patios, and similar features, whether
21 attached or detached to a dwelling, shall not be included when
22 calculating the floor living area.
- 23 (f) At least one vertical mixed use structure on each block shall be
24 required to use a design-related architectural projection.
- 25 (g) A minimum of sixty percent (60%) of vertical mixed use street-
26 facing building façades between two feet and eight feet in
27
28

1 height shall be comprised of windows that allow views of
2 indoor space or product display areas.

3 (h) Vertical mixed use buildings must have a primary entrance door
4 facing a public sidewalk. Entrances at building corners may be
5 used to satisfy this requirement.

6 (i) Vertical mixed use building entrances may include doors to
7 individual shops or businesses, lobby entrances, entrances to
8 pedestrian-oriented plazas, or courtyard entrances to a cluster of
9 shops or businesses.

10 (j) Residential structures may place residential uses on the ground
11 floor of a structure provided said structure is contiguous to a
12 non-residential ground floor use.

13 F. The following findings shall be made for all projects within MUOZ 1, in
14 addition to those referenced in Section 3.(4) of this Ordinance:

15 (a) MUOZ 1 projects shall establish and maintain strong pedestrian
16 connections to neighboring compatible development including
17 parks and schools, to ensure a fully green and sustainable
18 pedestrian environment.

19 (b) MUOZ 1 projects provide usable public and private open
20 spaces, including but not limited to plazas in commercial areas
21 that enhance commercial activity.

22 (c) Residential land uses, exclusive of vertical mixed use projects,
23 shall not comprise more than fifty percent (50%) of the total
24 MUOZ 1.

25
26 ///

27 ///

28 ///

1 (6) MIXED USE OVERLAY ZONE 2 (EMPLOYMENT FOCUSED).

2 A. The uses permitted in Mixed Use Overlay Zone 2 (MUOZ 2) of Planning
3 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of
4 Specific Plan No. 375 shall be the same as those uses permitted pursuant to
5 Section 2.e of this Ordinance. In addition, the following uses shall be
6 permitted provided a plot plan is approved pursuant to Section 18.30 of
7 Ordinance No. 348: dance halls; dance school; manufacturing of grain and
8 bakery products, sugar and confectionary products, nonalcoholic
9 beverages, ice, and furniture and fixtures including cabinets, partitions,
10 and similar items ; printing and publishing of newspapers, periodicals,
11 books, forms, cards, and similar items; binding of books and other
12 publications; manufacturing of clothing and accessory products, handbags,
13 luggage, footwear and other personal leather goods; manufacturing of
14 pharmaceuticals including research, blown, pressed and cut glass and other
15 glassware products; manufacturing of jewelry including repair, electronic
16 devices, equipment and components including assembly testing and repair;
17 vehicle storage and impoundment within an enclosed building; trailer,
18 recreational vehicle, and boat storage within an enclosed building;
19 manufacture and repair of engineering, scientific and medical
20 instrumentation; public utility substations and storage buildings;
21 warehousing and distribution, including mini-warehouses; communication
22 and microwave installations; cold storage facilities; telephone exchanges
23 and switching equipment; post offices; water and gas company service
24 facilities; parcel delivery services; recycling collection facilities; banks and
25 financial institutions; blueprint and duplicating services; laboratories, film,
26 medical, research, or testing centers; office equipment sales and service
27 offices, professional sales and service, including business, law, medical,
28

1 dental, chiropractic, architectural and engineering; parking lots and
2 parking structures; restaurants and other eating establishments; barber and
3 beauty shops; day care centers; health and exercise centers; mobilehomes,
4 provide they are kept mobile and licensed pursuant to state law, when used
5 for construction offices and caretaker's quarters on construction sites for
6 the during of a valid building permit; one family dwellings on the same
7 parcel as the industrial or commercial use provided such dwellings are
8 occupied exclusively by the proprietor or caretaker of the use and their
9 immediate families; signs, on-site advertising; automobile service stations,
10 not including the concurrent sale of beer and wine for off-premises
11 consumption; motels; churches, temples, or other structures used primarily
12 for religious worship; labor temples; sale, rental, repair, or demonstration
13 of motorcycles, scooters, and motorbikes; utilities, both public and private;
14 warehousing and distribution; and wholesale businesses with samples on
15 the premises but not including storage; boat and other marine sales;
16 equipment rental services, including rototillers, power mowers, sanders,
17 power saws, cement and plaster mixers not exceeding ten cubic feet in
18 capacity and other similar equipment; feed and grain sales, including
19 outside storage; fishing and casting pools; mobile home sales and storage,
20 trailer sales and rental house trailers; recreational vehicle parks; travel
21 trailers, motor homes and recreational vehicles sales and service; truck and
22 trailer sales, rentals and service.

