

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

Dear Supervisors,

We are home owners adjacent to this project and are categorically opposed to GPA 1129. We do not support this application for an Extraordinary Foundation Amendment to amend the General Plan Land Use Designation from Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum) to Community Development: Medium Density Residential (CD:MDR) (2-5 DU/Ac).

This proposal is located in the center of a large area reserved as a rural area by the County, Menifee and Murrieta. There are no extraordinary reasons to justify moving this application forward at this time or any time in the future. This rural community should not be adversely affected by the detrimental effects of this application on our way of life.

This proposal will place high density urban development (5 homes to the acre) in the middle of a rural area that is preserved by the General Plan as an Estate Residential area (2 acre Lots) and will destroy the rural nature of our community. There are a total of over 20,000 small lot home sites (7,000 existing and 13,000 approved but not constructed) in the 2 miles surrounding this site. The proposal to add 600 more small lots homes within this Rural Policy Area is not needed or warranted and should be denied by the Board.

We would support a development that complies with the General Plan and constructs 2-acre Estate Residential homes on this property.

Please honor the Riverside County Strategic Plan stated mission and goals and protect the Vision of the General Plan by denying this request and preserving this area for rural uses.

Respectfully submitted

Arlene Wyseman      4/24/14  
Ronald Wyseman      4/24/14

We have been at this property for 28 years

23 April 2014

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Respectfully submitted

Austreya Monge 4/26/14  
Marta Monge 4/26/14

We have been at this property for 20 years

24 November 2015

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA's 921 and 1129

Dear Supervisors,

We are home owners adjacent to these projects and are categorically opposed to the proposed changes to our area. We do not support the removal of the Rural Community: Estate Density Residential Land Use (2-acre) and the approval of a Community Development: Medium Density Land Use (2-5 units per acre).

These proposals are located in the center of a large area envisioned as rural by the County of Riverside, Menifee and Murrieta. There is no support in the community for approving these incompatible land use changes. The approval of these proposals would not be consistent with the General Plan, would adversely affect our properties and would be detrimental to our way of life.

These proposals would place high density urban development in the middle of a rural community that is currently surrounded by over 20,000 homes - 7,000 existing and 13,000 approved but not constructed. The proposals to add 1,200 more small lot homes within this Rural Policy Area are not warranted nor needed and should be denied by the Board.

We do support developments that comply with the current General Plan and GPA 960 which support rural land uses and life styles in this area.

Please honor the County Strategic Plan's Stated Missions and Goals and protect the Vision of the General Plan by denying these requests and preserving this area for rural uses.

Respectfully submitted

Marsha Becklund, 30811 Garban Rd.  
Winchester  
\_\_\_\_\_  
\_\_\_\_\_

24 November 2015

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

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Respectfully submitted

Marilyn Sanchez, 31800 13-2095  
\_\_\_\_\_  
\_\_\_\_\_

24 November 2015

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4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

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Respectfully submitted

Denny Scalco, 31800 Briggs  
\_\_\_\_\_  
\_\_\_\_\_

24 November 2015

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

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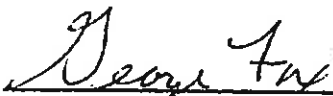
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Respectfully submitted



38290 MAXINE LN -

\_\_\_\_\_  
\_\_\_\_\_

24 November 2015

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4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

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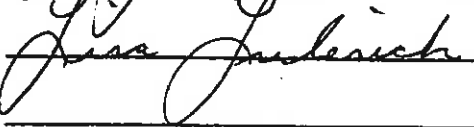
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Respectfully submitted

  
\_\_\_\_\_, 30/00 Maxine Lane Menifee CA.  
  
\_\_\_\_\_, \_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_

92581

6/14/2016

Request for Redesign of GPA 1129  
Planning Commission June 16th 2016

Dear Chair and Commission members,

This project has many issues that were presented at the Planning Commission Meeting June the 1<sup>st</sup>. After reviewing the staff report I have an additional comment on the project design:

This project does not comply with requirements of Ord 460 in the area of Brandon and Meadowgate Lanes.

Section 3.2 – General Street Design requires the following:

- A. The street system in the proposed land division shall relate, in general, to the existing streets in the area adjoining the proposed land division.
- B. The proposed street plan shall give consideration to the future development of adjoining undeveloped property.
- C. All streets shall be designed to serve the proposed use of the abutting land.
- D. When improvements are required, part-width boundary streets in a land division adjacent to undivided land shall have a minimum right-of-way width of 40 feet. The land developer shall provide the prescribed half-width, and the additional dedications shall be acquired from the adjacent undeveloped property.

Section 7.1 - requires that "a tentative map shall be denied if it does not meet all requirements of this ordinance"

Section 10.2 E requires that "The street pattern in the land development shall not land lock adjacent property".

The property owners of APN's 466-210-021, 466-210-022, 466-210-023 and 466-210-024 depend on Brandon Lane and Meadowgate Lane for legal access and future development of their property. These streets were offered and accepted for public road and utility purposes by Parcel Map 17635 which recorded in 1982 as PM 102/98.

The present design of this project proposes a park with no required dedication of street right-of-way on the south half of the previously dedicated and accepted north half of Meadowgate Lane. It also proposes open space with no dedication of street right-of-way in the west half of the previously dedicated and accepted east half of Brandon Lane.

The approval of this map should be denied until it has been redesigned to meet County Ordinances. This will occur with the dedication and construction of Brandon and Meadowgate Lanes as part-width street sections per County Standard No. 105 Section "C" with curb and gutter, paving, sidewalk, street lights, fire hydrants and landscaping within the project boundary, and 12 foot of paving with an 8 foot of part-width shoulder within the existing road right-of-way on the adjoining properties. A 6-foot decorative block wall shall be constructed along the west side of Brandon Lane and the south side of Meadowgate Lane to separate the 6,000 sf lots and the park in this project from the adjoining rural residential properties. A knuckle is required at the intersection of Brandon and Meadowgate as this project is proposing to vacate Brandon southerly of Meadowgate.

Grant Becklund  
30811 Garbani Road  
Winchester, CA 92596  
(951) 288-0601



## *Winchester-Homeland Municipal Advisory Committee*

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June 14, 2016

Riverside County Planning Commission  
c/o Brett Dawson  
P.O. Box 1409  
Riverside, CA 92502-1409  
**Sent via e-mail**

RE: La Ventana Project, EIR No. 542, GPA #1129, C207856, & TR36785

Mr. Dawson,

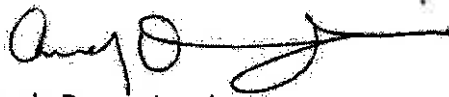
At our Winchester-Homeland MAC (WHMAC) meeting that was held on Thursday, June 9, 2016 an agenda item was included for the La Ventana project. The project proponents gave an overview on the development plan and answered numerous questions.

The president of the Winchester Town Association, Gregg Cowdery, presented the WHMAC with a letter that the Winchester-Homeland Land Use Committee had sent to the Planning Commission for the June 1, 2016 hearing regarding the project.

The letter was read and reviewed at the meeting. Action was taken to accept the letter and recommendation from the Winchester Town Association and Land Use Committee and send it on to the Planning Commission and Board of Supervisors. A copy of the letter is attached.

If you have any questions, please contact me at my office, (951)926-6924.

Respectfully,



Andy Domenigoni  
**WHMAC Chairman**

**COPY**  
*Winchester Town Association*

P. O. Box 122  
Winchester, CA 92596

May 26, 2016

Riverside County Planning Commission  
Planner Brett Dawson  
P.O. Box 1409  
Riverside, CA 92502-1409

RE: La Ventana Project, EIR No. 542, GPA #1129, C207856, & TR36785

Dear Honorable Planning Commissioners,

The Winchester-Homeland Land Use Committee on behalf of the Winchester Town Association is submitting these comments regarding the above noted project. We have met with project proponents on three separate occasions.

