

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

796



**SUBMITTAL DATE:**  
August 16, 2012

**FROM:** Economic Development Agency / Facilities Management

**SUBJECT:** Resolution No. 2012-146, Authorization to Purchase Real Property Interests for the Public Safety Enterprise Communications Project

**RECOMMENDED MOTION:** That the Board of Supervisors:

1. Consider the attached Addendum to the Addendum, along with the Final Program Environmental Report (SCH2008021125) for the County of Riverside's Public Safety Enterprise Communications (PSEC) Project;
2. Find that use of the easement area referenced herein will not result in any new significant environmental effects, will not substantially increase the severity of previously identified significant effects and will not necessitate new mitigation measures;

(Continued)

*Robert Field*

Robert Field  
Assistant County Executive Officer/EDA

FISCAL PROCEDURES APPROVED  
PAUL ANGULO, CPA, AUDITOR-CONTROLLER  
BY *Samuel Wong 8/16/12*  
SAMUEL WONG

<b>FINANCIAL DATA</b>	Current F.Y. Total Cost:	\$ 57,000	In Current Year Budget:	Yes
	Current F.Y. Net County Cost:	\$ 0	Budget Adjustment:	No
	Annual Net County Cost:	\$ 0	For Fiscal Year:	2012/13

**COMPANION ITEM ON BOARD AGENDA:** No

<b>SOURCE OF FUNDS:</b> PSEC Budget	<b>Positions To Be Deleted Per A-30</b>	<input type="checkbox"/>
	<b>Requires 4/5 Vote</b>	<input type="checkbox"/>

**C.E.O. RECOMMENDATION:** APPROVE  
BY *Jennifer L. Sargent*  
County Executive Office Signature

**MINUTES OF THE BOARD OF SUPERVISORS**

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

**Ayes:** Buster, Tavaglione, Benoit and Ashley  
**Nays:** None  
**Absent:** Stone  
**Date:** August 28, 2012  
**xc:** EDA, RCIT, Recorder, Auditor

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

Prev. Agn. Ref.: 3.13 of 4/12/11 ; 3.17 of 7/31/12 | District: 5/5

Agenda Number: **3.48**

ATTACHMENTS FILED

FORM APPROVED COUNTY COUNSEL  
BY: *Patricia M. Moore* 8/9/12  
Patricia M. Moore, Environmental Concurrence DATE

By: *Kevin Crawford* 2 Aug 12  
Kevin Crawford, Chief Information Officer  
Riverside County Information Technology

Dept Recomm.:  Consent  Policy  
Per Exec. Ofc.:  Consent  Policy

**RECOMMENDED MOTION:** (Continued)

3. Approve Resolution No. 2012-146, Authorization to Purchase Real Property Interests, Riverside County Assessor's Parcel Number 473-120-068, consisting of 4.84 acres;
4. Approve the Right of Way Acquisition Agreement and authorize the Chairman to execute the documents necessary to complete the purchase; and
5. Authorize the Assistant County Executive Officer of the Economic Development Agency, or his designee, to execute any other documents and administer all actions necessary to complete this action.

**BACKGROUND:**

Since adoption of the Program Environmental Impact Report (PEIR) in September 2008, it has been determined that the originally proposed Timoteo Communication Site location is not feasible due to construction-related constraints. Specifically, the original site is located on a narrow ridge with steep drop-offs on either side. Access to the site would be via a narrow dirt roadway atop this ridge and adequate room at the proposed construction site is not available for staging, construction, and heavy equipment access to occur simultaneously. In addition, soils testing at the site determined that the onsite soils do not possess sufficient bearing strength to adequately support the proposed tower. As such, the proposed Timoteo site had to be relocated to an area without these constraints that could still meet the site's critical radio coverage objectives.

The alternative Timoteo site is located approximately 750 feet east of Redlands Boulevard within the San Timoteo Badlands. It is located approximately 0.35 miles south of the original Timoteo location. The site has been leased by the county from a private party and is located on Section 26, Township 2 South, Range 3 West on the USGS Sunnymead, California, 7.5-minute topographic quadrangle. It shares similar characteristics to the original location in that it is located in the San Timoteo Badlands, it possesses the same vegetation and habitat characteristics, it is in the same soil unit as the original location, and contains similar visual features. Since the new proposed Timoteo Communication Site was not assessed in the PEIR, the county undertook the biological, cultural, and paleontological resources assessment work required as part of the mitigation measures described in Section 2. An addendum for the relocated Timoteo Communication Site was adopted by the Riverside County Board of Supervisors on April 12, 2011 (Agenda Item 3.13). The previously adopted addendum is included within Appendix E of this addendum. Since the time of the previously adopted addendum, it has been determined that the commercial power alignment to the site that was considered as part of that addendum is not suitable for construction purposes. A new commercial power alignment has since been identified. The new alignment would commence to the southwest of the site, would cross Redlands Boulevard, and would then travel to the communication site itself. Exhibits are included within Appendix A of this addendum that show the proposed commercial power alignment's location, as well as photographs of the alignment and the surrounding area. Since the new alignment was not assessed in the PEIR or within the previously adopted addendum, the county has again implemented the mitigation measures that were prescribed in the PEIR for new or relocated sites. Table 2, below, summarizes the PEIR mitigation measures that are relevant to the new Timoteo Communication Site Commercial Power Alignment Relocation.

(Continued)

**BACKGROUND:** (Continued)

The table also provides justification as to whether or not the mitigation measures listed above in Section 2 apply to this site. All other analysis prepared for the site and adopted in the April 12, 2011 addendum is still applicable to this site. These include the analysis and mitigation implemented for activities at the communication site itself, as well as for the proposed access road. Those project components have not changed. Therefore, the analysis conducted for this addendum relates only to the relocation of the commercial power alignment.

This site will provide a power line easement to adjacent property that has been developed with a communication facility. The county has reached agreement on a voluntary sale with the owner to acquire an easement in favor of Southern California Edison consisting of a 10 foot corridor approximately 650 feet in length connecting to adjacent leased property on Redlands Boulevard.

This resolution has been reviewed and approved by County Counsel as to legal form. The Notice of Intent to Purchase Real Property was published pursuant to Section 25350 of the California Government Code.