23
24 In addition, the following uses shall be permitted provided a conditional
25 use permit has been pursuant to Section 18.28 of Ordinance No. 348: body
26 and fender shops and spray painting; building materials sales yards;
27 heliports; hunting clubs, skeet, trap, rifle and pistol ranges; lumber yards,
28 including only incidental mill work; mortuaries; swap meets; tire recapping;

1 trailer and boat storage; and underground bulk fuel storage. The
2 development standards for one family dwellings within the MUOZ 2 for
3 Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and
4 4-8 of Specific Plan No. 375 shall be the same as those standards for one
5 family dwellings identified in the Mixed Use Base Zone.

6 B. The development standards for multiple family dwellings, within the
7 MUOZ 2 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, , 4-4,
8 4-5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
9 standards for multiple family dwellings identified in the Mixed Use Base
10 Zone.

11 C. The development standards for walkable commercial uses within the
12 MUOZ 2 of Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-1, 4-2, 4-
13 4, 4-5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as
14 those standards for walkable commercial uses identified in the Mixed Use
15 Base Zone.

16 D. The development standards for commercial, industrial, and horizontal and
17 vertical mixed use projects within the MUOZ 2 for Planning Areas 1-4, 2-
18 12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of Specific Plan
19 No. 375 shall be the same as those standards identified in Article IX,
20 Section 9.4 and Article XVIII, Section 18.5, except that the development
21 standards set forth in Article IX, Section 9.4. b. and c. and the
22 development standards set forth in Article XVIII, Section 18.5. b., c., e., i.
23 and k. shall be deleted and replaced by the following:

24 (a) The maximum commercial, industrial and horizontal and
25 vertical mixed use building heights shall be seventy-five feet
26 (75').
27
28

- 1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
- (b) There shall be no minimum yard requirements for commercial, industrial and horizontal and vertical mixed use structures, except where adjacent to a Residential Planning Area or a residential building or development within a Mixed Use Planning Area, in which case a minimum fifteen (15) foot rear and / or side yard shall be required. For such commercial, industrial and horizontal and vertical mixed use structures over forty feet (40') in height, an additional foot of rear / side yard shall be added for each foot above forty feet (40').
 - (c) The maximum ratio of floor area to lot area (i.e., FAR) shall not be greater than three to one (3:1), not including basement floor area.
 - (d) The minimum private usable yard space per residential unit within a vertical mixed use structure shall be fifty (50) square feet, with a minimum dimension in any direction of six feet (6'). Roof top space may be used as private yard space when directly accessible to the unit(s) it serves.
 - (e) No multiple family dwelling shall be constructed within a vertical mixed use structure unless it has a minimum floor living area of not less than seven hundred fifty (750) square feet. Porches, garages, patios, and similar features, whether attached or detached to a dwelling, shall not be included when calculating the floor living area.
 - (f) At least one non-residential structure on each block shall be required to use a design-related architectural projection.
 - (g) A minimum of sixty percent (60%) of non-residential street-facing building façades between two feet (2') and eight feet (8')

1 in height must be comprised of clear windows that allow view
2 of indoor space or product display areas.

3 (h) Commercial, office, light industrial, and horizontal and vertical
4 mixed use buildings must have a primary entrance door facing a
5 public sidewalk. Entrances at building corners may be used to
6 satisfy this requirement.