This 170 acre project is within the Winchester-Homeland Municipal Advisory Council's westerly boundary which extends to Briggs Road (see attached boundary map). In the Land Use Committee's review of the project, the project is requiring a change of zone from Rural Residential (Estate Density Residential & Rural Residential policy areas) to a medium-density subdivision. This change raises several issues for our community and concern for residents in that vicinity. Adding to the complexity is the fact that a high school site has been acquired adjacent to this project to the east, which is located on Rural Residential property as well.

The Draft EIR, while quite voluminous and detailed, does show the project will require overriding considerations be made for unavoidable significant impacts. The Draft EIR states on page 1-7, "impacts to the local circulation system, especially when coupled with the cumulative development in the area, can be mitigated but with no ability to ensure that the requisite local circulation system improvements are installed prior to the Project's contribution to cumulative traffic". This proposed project and the proposed high school will certainly generate more traffic volumes in that area. The 215 overpass at Scott Road is already extremely overburdened, and Scott Road and Briggs Road are both currently two lane roads for the most part. If the county approves this project we strongly advise a plan to implement the expansion of the Scott Road interchange and upgrading of and Scott, Briggs and Leon Roads be in place and in process.

The land use committee was unable to reach a consensus to oppose or support this project. We did suggest at each of our meetings that the project proponent reach out to the surrounding residences as many were unhappy with the project eroding their rural lifestyle. We are aware that meetings were conducted. We have and continue to encourage those residents who had strong feelings one way or the other to attend or send their comments on the project to the county.

We appreciate the opportunity to comment.

Sincerely,



Michael Rowe

*Winchester-Homeland Land Use Community Co-Chairman*

CC: Third District Supervisor Chuck Washington  
Winchester-Homeland Municipal Advisory Council

Letter of opposition regarding GPA 1129  
Hearing date 6/15/2016  
Item 3.1

Dear Commissioners

As GPA 1129 comes before you for it's final hearing, we believe a few key points need to be heard which surfaced as a result of the hearing on June 1<sup>st</sup>.

First and foremost is the question, "What is driving this GPA forward?" Is it good planning practices or is it the High Schools need for financial help with infrastructure? Please note that many of the speakers "in favor" only spoke of the need for the High School which was not the intent of this hearing and other "in favor" speakers failed to disclose they were the owners of the GPA 1129 property.

Second. When GPA 1129 was allowed to move forward from the Board of Supervisors, the proponents promised an 18 acre park with a handicapped ready aquatic pool and special needs equipment. WHAT HAPPENED? This is bait and switch at its worst.

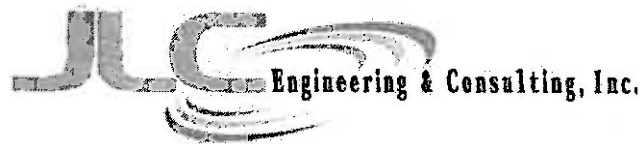
Thirdly. At the June 1<sup>st</sup> hearing, the developer said this project will provide 2 million dollars SPECIFICALLY for the Scott Rd interchange and provided this on a list with other "extraordinary benefits" for the public record. When asked for clarification on this point from Commissioner Berger, Mr. Cho said the Conditions of Approval DO NOT provide these moneys directly to the Scott Rd interchange, but only MAY be directed there. If you review the current COA's 50.22 you can verify this

Again, bait and switch.

Finally, we think that erecting 2 public notification signs on a 170 acre project, one which blew down and wasn't fixed until the hearing date and the other one put in a place where there is no reasonable way for the public to see it calls into question the transparency of this GPA.

To add 5 more signs in appropriate locations and to put on them "hearing continued to June 15<sup>th</sup>" and note on them "the Public Hearing is CLOSED" flies in the face of the public's right to comment and be informed

Thank you  
Rick Croy



May 17, 2016

**Russell Williams**  
**RCTD – Development Review Manager**  
**4080 Lemon Street, 8<sup>th</sup> Floor**  
**Riverside, CA 92502**

**Re: Drainage Acceptance & Cooperation Letter - APN 466-220-027 (Neumann Property)**

Dear Mr. Russell,

On behalf of Mr. Rivani and Global Investment & Development, JLC Engineering has prepared this letter to provide the history of coordination related to obtaining a drainage acceptance and cooperation letter from the owners of APN 466-220-027. The drainage acceptance and cooperation letter was requested by Riverside County Flood Control & Water Conservation District (RCFC&WCD) and Riverside County Transportation Department (RCTD) as part of the entitlement process associated with Tract Map No. 36785. The drainage acceptance and cooperation letter was requested for the proposed Line 1 storm drain system, which was defined as an infrastructure improvement that was part of the Preliminary Hydrology and Hydraulic Study for Tentative Tract Map 36785, dated June 19, 2015.

Table 1 has been included as part of this letter providing the chronological order of Tasks and Meetings that occurred with the Neumann Family, the owner's of APN 466-220-027, in an attempt to secure a drainage acceptance and cooperation letter.

Please feel free to call me at 951.304.9552 should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joseph L. Castaneda', is written over a faint, larger version of the same signature.

Joseph L. Castaneda, P.E.  
Project Manager

JC/jc



**Table 1 – Chronology of Coordination to Obtain Drainage Acceptance and Cooperation Letter**

Meeting or Task	Description	Date	Attendees
Request for Meeting with Neumann's	E-mail sent to Mr. Markham requesting meeting with the Neumann's. At this time Mr. Markham was not under contract with the Neumann's.	March 3, 2016	
Meeting with Neumann & Larry	Mr. Castaneda met with Larry Markham and the Neumann's to discuss the drainage concepts for the La Ventana Project. At the meeting the Neumann's asked if a storm drain can be designed across the project. Mr. Markham explained to Neumann's that the La Ventana project is only required to perpetuate the flow pattern. Mr. Castaneda stated that constructing a storm drain across the project would require several detailed studies for the project parcel owned by the Neumann's. Additionally, the La Ventana project is only required to return the flows back to a natural condition per California Drainage Law. Mr. Markham stated that more detail studies would be required prior to the Neumann's giving a letter stating that they would accept the offsite drainage and work with the La Ventana project during final engineering. The biggest concern for the Neumann property is the development of jurisdictional areas that is created due to nuisance flows from residential projects.	March 7, 2016	Neumann's, Larry Markham and Joe Castaneda
Detailed Analysis and Storm Drain Concept Plan	At the request of the La Ventana Team, a HEC-RAS analysis was performed in order to provide the limits of the existing flood plain for the pre-project condition. The HEC-RAS analysis provided the existing velocity and depth of flow immediately downstream of Wickered Road and within the Neumann Property. Using the HEC-RAS analysis, Mr. Castaneda developed a storm drain concept plan that would dissipate the velocity that exit the storm drain and attempts to recreate a flow condition similar to the existing condition.	March 24, 2016 – March 30, 2016	
Follow-up Meeting with Larry Markham	Mr. Castaneda provided the HEC-RAS calculations and proposed storm drain plan to Mr. Markham for input and comments. At the meeting Mr. Markham requested revisions that would place the storm drain dissipator structure outside the Wickered Road right-of-way.	April 1, 2016	Larry Markham and Joe Castaneda