**FINANCIAL DATA:**

The following summarizes the funding necessary to acquire Assessor's Parcel Number 473-120-068:

Purchase Price	\$57,000
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All costs associated with these acquisitions are fully funded through the PSEC budget for FY 2012/13; thus, no additional net county cost will be incurred as a result of these transactions.

**Attachments:**

Right of Way Acquisition Agreement  
Addendum #6 to Program EIR

FORM NO. 100  
DATE 8/20/10  
BY: PATRICIA INHDE

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Resolution No. 2012-146

Authorization to Purchase Real Property Interests

Public Safety Enterprise Communications Project

Assessor's Parcel Number: 473-120-068

Owners: MV Ranchos, L.P., a California Limited Partnership

BE IT RESOLVED, DETERMINED AND ORDERED by the Board of Supervisors of the County of Riverside, in regular session assembled on August 28, 2012, at 9:00 a.m., in the meeting room of the Board of Supervisors located on the 1<sup>st</sup> floor of the County Administrative Center, 4080 Lemon Street, Riverside, California, authorizes the County to purchase real property interests from MV Ranchos, L.P., a California Limited Partnership for a purchase price of Fifty Seven Thousand (\$57,000) consisting of a utility easement in favor of Southern California Edison on that certain land identified as a portion of Riverside County Assessor's Parcel Number 473-120-068, located in the County of Riverside, State of California, more particularly as shown in Exhibit "A", attached hereto and thereby made a part of hereof;

BE IT FURTHER RESOLVED AND DETERMINED that the Chairman of the Board of Supervisors is hereby authorized to execute any and all documents necessary to purchase the property; and

BE IT FURTHER RESOLVED AND DETERMINED that the Assistant County Executive Officer of the Economic Development Agency, or his designee, is authorized to execute the necessary documents to complete this purchase of real property.

ROLL CALL:

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

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



# EXHIBIT "A"

REDLANDS  
BOULEVARD

P.O.C.  
STRIP #1

PARCELS 1 AND 2  
NOTICE OF LOT LINE ADJUSTMENT NO. 4896  
REC. 12/01/2005  
DOC. # 2005-0994054, O.R.  
RIVERSIDE COUNTY

75.03'

N06°43'38"W

645.00'

PARCEL 1

T.P.O.B.  
STRIP #1

STRIP #1  
10' WIDE

STRIP #2  
25' WIDE

PT. "A"

PARCEL 2

SCE EASEMENT		
DSE800755845	6277-2328	0-2067
TD# 520857	SLS/BT	08/27/11

**RIVERSIDE COUNTY CLERK & RECORDER**

**AUTHORIZATION  
TO BILL  
BY JOURNAL VOUCHER**

**Project Name:** PSEC  
**Project Number:** FM0417400052

**Accounting String:** 524830-47220-7200400200-FM0417400052/000000000000000

- **ADMIN FILING FEES ONLY - \$64.00 (see attached receipt for CDFG fees paid)**

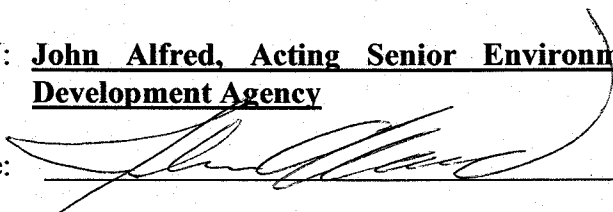
**DATE:** May 29, 2012

**AGENCY:** Riverside County Economic Development Agency

THIS AUTHORIZES THE COUNTY CLERK & RECORDER TO BILL FOR FILING AND HANDLING FEES FOR THE ACCOMPANYING DOCUMENT(S).

NUMBER OF DOCUMENTS INCLUDED: One (1)

**AUTHORIZED BY:** John Alfred, Acting Senior Environmental Planner, Economic Development Agency

**Signature:**  \_\_\_\_\_

**PRESENTED BY:** James Force, Supervising Real Property Agent, Economic Development Agency

-TO BE FILLED IN BY COUNTY CLERK-

**ACCEPTED BY:** \_\_\_\_\_

**DATE:** \_\_\_\_\_

**RECEIPT # (S)** \_\_\_\_\_

**Notice of Determination**

Original Negative Declaration/Notice of Determination was routed to **Appendix D**

Clerks for posting on.

**To:**

Office of Planning and Research  
For U.S. Mail: Street Address:  
P.O. Box 3044 1400 Tenth St.  
Sacramento, CA 95812-3044 Sacramento, CA 95814

County Clerk  
County of: Riverside  
Address: 4080 Lemon Street, 1st Floor  
Riverside, CA 92502-2204

**From:**

Public Agency: County of Riverside Initial  
Address: 3403 10th Street, 4th Floor  
Riverside, CA 92501  
Contact: John Alfred  
Phone: (951) 955-5448

Lead Agency (if different from above):  
Address: \_\_\_\_\_  
Contact: \_\_\_\_\_  
Phone: \_\_\_\_\_

**SUBJECT: Filing of Notice of Determination in compliance with Section 21108 or 21152 of the Public Resources Code.**

State Clearinghouse Number (if submitted to State Clearinghouse): 2008021126

Project Title: Public Safety Enterprise Communication (PSEC) project, Addendum #6 Commercial Power Alignment Relocation

Project Location (include county): One new communication site in Riverside County.

**Project Description:**

Addendum #6 to Program EIR for the realignment of commercial power for construction of one new communication site. Site will consist of emergency services communication tower and equipment shelter within standard 100' by 100' fenced compound.

This is to advise that the County of Riverside has approved the above described project on

8/28/12  Lead Agency or  Responsible Agency  
(Date) and has made the following determinations regarding the above described project:

1. The project [  will  will not ] have a significant effect on the environment.
2.  An Environmental Impact Report and Addendum were prepared for this project pursuant to the provisions of CEQA.  
 A Negative Declaration was prepared for this project pursuant to the provisions of CEQA.
3. Mitigation measures [  were  were not ] made a condition of the approval of the project.
4. A mitigation reporting or monitoring plan [  was  was not ] adopted for this project.
5. A statement of Overriding Considerations [  was  was not ] adopted for this project.
6. Findings [  were  were not ] made pursuant to the provisions of CEQA.