7 (i) Vertical mixed use building entrances may include doors to
8 individual shops or businesses, lobby entrances, entrances to
9 pedestrian-oriented plazas, or courtyard entrances to a cluster of
10 shops or businesses.

11 (j) Vertical mixed use buildings may place residential uses on the
12 ground floor of a structure provided said building is contiguous
13 to a non-residential ground floor use.

14 E. These findings must be made for all projects within MUOZ 2, in addition
15 to those referenced in Section 3.(4) of this Ordinance:

16 (a) MUOZ 2 projects shall establish and maintain strong pedestrian
17 connections to neighboring compatible development including
18 parks and schools, to ensure a fully green and sustainable
19 pedestrian environment.

20 (b) Residential land uses, exclusive of vertical mixed use projects,
21 shall not comprise more than fifty percent (50%) of the total
22 MUOZ 2.

23 ///

24 ///

25 ///

26 ///

27 ///

28 ///

1 (7) MIXED USE OVERLAY ZONE 3 (ENTERTAINMENT FOCUSED).

2 A. The uses permitted in Mixed Use Overlay Zone 3 (MUOZ 3) of Planning
3 Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7 and 4-8 of
4 Specific Plan No. 375 shall be the same as those uses permitted in Section
5 2.e of this Ordinance. In addition, the following uses shall be permitted
6 provided a plot plan is approved pursuant to Section 18.30 of Ordinance
7 No. 348: automobile sales and rental agencies; campgrounds; cell towers
8 concealed by architectural features or similar structures; dance halls; dance
9 schools; entertainment venues and night clubs; labor temples; picnic
10 grounds; racing and competition events other than between humans; rock
11 climbing walls; sale, rental, repair, or demonstration of motorcycles,
12 scooters, and motorbikes; utilities, both public and private; boat and other
13 marine sales; fishing and casting pools; mobile home sales and storage;
14 trailer sales and rentals; recreational vehicle parks; recreational vehicles
15 sales, rentals and service; truck rentals.

16 In addition, the following uses shall be permitted provided a conditional
17 use permit has been approved pursuant to Section 18.28 of Ordinance No.
18 348: amusement parks; body and fender shops and spray painting; drive-
19 in theaters; heliports; hunting clubs, skeet, trap, rifle and pistol ranges;
20 riding academies and stables; trailer and boat storage; and swap meets.

21 B. The development standards for one family dwellings within the MUOZ 3
22 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7
23 and 4-8 of Specific Plan No. 375 shall be the same as those standards for
24 one family dwellings identified in the Mixed Use Base Zone.
25

26 ///

27 ///

28 ///

1 C. The development standards for multiple family dwellings within the
2 MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
3 5, 4-6, 4-7 and 4-8 of Specific Plan No. 375 shall be the same as those
4 standards for multiple family dwellings identified in the Mixed Use Base
5 Zone.

6 D. The development standards for walkable commercial uses within the
7 MUOZ 3 for Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-
8 5, 4-6, 4-7, and 4-8 of Specific Plan No. 375 shall be the same as those
9 standards for walkable commercial uses identified in the Mixed Use Base
10 Zone.

11 E. The development standards for commercial entertainment uses authorized
12 by the MUOZ 3 or vertical mixed use projects within the MUOZ 3 for
13 Planning Areas 1-4, 2-12, 2-13, 2-14, 2-15, 2-16, 4-2, 4-4, 4-5, 4-6, 4-7
14 and 4-8 of Specific Plan No. 375 shall be the same as those standards
15 identified in Article IX, Section 9.4 and Article XVIII, Section 18.5,
16 except that the development standards set forth in Article IX, Section 9.4.
17 b. and c. and those development standards set forth in Article XVIII,
18 Section 18.5. b., c., e., i. and k. shall be deleted and replaced by the
19 following:

20 (a) The height of commercial entertainment or vertical mixed use
21 buildings shall not exceed a maximum height of one hundred
22 fifty feet (150').