<p>Revision to HEC-RAS Analysis and Storm Drain Concept Plan</p>	<p>Between April 1, 2016 and April 6, 2016, Mr. Castaneda made revisions to the storm drain concept plan to account for the revisions requested by Mr. Markham. The concepts were e-mailed on April 6, 2016.</p>	<p>April 6, 2016</p>	
<p>Meeting with Riverside County Transportation Department</p>	<p>Meeting was scheduled by Riverside County Transportation Department to discuss Wickered Road, the proposed storm drain, and cooperation among the parties that have a common boundary with Wickered Road. The three parties in attendance were the La Ventana Team, the Perris Valley Unified School District and the Neumann's. Mr. Russell Williams lead the meeting and wanted to understand how the three parties can work together. At the conclusion of the meeting it was understood that the Neumann's would work with the La Ventana Team in order to obtain a drainage cooperation letter.</p>	<p>April 7, 2016</p>	<p><b>County Staff:</b> Russell Williams, Henry Olivo <b>Neumann Representation:</b> Neumann Family, Larry Markham <b>La Ventana Representation:</b> Joseph Rivani, Mike Nagger, Jeff Anderson, Joseph Castaneda <b>School District Representation:</b> Fred Good, Buddy Gessel, Chad Buruan, Troy Molaug</p>
<p>Follow-Up with Larry Markham for Cooperation Letter</p>	<p>On May 6, 2016 Mr. Castaneda sent an e-mail requesting if Mr. Markham can work with the Neumann's in order to complete the Drainage Acceptance and Cooperation Letter. In the e-mail, it was documented that the Neumann's were on vacation and the letter could not be completed. Additionally, the e-mail requested a completion date of May, 16, 2016 for the Drainage Acceptance and Cooperation Letter.</p>	<p>May 6, 2016</p>	
<p>E-mail Response from Mr. Markham</p>	<p>On May 6, 2016, Mr. Markham responded and stated that they will make an effort to compete the letter</p>	<p>May 6, 2016</p>	

**Dawson, Brett**

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**From:** Grant Becklund <grantbecklund@gmail.com>  
**Sent:** Tuesday, May 31, 2016 4:07 PM  
**To:** Dawson, Brett; Stark, Mary  
**Subject:** Planning Commission Meeting 6/1/2016 on GPA 1129 Email One:  
**Attachments:** Petitions - 11 Signatures on 4-18-2014.pdf; Petitions - 39 Signatures on 2-17-2014.pdf; Petitions - 62 Signatures on 4-23-2014.pdf; Petitions - 109 Signatures on 6-18-2014.pdf

Brett/Mary,

Please provide copies of this email and the attached documents to each of the Planning Commissions for tomorrow's meeting.

I will be sending second email with the balance of the files due to the size of the files.

Riverside County Planning Commissioners

4080 Lemon Street, 14thFloor

Riverside, CA 92501

RE: General Plan Amendment No. 1129

Dear Commissioners,

The residents in the "Estate Density Residential and Rural Residential Area East of Interstate 215" respectfully request that this General Plan Amendment be denied as it does not comply with the goals and policies of the General Plan for this area.

*"Riverside County, like a quilt, is a composite of differing lifestyles connected together through common strands. The County's General Plan is designed to ensure that the quilt retains its core identity by guiding future growth that respects the diversity of the region, shapes and configures development in relation to the land it occupies and ensures that its various parts relate to its whole."  
- Riverside County Planning Department website*

This project is located within the "Estate Density Residential and Rural Residential Area East of the 215" Policy Area. The Policy Area includes Policy SCMVAP 6.1, which states that "residential development in this area [i.e., the Policy Area] shall retain its existing estate density and rural character." It further requires **that until the strong support for the preservation of the rural character of this area changes significantly, growth and development should be focused elsewhere.** This Policy Area was recently reaffirmed by the approval of GPA 960 by the Board of Supervisors which has continued this support for rural areas.

Please be informed that in this area there is virtually **No Support** for any land use change and the overwhelming consensus of the Area-Wide Property Owners is to remain rural. I have attached 426 signatures on various documents that have been prepared over the last two years in opposition to any application to change the land use by removing rural designations and replacing them with urbanized high density land use:

39 in opposition to any change on 2/17/2014

11 in opposition to any change on 4/18/2014

62 in opposition to any change on 4/23/2014

109 in opposition to any change on 6/18/2014

61 in opposition to any change on 11/24/2015

57 in opposition to any change on 1/21/2016

18 in opposition to any change on 1/31/2016

69 in opposition to any change on 2/8/2016

=====

Total        426 in opposition to any change

Please confirm receipt of email and documents.

Thanks

Grant Becklund  
30811 Garbani Road  
Winchester, CA 92596

(951) 288-0601



February 13, 2014

Mr. Matt Straite  
Riverside County Planning Commission  
4080 Lemon Street  
12<sup>th</sup> Floor  
Riverside, CA 92502

Re: General Plan Amendment No. 1129

Dear Mr. Straite:

We live on 5 acres on Gardner Lane. There are currently no parcels smaller than 5 acres in our area. We are opposed to the change from our current zoning which is a 2 acre minimum to allow 2 to 5 homes per acre. Two to 5 homes per acre would be considered tract housing and does not fit in the rural community that we now have. The people who live here do so to enjoy the wide open space and to have horses and other animals which would not be allowed on smaller lots.

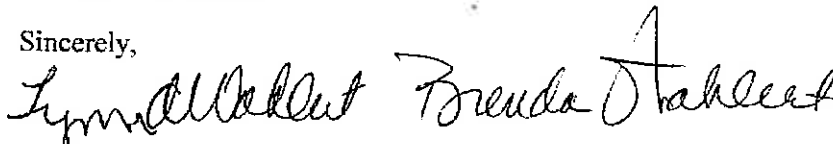
The Audie Murphy Ranch is building and selling homes on the west side of Menifee. If an aquatic park and soccer fields are needed it would seem that this area would have a greater demand and be more suited. Mira Park is located at the intersection of Mira and Wickered Roads which is visible from our home. Other than an occasional baseball game this park is very under- utilized.

With the housing development that is already under way in the Menifee and Murrieta area (near the proposed property) we question whether there is really a need for 600 more homes. The housing market has barely started to turn around, the economy is still flat, job creation is nil and the financial market is volatile.

We are not anti-development but feel any new development should meet the criteria of the rural area. A transitional development where the lot sizes gradually get smaller might be considered. If the lot size remains larger those who want can have a pool on their own lot. There would not be much need for an aquatic center. Two to 5 homes per acre and an aquatic center would create too much traffic and be too many homes for a rural area.

If the zoning is allowed to change the next thing you know the area will be annexed into the City of Menifee. We are opposed to any change in the current zoning and ask that it be denied.

Sincerely,



Lynn and Brenda Wahlert  
30020 Gardner Lane  
Menifee, CA 92584

## Letter in Opposition to General Plan Amendment 1129

Dear Planning Commissioners;

We who live in this area fully agree with the Staff Report which calls for a “no go” on this GPA. Not only is this high density completely devoid of any “Extraordinary Foundation Level Amendment” reasoning, it is also violating the stated General Plan Policies referred to in the Staff report.

This General Plan Amendment is no different than the previous attempt under GPA 946 in 2009 [see attached] regarding the exact same property. It also correctly stated “ This policy area recognizes that the area has a well established rural character and requires that “residential development in this area shall retain its existing estate density and rural character.”

No one does not want to see development in the area, however it must be compatible. This GPA, on any level, can't be.

Similar to the long battle for compatible zoning next to Bell Mountain only two blocks west of this property, the City of Menifee wisely followed the original recommendation of the County Planning Commission and returned that property back to Estate Density Residential [ 2 acre mins ]. This action confirmed the hard won wishes of the area residents and protected the rural character of the area.

GPA 1129 is clearly planning at its worst, with no regard for the General Plan. It should be denied.

I wish to have this letter as part of the public record.

Thank you for the opportunity to comment

Rick Croy

Rural Residents and Friends

“People for Balanced Growth”

February 17, 2014

Letter in Opposition to General Plan Amendment 1129

Dear Planning Commissioners;

As a long time property owner adjacent to this proposal we respectfully request that you fully support the recommendation of denial of this request by the Staff Report which calls for small lot high density single family housing in a well-established rural area. The General Plan for this area of the County, approved in 2003, required that new "residential development shall retain its existing estate density and rural character" and was given a designation of Estate Density Residential - 2 acre minimum to protect the neighborhood from this type of proposal.

This application is another attempt to ignore the General Plan and force a high density project into a rural area. General Plan 946 which was submitted in 2008 proposed the same "Medium Density Residential" (MDR) (2-5 du/ac) which again is being requested. This application was rejected by the Planning Commission as not being compatible with the neighborhood or the intent of the General Plan. The Planning Commission's recommendation in 2009 was to keep this area "Estate Density Residential" (EDR) ( 2 acre minimum lot size).