This is to certify that the final EIR with comments and responses and record of project approval, or the negative Declaration, is available to the General Public at: <http://psec.co.riverside.ca.us/notice-deir.html>

Signature (Public Agency) [Signature] Title Board Assistant  
Date 8/28/12 Date Received for filing at OPR \_\_\_\_\_

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PROJECT: PSEC TIMOTEO  
SCE WORK ORDER NO. TD520857  
APN: 473-120-068 (PORTION)

**RIGHT OF WAY ACQUISITION AGREEMENT**

This Right of Way Acquisition Agreement, ("Agreement"), is made by and between the COUNTY OF RIVERSIDE, a political subdivision of the State of California ("County"), and MV RANCHOS, L.P. a California Limited Partnership ("Grantor"). County and Grantor are sometimes collectively referred to as "Parties".

**RECITALS**

WHEREAS, Grantor owns that certain real property located near Moreno Valley, County of Riverside, State of California, as depicted on the Plat Map identified as Attachment "1", attached hereto and made a part hereof. The real property consisting of 34.88 acres of land is also known as Assessor's Parcel Number: 473-120-068 ("Property"); and

WHEREAS, Grantor desires to sell to the County and the County desires to fund the purchase an easement interest in favor of Southern California Edison Company, a corporation ("SCE") over a portion of the Property ("ROW"), for the purpose of constructing a power distribution line for the PSEC Timoteo project ("Project") as follows: a Grant of Easement in favor of SCE described on Attachment "2" attached hereto and made a part hereof; pursuant to the terms and conditions set forth herein; and

WHEREAS, concurrently with this Agreement, the Parties intend to enter into a Right of Entry/Temporary Construction Access Agreement to grant SCE the right to temporarily use portions of the Property, as described therein, for the construction of the Project; and

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1           WHEREAS, the Effective Date is the date on which this Agreement is approved  
2 and fully executed by County and Grantor as listed on the signature page of this  
3 Agreement;

4           NOW, THEREFORE, in consideration of the payment and other obligations set  
5 forth below, Grantor and County mutually agree as follows:

6           1. County shall:

7                 A. Pay to the undersigned Grantor by tendering payment to the  
8 Grantor in the amount of Fifty Seven Thousand Dollars (\$57,000.00) ("Purchase  
9 Price"), which is specifically agreed by the Parties to be the full amount of the  
10 compensation due and owing to Grantor for the ROW, conveyed AS-IS by said Grant  
11 of Easement to SCE.

12                 1) Have the authority to deduct and pay from the amount  
13 shown in Paragraph 1A, a prorated amount necessary to satisfy the Grantor's share of  
14 property taxes. Any additional costs will be addressed by the County. Said recording  
15 charges shall not, include documentary transfer tax.

16           2. Grantor shall:

17                 A. Execute and acknowledge and will deliver to James R. Force,  
18 Supervising Real Property Agent for the County, a Grant of Easement in favor of SCE;

19                 B. Intentionally omitted.

20                 C. Intentionally omitted.

21           3. Intentionally omitted.

22           4. This Right of Way Acquisition Agreement embodies all of the  
23 considerations agreed upon between the County and Grantor. This Agreement was  
24 obtained without coercion, promises other than those provided herein, or threats of any  
25 kind whatsoever by or to either party. By executing this Agreement, Grantor  
26 represents that Grantor has no direct or indirect present or contemplated future  
27 personal interest in the property interest being acquired or in any benefit from the  
28 acquisition of subject property interest.

1           5.     The performance of this Agreement constitutes the entire consideration  
2 for the acquisition of the property interest under this Agreement and shall relieve the  
3 County of all further obligations or claims on account of the acquisition of the property  
4 interest referred to herein or an account of the location, grade or construction of the  
5 proposed public utility improvement.

6           6.     This Agreement is made solely for the benefit of the Parties to this  
7 Agreement and their respective successors and assigns, and no other person or entity  
8 may have or acquired any right of virtue of this Agreement.

9           7.     This Agreement shall not be changed, modified, or amended except upon  
10 the written consent of the parties hereto.

11          8.     This Agreement is the result of negotiations between the parties and is  
12 intended by the parties to be a final expression of their understanding with respect to  
13 the matters herein contained. This Agreement supersedes any and all other prior  
14 agreements and understandings, oral or written, in connection therewith. No provision  
15 contained herein shall be construed against the County solely because it prepared this  
16 Agreement in its executed form.

17          9.     Any action at law or in equity brought by either of the Parties hereto for  
18 the purpose of enforcing a right or rights provided for by this Agreement shall be tried  
19 in a court of competent jurisdiction in the County of Riverside, State of California, and  
20 the Parties hereby waive all provisions of law providing for a change of venue in such  
21 proceedings to any other county.

22          10.    Grantor, its assigns and successors in interest shall be bound by all the  
23 terms and conditions contained in this Agreement, and all the parties thereto shall be  
24 jointly and severally liable thereunder.

25          11.    This Agreement may be signed in counterpart or duplicate copies, and  
26 any signed counterpart or duplicate copy shall be equivalent to a signed original for all  
27 purposes.

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In Witness Whereof, the Parties have executed this Agreement the day and year below written.

Dated: \_\_\_\_\_

GRANTOR: MV RANCHOS, L.P.

By: \_\_\_\_\_  
Robert Curtis

Its: \_\_\_\_\_

U S BANK, a National Association

By: \_\_\_\_\_  
*Gregory J. Hall*  
V.P.

COUNTY OF RIVERSIDE

ATTEST:  
Kecia Harper-Ihem  
Clerk of the Board

By: \_\_\_\_\_  
John Tavaglione, Chairman  
Board of Supervisors

By: \_\_\_\_\_  
Deputy

APPROVED AS TO FORM:  
Pamela J. Walls, County Counsel

By: \_\_\_\_\_  
Synthia M. Gunzel  
Deputy County Counsel

JF:ra/022312/052IT/14.674 S:\Real Property\TYPING\Docs-14.500 to 14.999\14.674.doc

1 In Witness Whereof, the Parties have executed this Agreement the day and year below  
2 written.

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4 Dated: May 14, 2012

GRANTOR: MV RANCHOS, L.P.