23 (b) There shall be no minimum yard requirements for commercial
24 entertainment or vertical mixed use buildings, except where
25 adjacent to a Residential Planning Area or a residential building
26 within a Mixed Use Planning Area, in which case a minimum
27 fifteen (15) foot rear and /or side yard shall be required. For
28

1 vertical mixed use buildings over forty feet (40') in height, an
2 additional foot of rear /side yard shall be added for each foot
3 above forty feet (40').

4 (c) The maximum ration of floor area to lot area (i.e., FAR) shall
5 not be greater than four to one (4:1), not including basement
6 floor area.

7 (d) The minimum private usable yard space per residential unit
8 within a vertical mixed use building shall be fifty (50) square
9 feet, with a minimum dimension in any direction of six feet (6').
10 Roof top space may be used as private yard space when directly
11 accessible to the unit(s) it serves.

12 (e) No multiple family dwelling shall be constructed within a
13 vertical mixed use building unless it has a minimum floor living
14 area of not less than seven hundred fifty (750) square feet.
15 Porches, garages, patios, and similar features, whether attached
16 or detached to a dwelling, shall not be included when
17 calculating the floor living area.

18 (f) At least one non-residential structure on each block shall be
19 required to use a design-related architectural projection.

20 (g) A minimum of sixty percent (60%) of non-residential street-
21 facing building façades between two feet (2') and eight feet (8')
22 in height must be comprised of windows that allow views of
23 indoor space or product display areas.

24 (h) Commercial entertainment and vertical mixed use buildings
25 must have a primary entrance door facing a public sidewalk.
26 Entrances at building corners may be used to satisfy this
27 requirement.
28

1 Section 4. This ordinance shall take effect thirty (30) days after its adoption.

2
3 BOARD OF SUPERVISORS OF THE COUNTY
 OF RIVERSIDE, STATE OF CALIFORNIA

4
5 By: _____
6 Chairman, Board of Supervisors

7 ATTEST:
8 CLERK TO THE BOARD

9
10 By: _____
11 (Deputy)

12
13 (SEAL)

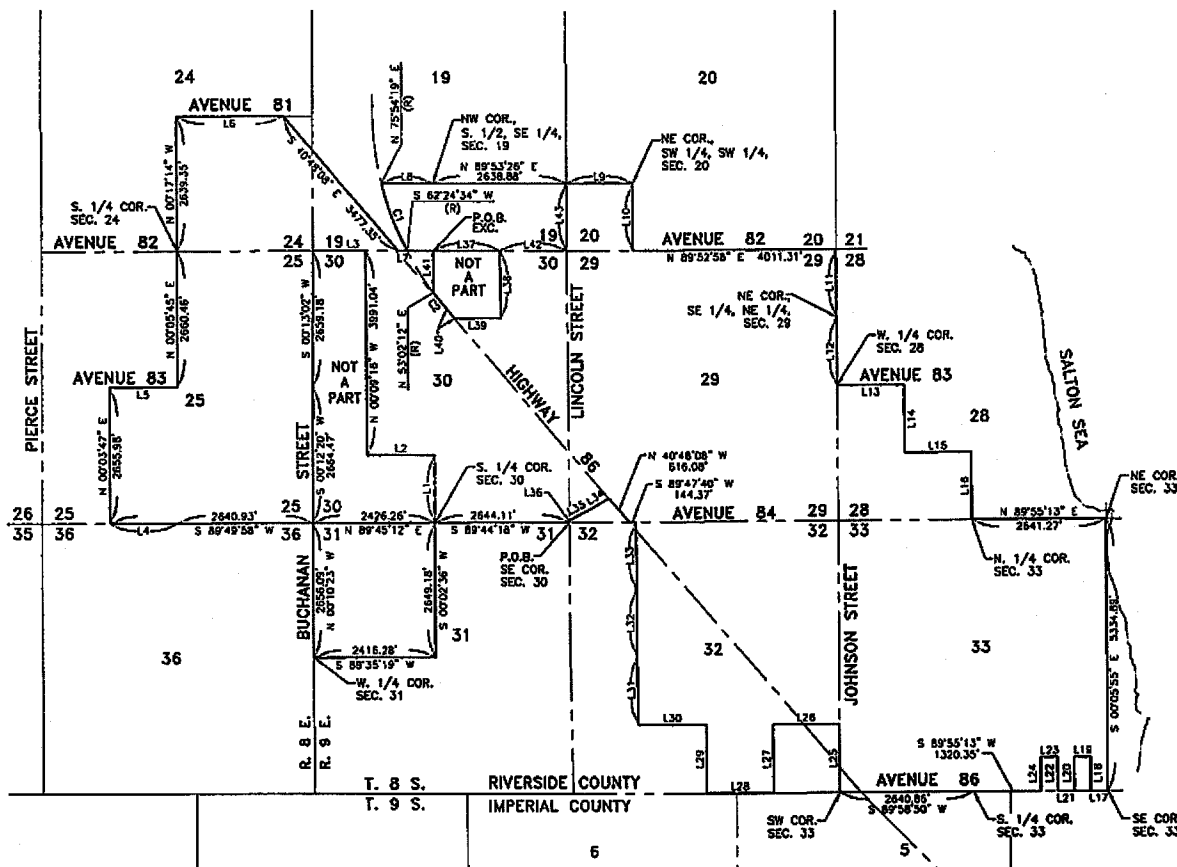
14
15
16 APPROVED AS TO FORM:

17 January 26, 2012

18 By: Karin Watts-Bazan
19 KARIN WATTS-BAZAN
 Principal Deputy County Counsel

20
21
22
23 G:\Property\KWATTSBA\Travertine SP Zoning Ordinance (SP No. 375).docx

SECTIONS 24 & 25, T.8S., R.8E., S.B.M., AND
SECTIONS 19, 20, 28, 29, 30, 31, 32 & 33, T.8S., R.9E., S.B.M.

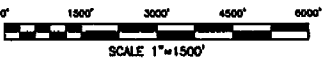


CURVE DATA			
NO.	DELTA	RADIUS	LENGTH
C1	13°28'45"	6000.00'	1413.28'
C2	03°50'20"	6000.00'	402.01'

LINE DATA		
NO.	BEARING	LENGTH
L1	N 00°09'48" W	1330.73'
L2	S 89°43'29" W	1337.57'
L3	S 89°52'58" W	1354.48'
L4	S 89°49'59" W	1320.23'
L5	N 89°42'38" E	1322.14'
L6	N 89°46'04" E	2085.21'
L7	N 89°52'58" E	176.46'
L8	N 89°52'58" E	1013.76'
L9	N 89°50'58" E	1321.13'
L10	S 00°05'17" E	1319.21'
L11	S 00°08'37" E	1320.99'
L12	S 00°08'37" E	1330.73'
L13	N 89°48'03" E	1321.36'
L14	S 00°11'17" E	1322.47'
L15	N 89°50'44" E	1321.00'
L16	S 00°10'20" E	1324.27'
L17	S 89°55'13" W	330.69'
L18	N 00°05'58" W	686.87'
L19	S 89°55'16" W	330.10'
L20	S 00°06'03" E	686.87'
L21	S 89°55'13" W	330.09'
L22	N 00°06'07" W	686.88'
L23	S 89°55'16" W	330.10'
L24	S 00°09'11" E	686.88'
L25	N 00°05'45" W	1332.65'
L26	S 89°56'49" W	1332.50'
L27	S 00°13'43" E	1333.67'
L28	S 89°56'10" W	1318.98'
L29	N 00°21'40" W	1332.24'
L30	N 89°58'50" W	1325.15'
L31	N 00°09'21" W	1326.69'
L32	N 00°19'59" W	1324.69'
L33	N 00°14'47" W	1323.69'
L34	S 89°56'10" W	400.72'
L35	S 89°58'50" W	490.56'
L36	S 00°14'54" E	435.00'
L37	N 89°52'58" W	1318.19'
L38	S 00°17'01" E	1328.24'
L39	S 89°51'55" W	907.33'
L40	N 40°48'08" W	245.44'
L41	N 00°11'23" W	830.00'
L42	N 89°52'58" E	1316.19'
L43	N 00°05'50" W	1318.44'