This proposal is, again, an ill-conceived land use proposal that has no regard for the General Plan. This GPA should be denied again.

Thank you for the opportunity to comment on this proposal.

A handwritten signature in black ink, appearing to read "D. H. H. H.", is located at the bottom right of the page.

18 April 2014

Matt Straite

Riverside County Planning Department  
4080 Lemon Street, 12<sup>th</sup> Floor  
Riverside, CA 92501

RE: Memo on GPA 1129 Developer Meeting with Neighbors on 4/3/2014

Dear Matt,

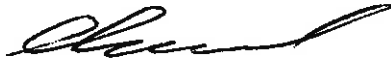
On April 3<sup>rd</sup> the applicant, Joseph Rivani of Global Investments, held an informational meeting at the French Valley Pizza Factory in French Valley. The meeting was attended by eleven property owners that live adjacent to GPA 1129. Mr. Rivani introduced himself and his team and stated that he is requesting an Extraordinary Foundation Amendment. This would amend the General Plan Land Use Designation from Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum) to Community Development: Medium Density Residential (CD:LRD)(2-5 DU/Ac).

A discussion then took place with the applicant about the project that ended with every one of the adjoining property owners stating there is absolutely **No Support** for this proposal. A very loud and clear message was given by every person attending this meeting that this proposal is totally inappropriate given that it will place high density urban development in the middle of a rural area that was to be preserved under the General Plan. There are no extraordinary reasons to justify moving this application forward at this time.

All of the property owners will support a development that would honor the General Plan and build 2 acre Estate Residential homes on this property.

Respectfully submitted by the attendees:

Grant Becklund



Vicki Romberger

*Vicki Romberger 4-18-2014*

Glen and Patricia Sorum

*Glen Sorum 4-18-2014 - Patricia Sorum*

Don and Gretchen Herndon

*Don Herndon Gretchen Herndon 4-20-14*

Phil and Mona Shane

*Phil Shane Mona Shane*

Lynn and Brenda Wahler

*Lynn Wahler Brenda Wahler*

Jim McCormick



February 17, 2014

Letter in Opposition to General Plan Amendment 1129

Dear Planning Commissioners;

As a long time property owner adjacent to this proposal we respectfully request that you fully support the recommendation of denial of this request by the Staff Report which calls for small lot high density single family housing in a well-established rural area. The General Plan for this area of the County, approved in 2003, required that new "residential development shall retain its existing estate density and rural character" and was given a designation of Estate Density Residential - 2 acre minimum to protect the neighborhood from this type of proposal.

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This proposal is, again, an ill-conceived land use proposal that has no regard for the General Plan. This GPA should be denied again.

Thank you for the opportunity to comment on this proposal.

February 13, 2014

Mr. Matt Straite  
Riverside County Planning Commission  
4080 Lemon Street  
12<sup>th</sup> Floor  
Riverside, CA 92502

Re: General Plan Amendment No. 1129

Dear Mr. Straite:

We live on 5 acres on Gardner Lane. There are currently no parcels smaller than 5 acres in our area. We are opposed to the change from our current zoning which is a 2 acre minimum to allow 2 to 5 homes per acre. Two to 5 homes per acre would be considered tract housing and does not fit in the rural community that we now have. The people who live here do so to enjoy the wide open space and to have horses and other animals which would not be allowed on smaller lots.

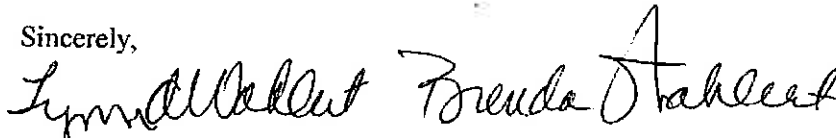
The Audie Murphy Ranch is building and selling homes on the west side of Menifee. If an aquatic park and soccer fields are needed it would seem that this area would have a greater demand and be more suited. Mira Park is located at the intersection of Mira and Wickered Roads which is visible from our home. Other than an occasional baseball game this park is very under- utilized.

With the housing development that is already under way in the Menifee and Murrieta area (near the proposed property) we question whether there is really a need for 600 more homes. The housing market has barely started to turn around, the economy is still flat, job creation is nil and the financial market is volatile.

We are not anti-development but feel any new development should meet the criteria of the rural area. A transitional development where the lot sizes gradually get smaller might be considered. If the lot size remains larger those who want can have a pool on their own lot. There would not be much need for an aquatic center. Two to 5 homes per acre and an aquatic center would create too much traffic and be too many homes for a rural area.

If the zoning is allowed to change the next thing you know the area will be annexed into the City of Menifee. We are opposed to any change in the current zoning and ask that it be denied.

Sincerely,



Lynn and Brenda Wahlert  
30020 Gardner Lane  
Menifee, CA 92584

February 17, 2014

Letter in Opposition to General Plan Amendment 1129

Dear Planning Commissioners;

As a long time property owner adjacent to this proposal we respectfully request that you fully support the recommendation of denial of this request by the Staff Report which calls for small lot high density single family housing in a well-established rural area. The General Plan for this area of the County, approved in 2003, required that new "residential development shall retain its existing estate density and rural character" and was given a designation of Estate Density Residential - 2 acre minimum to protect the neighborhood from this type of proposal.

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February 17, 2014

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This proposal is, again, an ill-conceived land use proposal that has no regard for the General Plan. This GPA should be denied again.

Thank you for the opportunity to comment on this proposal.

*Gretchen A. Herndon*

February 17, 2014

Letter in Opposition to General Plan Amendment 1129

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This proposal is, again, an ill-conceived land use proposal that has no regard for the General Plan. This GPA should be denied again.

Thank you for the opportunity to comment on this proposal.

*Donald Herndon*

February 17, 2014

Letter in Opposition to General Plan Amendment 1129


Dear Planning Commissioners;

As a long time property owner adjacent to this proposal we respectfully request that you fully support the recommendation of denial of this request by the Staff Report which calls for small lot high density single family housing in a well-established rural area. The General Plan for this area of the County, approved in 2003, required that new "residential development shall retain its existing estate density and rural character" and was given a designation of Estate Density Residential - 2 acre minimum to protect the neighborhood from this type of proposal.

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This proposal is, again, an ill-conceived land use proposal that has no regard for the General Plan. This GPA should be denied again.

Thank you for the opportunity to comment on this proposal.

 30811 GARBAN, Road  
MARSHA Becklund 30811 GARBAN Rd.



23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

Dear Supervisors,

We are home owners adjacent to this project and are categorically opposed to GPA 1129. We do not support this application for an Extraordinary Foundation Amendment to amend the General Plan Land Use Designation from Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum) to Community Development: Medium Density Residential (CD:MDR) (2-5 DU/Ac).

This proposal is located in the center of a large area reserved as a rural area by the County, Menifee and Murrieta. There are no extraordinary reasons to justify moving this application forward at this time or any time in the future. This rural community should not be adversely affected by the detrimental effects of this application on our way of life.

This proposal will place high density urban development (5 homes to the acre) in the middle of a rural area that is preserved by the General Plan as an Estate Residential area (2 acre Lots) and will destroy the rural nature of our community. There are a total of over 20,000 small lot home sites (7,000 existing and 13,000 approved but not constructed) in the 2 miles surrounding this site. The proposal to add 600 more small lots homes within this Rural Policy Area is not needed or warranted and should be denied by the Board.

We would support a development that complies with the General Plan and constructs 2-acre Estate Residential homes on this property.

Please honor the Riverside County Strategic Plan stated mission and goals and protect the Vision of the General Plan by denying this request and preserving this area for rural uses.