6  
7 By: [Signature]  
Robert Curtis

8  
9 Its: PARTNER

10 U S BANK, a National Association

11 By: \_\_\_\_\_

12  
13 COUNTY OF RIVERSIDE

14 ATTEST:  
15 Kecia Harper-Ihem  
16 Clerk of the Board

17 By: [Signature]  
18 John Tavaglione, Chairman  
19 Board of Supervisors

20 By: [Signature]  
21 Deputy

22 APPROVED AS TO FORM:  
23 Pamela J. Walls, County Counsel

24 By: [Signature]  
25 Synthia M. Gunze Patricia munez  
26 Deputy County Counsel

27 JF:ra/022312/052IT/14.674 S:\Real Property\TYPING\Docs-14.500 to 14.999\14.674.doc

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**ATTACHMENT "1"**  
**Assessor's Plat Map**



Attachment "2"

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1. An easement over a portion of APN 473-120-068 in favor of Southern California Edison Company as described on the COPY of the Grant of Easement attached hereto.

RECORDING REQUESTED BY



SOUTHERN CALIFORNIA  
**EDISON**

An EDISON INTERNATIONAL Company

WHEN RECORDED MAIL TO

**SOUTHERN CALIFORNIA EDISON COMPANY**

Real Properties  
2131 Walnut Grove Avenue, 2<sup>nd</sup> Floor  
Rosemead, CA 91770

Attn: Distribution/TRES

SPACE ABOVE THIS LINE FOR RECORDER'S USE

**GRANT OF  
EASEMENT**

DOCUMENTARY TRANSFER TAX \$ NONE (VALUE AND CONSIDERATION LESS THAN \$100.00)	DISTRICT	WORK ORDER	IDENTITY	MAP SIZE
	Menifee	6277-2328 TD# 520857	0-2067	
SCE Company	FIM 654-1722-1	APPROVED:	BY	DATE
SIG. OF DECLARANT OR AGENT DETERMINING TAX FIRM NAME	APN 473-120-068 and 069	Real Properties	SLS/BT	10/06/11

MV RANCHOS L.P., a California limited partnership (hereinafter referred to as "Grantor"), hereby grants to SOUTHERN CALIFORNIA EDISON COMPANY, a corporation, its successors and assigns (hereinafter referred to as "Grantee"), an easement and right of way to construct, use, maintain, operate, alter, add to, repair, replace, reconstruct, inspect and remove at any time and from time to time overhead electrical supply systems and communication systems (hereinafter referred to as "systems"), consisting of poles, guy wires and anchors, crossarms, wires, and other appurtenant fixtures and/or equipment necessary or useful for distributing electrical energy and for transmitting intelligence by electrical means, in, on, over, across and along that certain real property in the County of Riverside, State of California, described as follows:

TWO STRIPS OF LAND LYING WITHIN PARCELS 1 AND 2 OF NOTICE OF LOT LINE ADJUSTMENT NO. 4896, RECORDED ON DECEMBER 01, 2005 AS DOCUMENT NO. 2005-0994054, OF OFFICIAL RECORDS, IN THE OFFICE OF THE COUNTY RECORDER OF SAID COUNTY, THE CENTERLINES OF SAID STRIPS BEING DESCRIBED AS FOLLOWS:

STRIP #1 (10.00 FEET WIDE)

COMMENCING AT THE NORTHERLY TERMINUS OF THAT CERTAIN COURSE IN THE EASTERLY LINE OF SAID PARCEL 1, SHOWN AS "NORTH 06°43'38" WEST 645.00 FEET" ON EXHIBIT "B" IN SAID LOT LINE ADJUSTMENT NO. 4896; THENCE ALONG SAID CERTAIN COURSE, SOUTH 06°43'38" EAST 75.03 FEET TO THE TRUE POINT OF BEGINNING; THENCE LEAVING SAID CERTAIN COURSE, SOUTH 54°24'31" WEST 463.79 FEET TO A POINT OF ENDING, SAID POINT HEREINAFTER REFERRED TO AS POINT "A".

THE SIDELINES OF SAID STRIP ARE TO BE PROLONGED OR SHORTENED TO TERMINATE NORTHEASTERLY IN THE EASTERLY LINE OF SAID PARCEL 1.

STRIP #2 (25.00 FEET WIDE)

BEGINNING AT SAID POINT "A"; THENCE SOUTH 54°24'31" WEST 25.00 FEET TO A POINT OF ENDING.

It is understood and agreed that the above description is approximate only, it being the intention of the Grantor(s) to grant an easement for said systems as constructed. The centerline of the easement shall be coincidental with the centerline of said systems as constructed in, on, over, under, across, and along the Grantor(s) property.







REDLANDS  
BOULEVARD

P.O.C.  
STRIP #1

PARCELS 1 AND 2  
NOTICE OF LOT LINE ADJUSTMENT NO. 4896  
REC. 12/01/2005  
DOC. # 2005-0994054, O.R.  
RIVERSIDE COUNTY

75.03'

N06°43'38"W

645.00'

PARCEL 1

T.P.O.B.  
STRIP #1

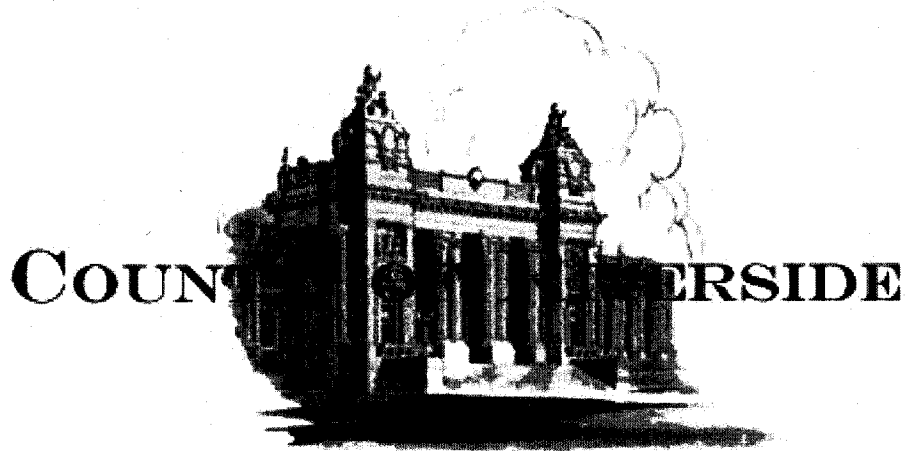
STRIP #1  
10' WIDE

STRIP #2  
25' WIDE

PT. "A"