ASSESSORS PARCEL NOS:

- 737-080-002, 737-110-001, 737-110-004,
- 737-110-005, 737-110-009, 737-120-005,
- 737-120-006, 737-120-007, 737-120-008,
- 737-120-009, 737-140-002, 737-140-003,
- 737-140-010, 737-170-003, 737-170-004,
- 737-170-006, 737-170-007, 737-170-012,
- 737-170-013, 737-170-014, 737-170-015,
- 737-180-001, 737-180-002, 737-180-004,
- 737-180-007, 737-180-010, 737-180-012,
- 737-180-013, 737-180-014, 737-190-001,
- 737-190-002, 737-190-003, 737-190-004,
- 737-190-005, 737-190-006, 737-190-007,
- 737-190-009, 737-190-010, 737-190-011,
- 737-190-012, 737-190-013, 737-200-002,
- 737-200-003, 737-200-004, 737-200-006,
- 737-200-007, 737-200-008, 737-200-009,
- 737-200-010, 737-200-016, 737-200-017,
- 737-200-018, 737-200-019, 737-200-028,
- 737-200-023, 737-200-024, 737-200-025,
- 737-200-027, 737-200-028, 737-200-029,
- 737-200-030, 737-200-031, 737-200-032,
- 737-220-001, 737-220-002, 737-220-003,
- 737-220-004, 737-240-002, 737-240-003,
- 737-240-004, 737-280-001, 737-280-005,
- 737-280-007, 737-280-008, 737-280-010,
- 737-280-011, 737-280-012, 737-280-013,
- 737-280-014, 737-280-015, 737-280-016,
- 737-280-017, 737-270-001, 737-270-003,
- 737-270-005, 737-270-006, 737-270-010,
- 737-270-011, 737-280-001, 737-280-002,
- 737-280-003, 737-280-004, 737-280-005,
- 737-280-006, 737-280-007, 737-280-008,
- 737-290-001, 737-290-004, 737-290-005,
- 737-290-006, 737-290-011, 737-290-015,
- 737-290-018, 737-290-019, 737-290-018,
- 737-290-019, 737-270-015, 737-270-016,
- 737-270-021, 737-270-022, 737-270-023,
- 737-270-024, 737-300-016, 737-300-017,
- 737-300-022, 737-300-023, 737-300-024,
- 737-300-025, 737-300-026, 737-310-012,
- 737-310-013, 737-310-015, 737-310-028,
- 737-310-029, 737-310-030, 737-310-031,
- 737-310-032, 737-310-035, 737-310-037,
- 737-310-038, 737-310-040, 737-310-042,
- 737-310-043, 737-310-044, 737-310-045,



LEGEND

SP ZONE SPECIFIC PLAN (SP 375)