Respectfully submitted

Wade Richards  
30735 Garbani Rd -

We have been at this property for 20 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

Gretchen A. Herndon 4/27/14  
30940 Garbani Rd, Winchester 92596

We have been at this property for 40 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

Amal L. Khermon      4-27-14

30940 GARBAVI RD,      WINCHESTER 92596

We have been at this property for 40 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted



4-26-14

\_\_\_\_\_  
We have been at this property for 25 years



23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

 \_\_\_\_\_ 4-21-14  
\_\_\_\_\_

We have been at this property for 2 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

Marsha Becklund 4-28-14  
30811 GARBANU Rd - Winchester

We have been at this property for 26 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

  
30611 GARIBAY ROAD, WINCHESTER  
4/27/14

We have been at this property for 26 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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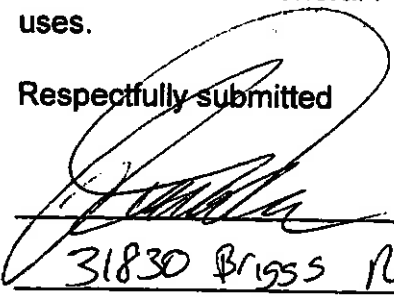
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Respectfully submitted

 - Randy Dennis  
31830 Briggs Rd, Menifee, CA

We have been at this property for 14 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

  
\_\_\_\_\_

We have been at this property for 20 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted

Jeff Massie      4/25/14  
JEFF MASSIE

We have been at this property for 24 years

29735 Keefe Circle  
Menifee Ca 92584

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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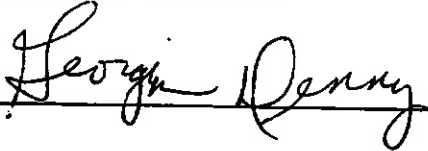
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Please honor the Riverside County Strategic Plan stated mission and goals and protect the Vision of the General Plan by denying this request and preserving this area for rural uses.

Respectfully submitted

  
\_\_\_\_\_ 4.25.14  
\_\_\_\_\_

We have been at this property for 15 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

Dear Supervisors,

We are home owners adjacent to this project and are categorically opposed to GPA 1129. We do not support this application for an Extraordinary Foundation Amendment to amend the General Plan Land Use Designation from Rural Community: Estate Density Residential (RC:EDR) (2 Acre Minimum) to Community Development: Medium Density Residential (CD:MDR) (2-5 DU/Ac).


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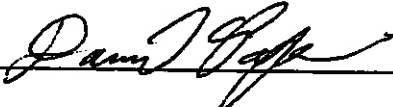
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 \_\_\_\_\_ 4-25-14  
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We have been at this property for 13 years

23 April 2014

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Riverside, CA 92501

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Respectfully submitted

Edwards Sanchez      4/25/14  
29935 Maxine Ln      Menifee CA 92584

We have been at this property for 10 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

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Respectfully submitted

Yvonne E Sanchez      4/26/14  
26935 Maxine Ln Menifee, CA 92584

We have been at this property for 10 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

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Respectfully submitted

Werner N. Martin-Godung      04-25-2014  
29841 MAXINE LN,      MENIFEE, Ca 92584

We have been at this property for 9 years

23 April 2014

Riverside County Board of Supervisors  
4080 Lemon Street, 14<sup>th</sup> Floor  
Riverside, CA 92501

RE: Request for Denial of GPA 1129  
Meeting Date 4/29/2014

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Respectfully submitted



4-25-2014

29891 MAXINE LN

MENIFEE CA 92584

We have been at this property for 9 years

23 April 2014

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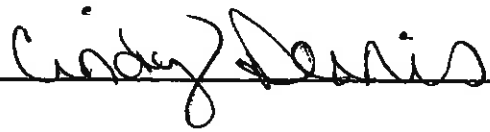
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Respectfully submitted

  
\_\_\_\_\_

We have been at this property for 14 years

*[Handwritten signature]*

*[Handwritten signature]*

...evisors

PA 1129

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Respectfully submitted

*[Handwritten signature]*  
Carlos Cuevas 4/26/14

29722 Merjanian Rd, Menifee Ca 92584

We have been at this property for 4 years

**TOM DODSON & ASSOCIATES**  
2150 N. ARROWHEAD AVENUE  
SAN BERNARDINO, CA 92405  
TEL (909) 882-3612 • FAX (909) 882-7015  
E-MAIL [tda@tdaenv.com](mailto:tda@tdaenv.com)



## MEMORANDUM

June 26, 2016

From: Tom Dodson

To: Brett Dawson

Subj: Responses to Dam Inundation Public Comments

Brett, I received the attached material (Attachment 1) from Mr. Rivani's project team regarding the potential for Dam Inundation at the La Ventana Ranch from the potential collapse of Diamond Valley Lake, originally evaluated as Domenigoni Valley Reservoir. This issue was reviewed in the Draft EIR for the La Ventana Ranch project in the Hydrology Chapter and found to be a less than significant impact based on the La Ventana Ranch project site being located at the far western edge of potential inundation from the catastrophic collapse of the Diamond Valley Lake, West Dam. Based on the very low potential for such collapse and the minimal flooding at the project location, this impact was found to be less than significant impact and no mitigation was required. Further, existing legislation which became effective in June, 1998 already mandates that future sellers of property within a dam inundation zone must notify future buyers as part of the natural hazard disclosure statement to the buyer. Thus, there was no need to include this notification requirement as a mitigation measure.

However, as noted in the attached material this issue is being raised as a serious issue with the Supervisor for the project area, Mr. Chuck Washington. To ensure that this issue is addressed, I conducted research in the original project EIR prepared by Metropolitan Water District of Southern California. I have attached some of the pertinent literature from that EIR (Attachment 2). In particular I reference you to a page from Chapter 11 of that document, Public Safety, page 11-4. Table 11.2.3-1 provides an annual probability of failure evaluation. As can be seen in this analysis, the annual probability of failure for the Diamond Valley Lake was assessed as  $2 \times 10^{-8}$ . This represents a potential for annual failure as 0.00000002. This low probability of failure for the West Dam (Diamond Valley Lake) combined with the minimal volume of water at the project site if a failure were to occur, creates a minimal dam inundation hazard for the La Ventana Ranch project site as indicated in the La Ventana Ranch EIR.

If this issue is raised before the Board of Supervisors, the above information can be used to respond and provide assurance that this potential hazard is a less than significant impact.

A handwritten signature in black ink that reads "Tom Dodson". The signature is written in a cursive, slightly slanted style.

Tom Dodson

Attachments (2)



**ATTACHMENT 1**

Supr Chuck Washington

To: All Supr's - Planning

Recent comments

2/5/16

Against 921 & 1129 for the Record  
Hearing is Feb. 9, 2016

I am against GPA's 921 and GPA 1129

The County held community workshops for the new GPA 960 and this area was to stay RR2 in the General Plan just because Supr. Stone approved an Extraordinary Foundation for GPA 921 based on the the Santa Rosa Charter School that was going to be built across from this land the school did not move forward.

You are only using GPA 921 as a smoke screen to allow GPA 1129 to be approved for the owner of his property ( which we all know who owns this property) and it's not Global Investments.

GPA 921 has not had the legal Public Hearings nor was the community ever told or notified of this zone approval by Supr. Jeff Stone until the signs were put up in Dec. 2015 how many years later.

Interesting how Jeff Stone ran for this office against Jim Venable because he said he didn't like his blanket approvals on what was taking place in the County, and he turned out to be the same way making all these deals with land owners using the Extraordinary Foundation or Fast Track process you get around the home owners. This seems to be the norm with many of our Supr.'s. I guess they forget who voted them into their titles and who they are to represent. It sure doesn't seem to be the Community they are working for anymore.

And please do not use the New High School as the "GAME CHANGER"

I'm not so sure this school will be built based on the Calif. Code of Regulations for Schools 17212 & 17212.5 the Supr's need to look up these codes themselves because we have told the Planning Dept. and others of this issue and it just seems to be DEAF EARS!!! The County Map of GPA 960 clearly shows this area to be in what's called a Dam-Failure Inundation Zone and the amount of water in this area will not be able to be mitigated at a reasonable cost. It would be interesting to know who signed the documents for the school saying this area is not in a Dam-Failure Inundation Zone, to let it move forward.