PARCEL 2

SCE EASEMENT		
DSE800755845	6277-2328	0-2067
TD# 520857	SLS/BT	08/27/11



**Public Safety Enterprise Communication (PSEC) Project  
Program Environmental Impact Report  
Addendum No. 6  
Timoteo Communication Site Commercial Power Alignment  
Relocation**

**Prepared for**  
County of Riverside  
Economic Development Agency  
Vikki Kuntz, Environmental Planner  
951-955-0166

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**Tables**

Table 1: PEIR Mitigation Applicable to the Timoteo Communication Site Commercial Power Alignment Relocation.....	8
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**Appendices (included on CD in back inside cover of this addendum)**

- Appendix A – Communication Site Exhibits
- Appendix B – Biological Resources Assessment
- Appendix C – Cultural Resources Assessment
- Appendix D – Paleontological Resources Assessment
- Appendix E – Previously Adopted PEIR Addendum

## Section 1 – Background

On September 2, 2008, the Riverside County Board of Supervisors adopted the Program Environmental Impact Report (PEIR) for the Public Safety Enterprise Communication (PSEC) project. The PEIR assessed the environmental impacts likely to result from the construction and operation of up to 65 communication sites throughout Riverside County and adjoining areas of San Bernardino, San Diego, and Orange Counties.

The findings of the PEIR are hereby incorporated by reference into this addendum. The PEIR determined that the environmental impacts associated with the project would be less than significant for the majority of the environmental issues that were analyzed. This finding was based on the fact that all of the PSEC sites are virtually identical and would have the same types of impacts regardless of where they were located. Issues found to result in either No Impact or a Less Than Significant Impact with No Mitigation Required were as follows:

- Agricultural Resources
- Geology and Soils
- Hazards and Hazardous Materials
- Land Use and Planning
- Mineral Resources
- Noise
- Population and Housing
- Public Services
- Recreation
- Transportation
- Utilities
- Climate Change

For several issue areas, the PEIR determined that potential impacts warranted the prescription of a number of standard mitigation measures. These mitigation measures were applicable to all of the sites, regardless of location. Issues found to result in a finding of Less Than Significant With Mitigation Required were as follows:

- Air Quality
- Biological Resources
- Cultural Resources
- Hydrology and Water Quality

The mitigation measures for biological and cultural resources included requirements for actions to be taken if a site were to change location or if additional sites not previously identified in the PEIR were proposed to be included as part of the overall PSEC project. The mitigation measures for air quality and hydrology and water quality were applicable to all sites, regardless of location or the specific characteristics present at a given site. Measures for biological resources and cultural resources, however, were applicable to all sites as well but were also specific to individual sites and areas. In addition, the measures for biological and cultural resources also included requirements for actions to be taken if a site were to change location or if additional sites not previously identified in the PEIR were proposed to be included as part of the overall PSEC project.

For one issue area, aesthetics, the PEIR determined that feasible mitigation to lessen the project's impacts in this regard was not available, and that the project's impact for this issue would be unavoidable and adverse.

Despite the project's potential unavoidable and adverse impact to aesthetic resources, the County determined that the project would provide specific safety benefits, increased communication, and other advantages that outweighed the unavoidable adverse

environmental impacts of the project, such that those impacts were considered acceptable. The benefits were defined as follows:

- 1) Completion of the project will increase emergency communication coverage in the County from 60 percent to 95 percent of the County's land area for emergency service personnel and their cooperators;
- 2) The increased communication coverage will provide immeasurable benefits for all residents within the County. With better coverage, there will be adequate communication capability during emergency incidents (including wildfires, earthquakes, large-scale releases of hazardous substances, and other natural or man-made disasters) that cross jurisdictional boundaries or require multiple-agency cooperation;
- 3) The project will provide a secure voice and data communication network that is not dependent upon commercial facilities for its operation;
- 4) The collocation of PSEC sites will reduce the number of individual communication sites that would otherwise be required if each agency were to construct their own separate facilities; and
- 5) When weighed against the potential for significant loss of life and property resulting from deficiencies in current communication coverage, the resulting impacts from the proposed project are quite minimal.

Based on the identified benefits of the proposed project, and pursuant to California Environmental Quality Act (CEQA) Guidelines Section 15093, the County adopted a Statement of Overriding Considerations for the project's potential unavoidable adverse impacts to aesthetics.

## **Section 2 – Allowance for Modification and Expansion**

The PEIR imposed a number of standard mitigation measures that were applicable to all PSEC sites. As noted previously, mitigation measures related to air quality, hydrology and water quality were intended to apply to all sites, regardless of location. Mitigation measures related to biological and cultural resources were intended to be more site and area specific, and included requirements for actions to be taken if a site were to change location or if additional sites not previously identified in the PEIR were proposed to be included as part of the overall PSEC project.

At the time of the PEIR's adoption, certain design details and a final location for a number of the sites had not been finalized. To provide for such a contingency, the PEIR prescribed mitigation measures to be implemented if a site or its supporting components (access roads, power alignments, etc.) were to be relocated to an area that had not been assessed and/or surveyed as part of the PEIR. This programmatic approach was adopted to allow modifications to project design without the need for recirculation of the PEIR. Specific measures prescribed in the PEIR required the County to determine that the impacts associated with the proposed modification/addition were consistent with the analysis and findings of the PEIR. Specific performance measures were adopted to identify the analysis necessary to make this determination. Those measures were contained in a number of mitigation measures applicable to the sites assessed in this addendum, as follows:

## Biological Resources

- MM BR-1c** If any construction related to the proposed project, such as access roads, is anticipated to occur outside of the area surveyed for the June 3, 2008 Habitat Assessment Report, then additional habitat assessments shall be conducted by a qualified biologist prior to development to evaluate potential impacts. If these expanded surveys find that sensitive biological resources are present in the area to be impacted, then appropriate measures consistent with applicable laws and policies in effect at the time of the survey shall be undertaken to avoid or mitigate identified impacts. If the expanded surveys do not find sensitive biological resources in the area to be impacted, then development may then commence unimpeded within the parameters of applicable laws and policies governing such development.
- MM BR-5a** A consistency analysis shall be prepared for all sites governed by the Western Riverside Multiple Species Habitat Conservation Plan (WRMSHCP). This analysis may be presented as a master document that incorporates analysis for all of the sites rather than separate documents for each site. Regardless of the manner in which the analysis is presented, the development of each site must be found consistent with the WRMSHCP by the Regional Conservation Authority (RCA) and payment of the mandatory mitigation fee must be submitted prior to the site's development. Payment of the fee and a determination of consistency with the requirements of the WRMSHCP is intended to provide full mitigation under CEQA, National Environmental Policy Act (NEPA), California Endangered Species Act, and Federal Endangered Species Act for impacts to the species and habitats covered by the WRMSHCP.
- MM BR-5b** If a site is located within a Criteria Cell as defined in the WRMSHCP, then the County shall enter into a Habitat Evaluation and Acquisition Negotiation Strategy (HANS) process with the Riverside County Environmental Planning Department (EPD) or the appropriate WRMSHCP participant. Once the HANS application is deemed complete, a HANS Criteria Determination Letter shall be issued. The application and letter must then be reviewed and accepted by the Regional Conservation Authority (RCA) prior to site development.