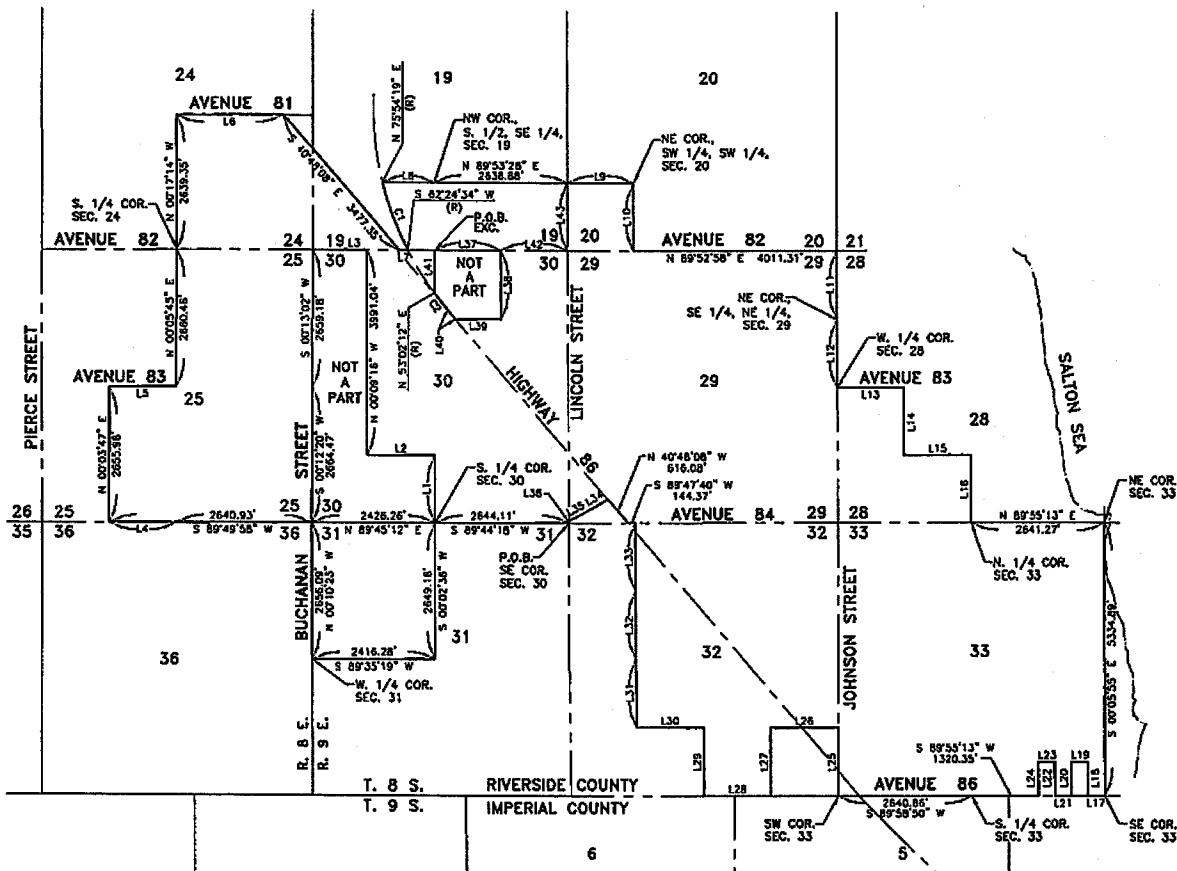
MAP NO. 41.086
CHANGE OF OFFICIAL ZONING PLAN
LOWER COACHELLA VALLEY
DISTRICT

CHANGE OF ZONE CASE NO. 7623
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4737
FEBRUARY 7, 2012

RIVERSIDE COUNTY BOARD OF SUPERVISORS

J.N. 1834
JANUARY 26, 2012

SECTIONS 24 & 25, T.8S., R.8E., S.B.M., AND
SECTIONS 19, 20, 28, 29, 30, 31, 32 & 33, T.8S., R.9E., S.B.M.

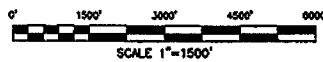


CURVE DATA			
NO.	DELTA	RADIUS	LENGTH
C1	132°45'	6000.00'	1413.28'
C2	03°50'20"	6000.00'	402.01'

LINE DATA		
NO.	BEARING	LENGTH
L1	N 00°09'48" W	1330.73'
L2	S 89°43'28" W	1337.87'
L3	S 89°52'58" W	1054.40'
L4	S 89°49'59" W	1320.23'
L5	N 89°42'59" E	1322.14'
L6	N 89°46'04" E	2085.21'
L7	N 89°52'58" E	176.46'
L8	N 89°52'50" E	1013.76'
L9	N 89°53'58" E	1321.43'
L10	S 00°05'17" E	1319.21'
L11	S 00°08'59" E	1330.98'
L12	S 00°08'37" E	1330.73'
L13	N 89°46'00" E	1321.36'
L14	S 00°11'17" E	1322.47'
L15	N 89°50'44" E	1321.00'
L16	S 00°10'20" E	1324.27'
L17	S 89°55'13" W	330.09'
L18	N 00°05'58" W	686.87'
L19	S 89°55'16" W	330.10'
L20	S 00°05'03" E	666.87'
L21	S 89°55'13" W	330.09'
L22	N 00°08'07" W	686.88'
L23	N 89°53'18" W	330.10'
L24	S 00°08'11" E	666.89'
L25	N 00°05'45" W	1332.65'
L26	S 89°58'49" W	1322.50'
L27	S 00°13'43" E	1333.67'
L28	S 89°58'10" W	1318.98'
L29	N 00°21'40" W	1335.24'
L30	N 89°53'50" W	1335.15'
L31	N 00°39'21" W	1336.69'
L32	N 00°19'59" W	1324.69'
L33	N 00°14'47" W	1323.69'
L34	S 89°58'10" W	400.72'
L35	S 83°28'50" W	490.56'
L36	S 00°14'54" E	45.00'
L37	N 89°52'58" E	1316.18'
L38	S 00°17'01" E	1328.24'
L39	S 89°51'58" W	807.33'
L40	N 40°48'08" W	245.44'
L41	N 00°11'23" W	830.00'
L42	N 89°52'58" E	1316.19'
L43	N 00°05'50" W	1316.44'