State of Calif. passed a Law on 6-1-1998 which states agents and sellers of real property in Calif. are required to disclose to all potential buyers (involving residential & non residential) whether the subject property is in an officially mapped Dam-Failure Inundation Zone.

Failure to make the required disclosure may render the seller or the seller's agent liable for actual damages suffered by the buyer.

I would think that the County and all the Supr's could also be held responsible down the road should something happen by letting all these projects move forward anywhere in the County that fall under the Dam-Failure Inundation Zone area.

It's interesting how the design capacity of the dam was quietly lowered by 50 Billion Gallons to lessen the potential for a

catastrophic failure by officials, but this doesn't mean it can't still happen. The East Side Dam has a fault that runs very close to it and if I'm not mistaken part runs under it according to my research.

I hope all the Supr's that are going to Vote on this GPA on Feb. 9th, change their minds no matter what has been said to them to move it forward. If they care anything about the Communities they represent as this water flows a long way and doesn't just stop in this area that we are talking about.

Vicki Romberger, Menifee, CA

4 minutes ago

0

see attached Map

Vicki Romberger 2/5/16

# Diamond Valley Lake

Flooding Limits per Dam Failure Inundation Mapping 2003

## Legend

■ Dam Inundation Diamond Valley Lake 5003

--- High School 4 Boundary



CONVERSE

**ATTACHMENT 2**

**CHAPTER 2 FORMULATION OF PROJECT  
ALTERNATIVES**

Table 2.2.1-1

**16 Reservoir Capacities Considered  
at the 5 Reservoir Sites Evaluated During the Phase I Feasibility Study**

Site	Capacity (acre-feet)	Water Surface (feet above MSL*)	Surface Area (acres)
Domenigoni Valley	250,000	1,638	3,357
	630,000	1,740	4,132
	700,000	1,756	4,270
	800,000	1,779	4,410
	1,100,000	1,845	4,900
Potrero Creek	250,000	2,262	2,450
	400,000	2,318	2,950
	600,000	2,380	3,650
	1,100,000	2,500	5,650
Lake Perris	210,000	1,660	3,550
	380,000	1,700	4,344
Lake Skinner	241,000	1,600	3,400
Vail Lake	250,000	1,560	3,220
	400,000	1,610	4,700
	600,000	1,650	6,190
	1,100,000	1,715	8,340

Note: \*MSL = mean sea level.

## 2.2.2 Public Involvement and Agency Coordination

### 2.2.2.1 Public Involvement

To establish the scope of the feasibility study, Metropolitan consulted with members of the public, local and regional interest groups, and numerous public agencies. Metropolitan held two formal public meetings in the project area and coordinated closely with local government officials to identify the concerns of the public and ensure that these concerns were fully addressed in the feasibility studies. In addition to two formal public meetings and two study bulletins, several additional public involvement and coordination actions occurred during Phase I (Table 2.2.2-1). First, real estate

concerns led to the establishment of field office trailers at Domenigoni Valley and Vail Lake to address the real estate issues of people in the region on a personal basis. The most common concerns of the people who visited the field offices were:

- General concern over economic loss due to the project;
- Concern that the environmental concerns would outweigh human concerns in planning; and
- Opposition to construction at a particular site.

In addition to the two public involvement bulletins, a special real estate bulletin was also published.

will be in compliance with all applicable local, state, and federal laws and regulations.

**Dam Safety.** Residents and business persons from communities near the proposed reservoir sites were generally concerned with dam safety, particularly in an area of high seismic potential. Responding to questions raised at public meetings, Metropolitan explained the measures it will take to ensure dam safety through principles of dam design; the State of California's exhaustive dam safety review was also explained in detail. Metropolitan's use of an independent board of experts on dam safety was discussed. Safety concerns were addressed throughout the feasibility study and were the focus of an extensive technical review during the final phases of the feasibility study. No reservoir site was considered further unless, in the judgment of Metropolitan's independent consultants, it could operate safely.

**Growth Projections.** Growth projections used to estimate water demand were questioned by the public. Metropolitan used approved and adopted population projections supplied by the San Diego Association of Governments (SANDAG), the Southern California Association of Governments (SCAG), and the State of California Department of Finance. Updated projections from these agencies were incorporated into the needs analyses as they became available to ensure the most accurate projections of future population and water demand. These growth projections are the basis for land use decisions by local and regional planning agencies.

**Impacts at Vail Lake.** A number of concerns were expressed on potential road relocations and other social impacts at the Vail Lake site. For these and other reasons, the range of reservoir sizes considered at Vail Lake was expanded to include a smaller (250,000 acre-foot) reservoir.

**Impacts at Other Sites.** A number of concerns were expressed about specific impacts at each site, with the primary areas of concern focusing on impacts to:

- Recreation facilities (Perris and Skinner);
- Endangered species and sensitive habitats;
- Agricultural lands;

- Residential areas;
- Water rights and water quality;
- Visual impacts;
- Air quality;
- Proposed development and economic growth;
- Utilities;
- Transportation (roads); and
- Historic resources.

These issues were evaluated, as appropriate, for each site being considered and covered in the two public involvement brochures.

#### 2.2.2.2 Coordination With Agencies and Interest Groups

Metropolitan sought comment from various resource and land management agencies and public and environmental interest groups to develop strategies for impact mitigation and formulate mitigation alternatives. These coordination efforts also included field trips and special meetings (Table 2.2.2-2).

#### 2.2.2.3 Notice of Preparation of an Environmental Impact Report

Concurrent with other coordination efforts, Metropolitan provided notification of the study and project to all local, regional, state, and federal agencies with a potential interest in the feasibility study and the project. Interest groups were also formally notified of the project at this time. A Notice of Preparation was issued in July 1989, which summarized the proposed project and study scope, and requested a formal response. Comments were received on a variety of issues (Table 2.2.2-3), and were used in scoping the studies for both phases of the feasibility study. While a notice to prepare a DEIR was issued, environmental studies were also scoped to meet full federal requirements should a combined EIR/EIS be required (if a recommended plan would require federal regulatory review).

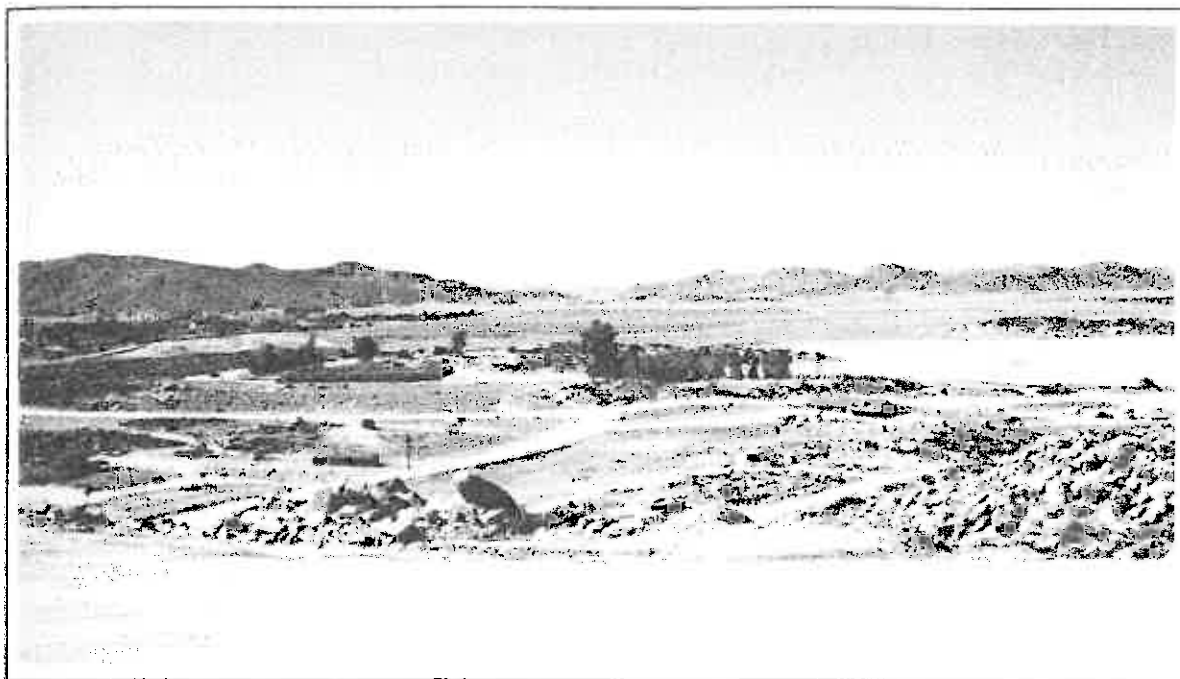
### 2.2.3 Phase I Technical and Field Studies