### Cultural and Paleontological Resources

- MM CR-1a** In the event that ground-disturbing activities extend beyond the limits of a 300-foot buffer from the surveyed site, then additional archaeological studies must be completed to determine whether historical properties or significant archaeological resources will be affected by the proposed construction plans. Ground disturbing activities may consist of, but are not limited to trenching for electrical power, creation of access roads, or access road improvements. The extent of these additional archaeological studies would be determined based upon the nature of the proposed construction plans beyond a 300-foot radius of the surveyed location. If these expanded surveys find that sensitive properties or resources are present in the area to be impacted, then appropriate measures consistent with applicable laws and policies in effect at the time of the survey shall be undertaken to avoid or mitigate identified impacts. If the expanded surveys do not find sensitive properties or resources in the area to be impacted, then development may then commence unimpeded within the parameters of applicable laws and policies governing such development.
- MM CR-2a** In the event that ground-disturbing activities occur at sites identified in Table 4.5-3 of the PEIR as potentially significant extend beyond the limits of a 300-foot buffer from the identified site, then additional studies may need to be completed to determine whether paleontological resources, sites or unique geologic features will be affected by the proposed construction plans. Ground disturbing activities may consist of, but are not limited to trenching for electrical power, and creation of access roads or access road improvements. The extent of these additional studies shall be undertaken by a qualified individual, and would be determined based upon the nature of the proposed construction plans beyond a 300-foot radius of the identified and surveyed site. Should that determination conclude that additional study is necessary, then the reviews prescribed in Mitigation Measure CR-2b shall be undertaken. If the determination concludes that additional study is not necessary, then all mitigation efforts may cease.
- MM CR-2b** If required by the findings of Mitigation Measure CR-2a, then a Paleontological Literature Review and Records Check should be requested from an accredited institution, such as the Division of Geologic Sciences at the San Bernardino County Museum (SBCM), to determine whether there are any known paleontologic localities (sites) located within or near the project area. If the results of this review indicate that there are known localities within the project area, or within a 1-mile radius, and a qualified vertebrate paleontologist recommends a paleontological-monitoring program, then the program prescribed in Mitigation Measure CR-2c shall be implemented. If the results of this records check indicate that there are no known localities within the project area or within a 1-mile radius, and a qualified vertebrate paleontologist does not recommend a paleontological-monitoring program, then any and all additional mitigation efforts may cease.



**MM CR-2c** If required by the findings of Mitigation Measure CR-2b, a paleontological-monitoring program shall be established and implemented. This monitoring plan should include monitoring in sediments assigned moderate, moderate to high, or high paleontologic sensitivity through the literature review and records check. This mitigation-monitoring program should commence with a meeting between the contracted paleontologist and the development crew. This meeting will serve to educate the crew on when monitoring activities should begin at the site. Full-time monitoring should commence at the modern ground surface, unless otherwise indicated by a qualified vertebrate paleontologist, and should continue until the project paleontologist determines that the overall sensitivity of the area has been reduced from high or moderate to low, as a result of mitigation monitoring. Should the monitor determine that there are no paleontological resources within the impacted areas, or should the sensitivity be reduced from high or moderate to low during monitoring, all monitoring may cease.

Since adoption of the PEIR in September 2008, it was determined that the Timoteo Communication Site that had been evaluated in the PEIR needed to be relocated due to access issues and communication coverage deficiencies. As such, the County undertook to implement the mitigation prescribed in the PEIR that was required in the event of site relocation or network expansion. Since the new proposed Timoteo Communication Site was not assessed in the PEIR, the County undertook the biological, cultural, and paleontological resources assessment work required as part of the mitigation measures described above. An addendum for the relocated Timoteo Communication Site was adopted by the Riverside County Board of Supervisors on April 12, 2011 (Agenda Item 3.13). The previously adopted addendum is included within Appendix E of this addendum.

Since the time of the previously adopted addendum, it has been determined that the commercial power alignment to the site that was considered as part of that addendum is not suitable for construction purposes. A new commercial power alignment has since been identified. The new alignment would commence to the southwest of the site, would cross Redlands Boulevard, and would then travel to the communication site itself. Exhibits are included within Appendix A of this addendum that show the proposed commercial power alignment's location, as well as photographs of the alignment and the surrounding area.

Since the new alignment was not assessed in the PEIR or within the previously adopted addendum, the County has again implemented the mitigation measures that were prescribed in the PEIR for new or relocated sites. Table 1, below, summarizes the PEIR mitigation measures that are relevant to the new Timoteo Communication Site Commercial Power Alignment Relocation. The table also provides justification as to whether or not the mitigation measures listed above apply to this site. All other analysis prepared for the site and adopted in the April 12, 2011 addendum is still applicable to this site. These include the analysis and mitigation implemented for activities at the communication site itself, as well as for the proposed access road. Those project components have not changed. Therefore, the analysis conducted for this addendum relates only to the relocation of the commercial power alignment.

This addendum evaluates only the relocation of the commercial power alignment to the site. The new power alignment shares similar characteristics as that which was previously approved in that it possesses the same vegetation, habitat and visual characteristics of the

previous alignment. Additionally, the alignment will generally disturb and occupy the same amount of space as the previously approved alignment. As per the PEIR, the PEIR mitigation measures relating to air quality and hydrology and water quality were generic in nature and were intended to be applied to all sites regardless of location. Therefore, further analysis for air quality and hydrology and water quality is not required for purposes of this addendum. For biological and cultural resources, the analysis for the Timoteo commercial power alignment relocation is presented below, and incorporates the findings from the biological and cultural resources studies required as per the PEIR mitigation measures outlined above.