ASSESSORS PARCEL NOS:

- 737-090-002, 737-110-001, 737-110-004,
- 737-110-006, 737-110-009, 737-120-005,
- 737-120-006, 737-120-007, 737-120-008,
- 737-120-009, 737-140-002, 737-140-003,
- 737-140-010, 737-170-003, 737-170-004,
- 737-170-006, 737-170-007, 737-170-012,
- 737-170-013, 737-170-014, 737-170-015,
- 737-180-001, 737-180-002, 737-180-004,
- 737-180-007, 737-180-010, 737-180-012,
- 737-180-013, 737-180-014, 737-180-001,
- 737-180-002, 737-190-003, 737-190-004,
- 737-190-005, 737-190-006, 737-190-007,
- 737-190-009, 737-190-010, 737-190-011,
- 737-190-012, 737-190-013, 737-200-002,
- 737-200-003, 737-200-004, 737-200-006,
- 737-200-007, 737-200-008, 737-200-009,
- 737-200-010, 737-200-016, 737-200-017,
- 737-200-018, 737-200-019, 737-200-020,
- 737-200-023, 737-200-024, 737-200-028,
- 737-200-027, 737-200-028, 737-200-029,
- 737-200-030, 737-200-031, 737-200-032,
- 737-220-001, 737-220-002, 737-220-003,
- 737-220-004, 737-240-002, 737-240-003,
- 737-240-004, 737-260-003, 737-260-005,
- 737-260-007, 737-260-008, 737-260-010,
- 737-260-011, 737-260-012, 737-260-013,
- 737-260-014, 737-260-015, 737-260-016,
- 737-260-017, 737-270-001, 737-270-003,
- 737-270-005, 737-270-006, 737-270-010,
- 737-270-011, 737-280-001, 737-280-002,
- 737-280-003, 737-280-004, 737-280-005,
- 737-280-006, 737-280-007, 737-280-008,
- 737-280-009, 737-280-010, 737-280-011,
- 737-280-012, 737-280-013, 737-280-014,
- 737-280-015, 737-280-016, 737-280-017,
- 737-280-018, 737-280-019, 737-280-020,
- 737-280-021, 737-280-022, 737-280-023,
- 737-280-024, 737-280-025, 737-280-026,
- 737-280-027, 737-280-028, 737-280-029,
- 737-280-030, 737-280-031, 737-280-032,
- 737-280-033, 737-280-034, 737-280-035,
- 737-280-036, 737-280-037, 737-280-038,
- 737-280-039, 737-280-040, 737-280-041,
- 737-280-042, 737-280-043, 737-280-044, 737-280-045,



LEGEND

SP ZONE SPECIFIC PLAN (SP 375)

MAP NO. 41.086

CHANGE OF OFFICIAL ZONING PLAN
LOWER COACHELLA VALLEY
DISTRICT

CHANGE OF ZONE CASE NO. 7623
AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348.4737
FEBRUARY 7, 2012

RIVERSIDE COUNTY BOARD OF SUPERVISORS

J.N. 1834
JANUARY 26, 2012