#### 2.2.3.1 Geotechnical Studies

Literature reviews, preliminary field explorations, and laboratory testing were performed at each site

## CHAPTER 3 PROJECT DESCRIPTION





View Looking West From East of Domenigoni Valley

Photo by M. Hussey

### 3.3 DOMENIGONI VALLEY RESERVOIR ALTERNATIVE

#### ABSTRACT

The Domenigoni Valley Reservoir alternative would involve construction of two main embankments to block both the east and west ends of the valley, as well as a large roller-compacted concrete saddle dam along a low point in the hills which form the northern boundary of the site. The main embankments would be over a mile long; total fill required would be 84 million cubic yards. The saddle dam would be about 140 feet above the lowest point in the crest of the north hills. The resulting reservoir would have a surface area of 4,410 acres and a capacity of 800,000 acre-feet and would be able to serve approximately 90 percent of the Metropolitan Water District of Southern California service area by gravity flow. Reservoir characteristics are summarized in Table 3.3-1.

Water would be supplied to the reservoir through the San Diego Canal or an underground pipeline

which would run roughly parallel to the existing San Diego Canal. Water supplied via the San Diego Canal would be delivered to a forebay at the base of the west embankment and then pumped into the reservoir via a tunnel through the north abutment of the west dam embankment. Supply to the reservoir from the State Water Project via the pipeline could be delivered by gravity flow through the tunnel. Deliveries from the reservoir would be made via the forebay to the San Diego Canal or by reversing the flow in the supply pipeline.

Large recreation areas would be developed at the base of both main embankments, which would be linked by a trail system along the hills which form the reservoir's southern boundary. Recreation facilities could include a marina, boat launching ramps, small fishing lakes, and camping facilities.

Relocation of several roads and numerous residences would be required, along with construction of power transmission lines. Construction activities would include excavation of dam foundations to bedrock, up to 180 feet below existing ground level, and

Table 3.3-1

**Summary of Feasibility Study Findings  
Domenigoni Valley Reservoir  
(Water Surface Elevation 1,750 Feet)**

Characteristics	Finding
<b>Geotechnical</b>	
Active faults	No active faults at the dam sites
Maximum seismic-induced acceleration at site	0.55 g
Liquefaction potential	Low
Bedrock depth at dam sites	Up to 180 feet at west dam, 100 feet at east dam
Abutment rock strength	Moderate to very strong
<b>Reservoir Characteristics</b>	
Elevation	1,750 feet above mean sea level
Service area accessible by gravity	90 %
Surface area	4,410 acres
West dam crest height	300 feet
Fill volume	54 million cubic yards
East dam crest height	177 feet
Fill volume	30 million cubic yards
Saddle dams	1
Capital costs	\$1,209,342,000
Cost per acre-foot	\$1,668
<b>Environmental Resources in Impact Area</b>	
<b>Habitat types</b>	
Riparian/wetlands	2 acres
Oak woodland	None
Riversidian sage scrub	2,054 acres
Chaparral	52 acres
Non-native grassland	359 acres
Agricultural and other lands	4,673 acres
Exotic trees	37 acres
<b>Endangered and Sensitive Wildlife Species</b>	
Stephens' kangaroo rat	263 acres of occupied habitat
California gnatcatcher	322 acres of occupied habitat
<b>Sensitive Plant Species</b>	
Smooth tarplant	12,778+ plants
Payson's jewelflower	19,309 plants
Parry's spineflower	4,989 plants
<b>Cultural Resources</b>	
Prehistoric sites	17 known affected
Historic sites	7 known affected
Ethnographic sensitivity	High for Pechanga Indians
Paleontological sites	None recorded

Table 3.3-1, Continued

Characteristics	Finding
<b>Land Use and Social Impacts</b>	
Agricultural lands*	4,499 acres
Prime/unique farmlands*	2,008 acres
Businesses affected	11 (including dairy and poultry ranches)
Residences affected	87
Federal lands	120 acres
Recreation	Rifle and pistol range; landing area for skydiving club
Land use	May affect land use patterns in south Hemet
Aesthetics	East dam visible from Hemet and State Street; west dam visible from State Highway 79 and nearby residences; saddle dam visible from Winchester, Hemet, other nearby residences, and State Highways 74 and 79
Air quality	Construction would be largest single source of emissions in basin; would affect rural and urban areas
Noise	Noise impacts to open space areas with incidental human use
Traffic	Would add 1,100 vehicles per day to Newport Road; would not affect level of service on road
<p>Note: *Agricultural lands and prime/unique farmlands include lands at both the reservoir and applicable mitigation sites.</p>	

*blasting in the south hills to obtain large rock required for the main embankments. Construction activities would be visible from nearby developments. Construction would occur over a 7-year period, following a design period, and the reservoir would be on line in 1999.*

*The reservoir would be used primarily for seasonal and carryover storage, with about 30 percent of its storage allocated to emergency storage. Use of the seasonal storage pool would result in annual reservoir surface fluctuations of about 40 feet; every 6 to 8 years, use of the carryover pool would further reduce the surface elevation by over 60 feet.*

### 3.3.1 Main Embankment Design

The Domenigoni Valley site is on the geologically stable Perris Plain Block southwest of the City of Hemet (Figure 3.3.1-1). The valley is an alluvial plain between two ridges of generally metasedimentary and migmatitic gneiss rock types. One minor fault, the Rawson Fault, occurs near the project area; however, the fault ends in the hills south of Domenigoni Valley outside of the project area.

Two earthfill/rockfill main embankments, both over a mile long, would be required at the Domenigoni