## **Section 3 – Site Evaluation and Consistency with the PEIR**

### **3.1 – Timoteo Communication Site Commercial Power Alignment Relocation**

Since adoption of the PEIR in September 2008, it was determined that the originally proposed Timoteo Communication Site location was not feasible due to construction-related constraints. Specifically, the original site is located on a narrow ridge with steep drop-offs on either side. Access to the site would be via a narrow dirt roadway atop this ridge and adequate room at the proposed construction site is not available for staging, construction, and heavy equipment access to occur simultaneously. In addition, soils testing at the site determined that the onsite soils do not possess sufficient bearing strength to adequately support the proposed tower. As such, the proposed Timoteo site had to be relocated to an area without these constraints that could still meet the site's critical radio coverage objectives.

The Timoteo site is located within the San Timoteo Badlands, which is an area of broken terrain north of the City of Moreno Valley. Finding an adequate location for the Timoteo site is challenging due to the rugged terrain in the area. The complex topography makes meeting coverage objectives very difficult, and road access into the Badlands is limited. These constraints have placed limitations on where the site can be located while still meeting critical emergency services communication coverage requirements. The PSEC development team has evaluated a total of 18 different locations for the Timoteo site. With the exception of the candidate presented in this addendum, all were abandoned due to a number of factors, including the inability to meet critical coverage requirements, lack of access, lack of constructability, or acquisition constraints. Of the approximately 65 sites that will eventually be constructed as part of the overall PSEC project, the Timoteo site has presented the greatest challenge in finding a location that was feasible to construct and that met the project's coverage requirements.

The principal requirement for the Timoteo site is to provide reliable emergency service communication coverage to the portion of Redlands Boulevard that passes through the San Timoteo Badlands. This roadway has become a heavily-used commuter route, with over 16,000 vehicles traveling daily through the Badlands corridor. The corridor is a narrow and curvy two-lane roadway that is subject to frequent traffic accidents. Emergency responders working within the corridor currently do so without reliable communication coverage. Providing coverage in this area is critical to meeting the needs of emergency service providers and the public.

The Badlands themselves are subject to near-annual wildfire events which have the potential to spread into the adjacent neighborhoods of Moreno Valley to the south and to semi-rural residential areas to the north. Firefighters responding to incidents in the Badlands area are

currently unable to communicate effectively. The City of Moreno Valley lies to the south of the site. The Timoteo site would also provide enhanced and more reliable coverage into those portions of the City where current levels of coverage are unreliable. The City contracts with the County for both fire and law enforcement services, so the enhancements to the emergency services communication network would provide direct benefits to the City and its residents.

The alternative Timoteo site is located approximately 750 feet east of Redlands Boulevard within the San Timoteo Badlands. It is located approximately 0.35 miles south of the original Timoteo location. The site will be leased by the County from a private party and is located on Section 26, Township 2 South, Range 3 West on the USGS Sunnymead, California, 7.5-minute topographic quadrangle. It shares similar characteristics to the original location in that it is located in the San Timoteo Badlands, it possesses the same vegetation and habitat characteristics, it is in the same soil unit as the original location, and contains similar visual features.

Since the new proposed Timoteo Communication Site was not assessed in the PEIR, the County undertook the biological, cultural, and paleontological resources assessment work required as part of the mitigation measures described in Section 2. An addendum for the relocated Timoteo Communication Site was adopted by the Riverside County Board of Supervisors on April 12, 2011 (Agenda Item 3.13). The previously adopted addendum is included within Appendix E of this addendum.

Since the time of the previously adopted addendum, it has been determined that the commercial power alignment to the site that was considered as part of that addendum is not suitable for construction purposes. A new commercial power alignment has since been identified. The new alignment would commence to the southwest of the site, would cross Redlands Boulevard, and would then travel to the communication site itself. Exhibits are included within Appendix A of this addendum that show the proposed commercial power alignment's location, as well as photographs of the alignment and the surrounding area.

Since the new alignment was not assessed in the PEIR or within the previously adopted addendum, the County has again implemented the mitigation measures that were prescribed in the PEIR for new or relocated sites. Table 2, below, summarizes the PEIR mitigation measures that are relevant to the new Timoteo Communication Site Commercial Power Alignment Relocation. The table also provides justification as to whether or not the mitigation measures listed above in Section 2 apply to this site. All other analysis prepared for the site and adopted in the April 12, 2011 addendum is still applicable to this site. These include the analysis and mitigation implemented for activities at the communication site itself, as well as for the proposed access road. Those project components have not changed. Therefore, the analysis conducted for this addendum relates only to the relocation of the commercial power alignment.

**Table 1: PEIR Mitigation Applicable to the Timoteo Communication Site Commercial Power Alignment Relocation**

Mitigation Measure	Applicable to the Timoteo Communication Site Commercial Power Alignment Relocation?
<b>Biological Resources</b>	
BR-1c: Requirement for additional biological resources surveys if new sites are proposed or if a site changes location.	Yes. The new proposed commercial power alignment is at a new location that was not previously assessed for biological resources in the PEIR. A biological resources survey was completed and the findings are summarized below in Section 3.1.1.
BR-5a: Preparation of WRCMSHCP Consistency Analysis for sites within the MSHCP plan area.	Yes. The site of the new proposed commercial power alignment is located within the WRCMSHCP plan area. A WRCMSHCP Consistency Analysis was prepared and the findings are summarized below in Section 3.1.1.
BR-5b: Requirement for additional review for sites located within WRCMSHCP Criteria Cells.	Yes. The site of the new proposed commercial power alignment is located within a Criteria Cell. A joint Project Review process was undertaken by the Riverside Conservation Authority and the findings are summarized below in Section 3.1.1.
<b>Cultural and Paleontological Resources</b>	
CR-1a: Requirement for additional cultural resources surveys if new sites are proposed or if a site changes location.	Yes. The new proposed commercial power alignment is at a new location that was not previously assessed for cultural resources in the PEIR. A cultural resources survey was completed and the findings are summarized below in Section 3.1.2.
CR-2a: Requirement for additional paleontological resources review if new sites are proposed or if a site changes location.	Yes. The new proposed commercial power alignment is at a new location that was not previously assessed for paleontological resources in the PEIR. A paleontological resources assessment was completed and the findings are summarized below in Section 3.1.3.
CR-2b: Requirement for paleontological resources records search and field survey if preliminary review required in CR-2a indicates that paleontological resources may be present on the site.	Yes. The preliminary review that was required in CR-2a indicated that a records search and field survey was required for the new proposed commercial power alignment. A paleontological resources survey was completed and the findings are summarized below in Section 3.1.3.
CR-2c: Requirement for paleontological resources monitoring during construction if the records search and field survey required in CR-2b indicates that paleontological resources may be present on the site.	Yes. The records search and field survey that was required in CR-2b indicated that a paleontological resources monitoring program is required during construction of the new proposed commercial power alignment.

**3.1.1 – Biological Resources (Timoteo Communication Site Commercial Power Alignment Relocation)**

As per the mitigation measures related to biological resources noted above (MM BR-1c, MM BR-5a, and MM BR-5b), a Habitat Assessment and Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP) Consistency Analysis was prepared and

submitted to the Regional Conservation Authority (RCA) for review and approval. The Consistency Analysis and the RCA's Consistency Determination are attached to this addendum as Appendix B.

The RCA found that the proposed action related to the new proposed commercial power alignment was consistent with WRCMSHCP requirements and that development of the proposed project would not prevent the County of Riverside from achieving the conservation goals of the WRCMSHCP. No adverse environmental effects from project implementation were identified. WRCMSHCP fees will be paid during the standard construction permitting process. Based on these findings, it can be determined that the new proposed commercial power alignment is consistent with the findings contained in the PEIR, which determined that the project will not have a significant impact in regards to biological resources. As such, further action related to biological resources is not required.

### **3.1.2 – Cultural Resources (Timoteo Communication Site Commercial Power Alignment Relocation)**

As per the mitigation measure related to cultural resources noted above (MM CR-1a), a records search and a pedestrian cultural resources survey was conducted for the Area of Potential Effect (APE) of the new proposed commercial power alignment. A report that outlines the results of these efforts is attached to the addendum as Appendix C. The results of the records search indicated that no known and previously recorded cultural resources are located within the project area, and three resources are known within one mile. However, those resources are located some distance from the construction footprint and will not be affected by construction. During the pedestrian survey, one water conveyance system of an undetermined age was detected (Site Timoteo 002), and this resource traverses the southwestern edge of the project area. Site Timoteo 002 was recorded onto a DPR 523 Form. The resource was assessed for significance pursuant to California Public Resources Code Section 5020.1(j) and California Code of Regulations Title 14 CCR Section 4850. Based on the findings of that assessment, it was determined that the resource is not a historical or an archaeological resource pursuant to CEQA. Therefore, the creation and submittal of the DPR 523 Form for this resource fully suffices for mitigating potential impacts associated with the proposed project.

The results of the records search, the negative results for significant cultural resources during the pedestrian survey, and the disturbed nature of the soils within the project area render it unlikely that significant and intact subsurface resources will be encountered during project implementation. Therefore, the project area appears to exhibit low sensitivity for significant cultural resources. As such, further action related to cultural resources is not required.

### **3.1.3 – Paleontological Resources (Timoteo Communication Site Commercial Power Alignment Relocation)**

As per the mitigation measures related to paleontological resources noted above (MM CR-2a, MM CR-2b, and MM CR-2c), a records search and a pedestrian paleontological resources survey was conducted on the project site. A report that outlines the results of these efforts is attached to the addendum as Appendix D. The findings of the records search indicated that the site has a high potential to contain significant paleontological resources. However, impacts to these resources can be fully mitigated with the implementation of a paleontological monitoring program during construction, followed by protocol recovery and curation of any

resources that may be unearthed during construction. Paleontological resources monitoring was also required for the original Timoteo Communication Site, based on its position in a similar, fossil-bearing rock unit. Implementation of these recommendations as well as implementation of the mitigation measures contained in the PEIR will render the project's impact to paleontological resources as less than significant. As such, the new proposed commercial power alignment is consistent with the findings contained in the PEIR, which determined that the project will not have a significant impact in regards to paleontological resources, provided that appropriate mitigation is followed.

#### **3.1.4 – Determination of Findings (Timoteo Communication Site Commercial Power Alignment Relocation)**

Based on the analysis contained in the above assessment, the County finds that the impacts of the new proposed commercial power alignment for the Timoteo Communication Site are consistent with the analysis and findings contained in the PEIR. The proposed project meets the criteria established in Public Resources Code Sections 15162 and 15164 of the CEQA Guidelines for an addendum to an EIR. Based on substantial evidence in the light of the whole record, it is determined that:

- 1) No substantial changes are proposed which will require major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- 2) No substantial changes occurred with respect to the circumstances under which the project is undertaken which will require major revisions of the PEIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- 3) There is no new information of substantial importance, which was not shown or could not have been known with the exercise of reasonable diligence at the time the PEIR was certified as complete that shows that:
  - a. The project will have one or more significant effects not discussed in the PEIR.
  - b. Mitigation measures or alternatives previously found not to be feasible in the PEIR would in fact be feasible, and would substantially reduce one or more significant effects of the project; and
  - c. Mitigation measures or alternatives which are considerably different from those analyzed in the PEIR would substantially reduce one or more significant effects on the environment.

Based on the discussion provided above, no subsequent changes are proposed or would occur that would necessitate the preparation of a subsequent EIR or other applicable CEQA documentation.

**Appendix A – Communication Site Exhibits**

Timoteo Communication Site Commercial Power Alignment Relocation

**All appendices are included on CD in the back inside cover of this addendum**

**Appendix B – Biological Resources Assessment**  
Timoteo Communication Site Commercial Power Alignment Relocation

**All appendices are included on CD in the back inside cover of this addendum**



**Appendix C – Cultural Resources Assessment**

Timoteo Communication Site Commercial Power Alignment Relocation

**All appendices are included on CD in the back inside cover of this addendum**

**Appendix D – Paleontological Resources Assessment**  
Timoteo Communication Site Commercial Power Alignment Relocation

**All appendices are included on CD in the back inside cover of this addendum**

**Appendix E – Previously Adopted PEIR Addendum**  
Timoteo Communication Site Relocation

**All appendices are included on CD in the back inside cover of this addendum**