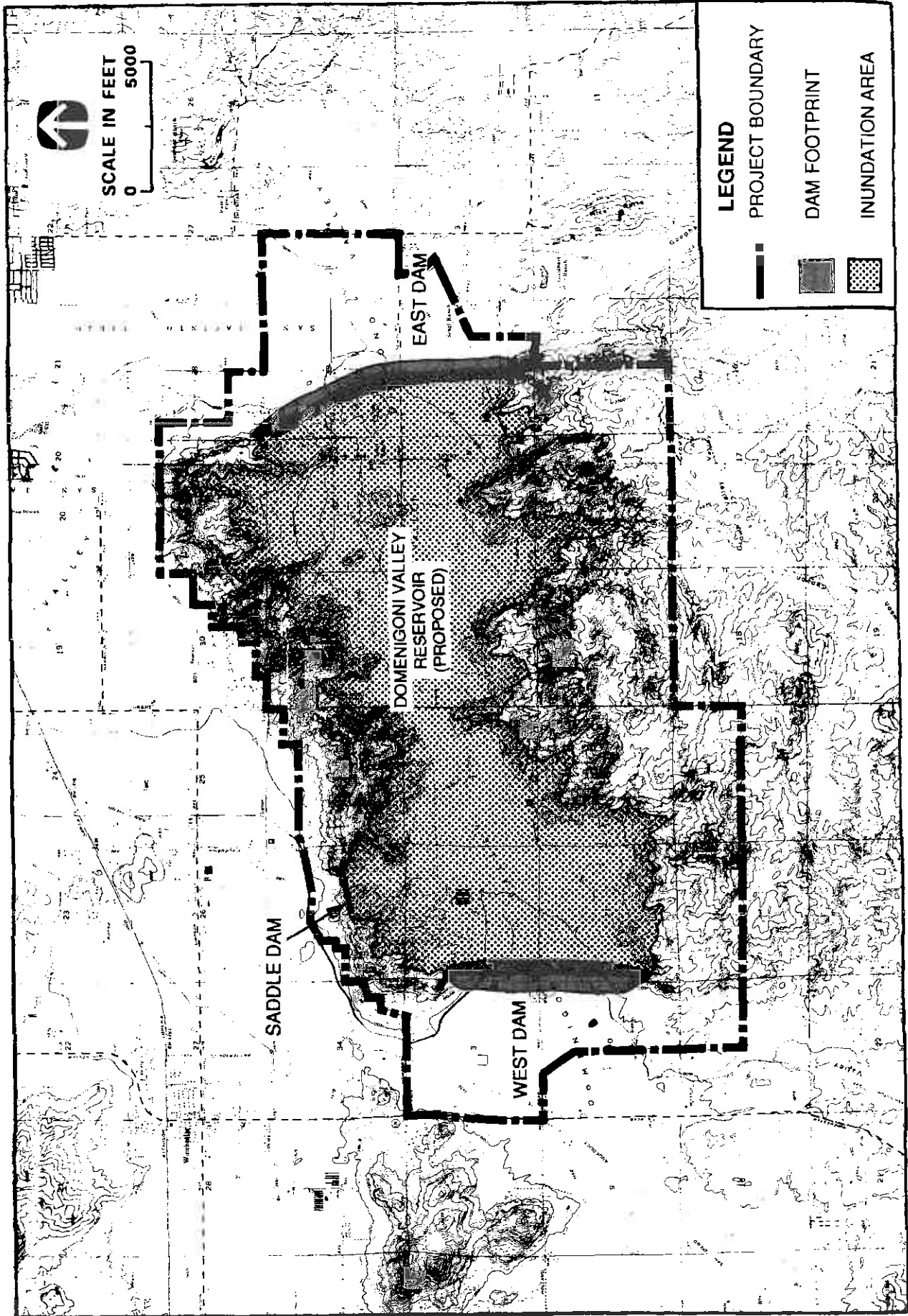


Figure 3.3.1-1 Domenigoni Valley Reservoir Site and Vicinity

Valley site, one at each end of the valley (Figures 3.3.1-2 and 3.3.1-3). Both main embankments would have deep foundations, with excavation to an average depth of 60 feet at the west dam foundations and to an average depth of 90 feet at the east dam foundations. Both embankments would have bentonite slurry cutoff walls extending through the center of the embankment to the foundation to control seepage. The main embankments would require 84 million cubic yards of fill. In addition, a large roller-compacted concrete saddle dam would be required along a low point in the hills north of Domenigoni Valley; the saddle dam would have a maximum elevation above existing grade of 140 feet. Key features of this reservoir design include:

- **Excavation of main embankments to stable foundation or bedrock.** This design feature may be required because of the deep, relatively permeable alluvium (gravel to fine silts) which overlies the bedrock of the valley to a depth of up to 180 feet at the west embankment site and 100 feet at the east embankment site. Excavation to bedrock would ensure against moderate liquefaction effects which could otherwise result from seismic activity from the relatively distant Elsinore Fault (10 to 14 miles, capable of a 7.25 magnitude event) or the San Jacinto Fault (4 to 7 miles, capable of a 7.5 magnitude event). Given that the Perris Plain Block has a history of only minor seismic activity, with events generally less than 4.0 in magnitude, this design feature will provide a high level of seismic safety for the main embankments.
- **A plastic concrete slurry wall cutoff.** Fill materials in the valley are generally fine-grained alluvial stream deposits which have a potential for seepage. In the absence of extension of excavation of the embankments to bedrock, a slurry wall, extending from the embankment to bedrock, would effectively control this seepage. Bentonite for this feature would be acquired off the site and trucked to the construction zone.
- **A rockfill shell around an alluvial core.** The rockfill outer shell of the main embankments

would provide increased stability for the embankments.

- **Borrow sites within Domenigoni Valley.** Borrow is available within the confines of the valley, although rockfill would be taken from the relatively higher elevations in the south hills.

A majority of construction activity would occur within the valley itself; however, two construction zones would be located outside of the main embankments (see Section 3.3.3, Figure 3.3.3-2).

### 3.3.2 Support Facilities

Onsite and offsite support facilities for the Domenigoni Valley Reservoir alternative are shown in Figures 3.3.2-1 and 3.3.2-2.

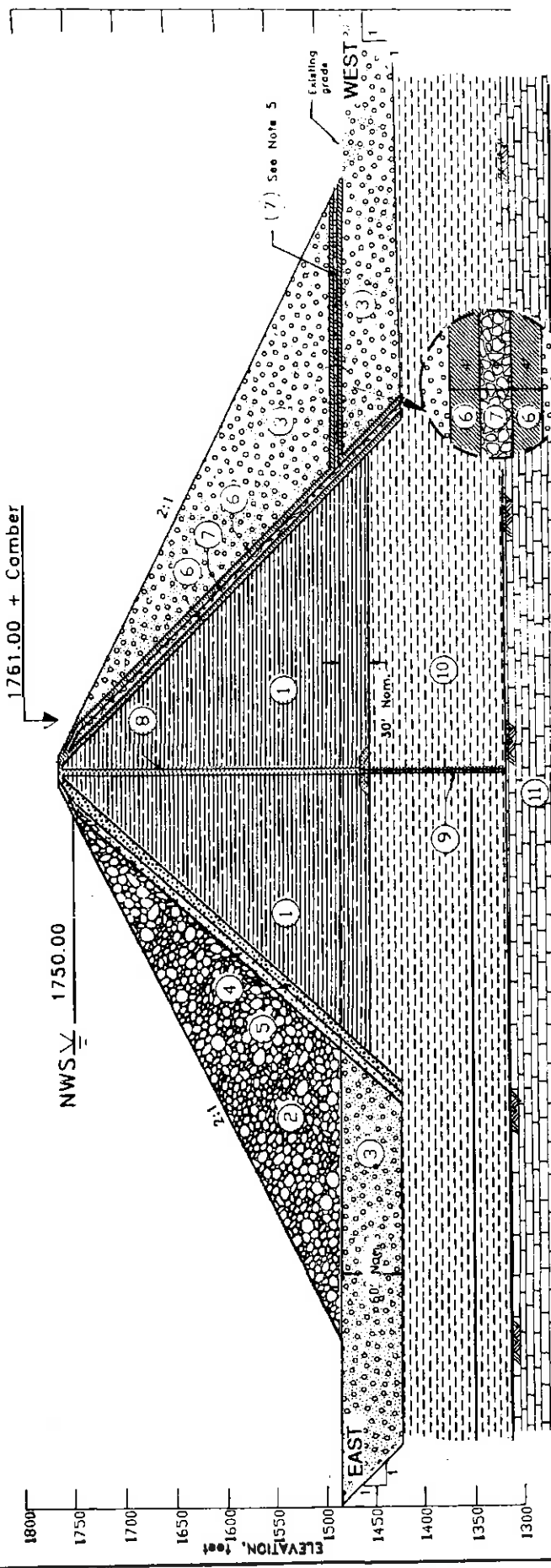
#### 3.3.2.1 Diversion During Construction

The California Division of Safety of Dams has recommended for other relatively long-duration dam construction activities in heavily populated areas that provisions be made to handle a 25-year flood without risk of increasing the natural flow downstream. For the Domenigoni Valley Reservoir site, this flood is estimated to have a peak flow of 3,470 cubic feet per second (cfs) for a short-duration thunderstorm and a volume of 600 acre-feet for a more widespread 24-hour storm.

To divert floodflows away from the dam construction area, the upstream portion of the west dam would be constructed to an elevation of 1,500 feet to serve as a coffer dam. Stored flows would be discharged through a 2.5-foot-diameter pipe to a natural channel downstream of the dam. The diversion pipe would be plugged with concrete when the reservoir is ready to be filled with water.

#### 3.3.2.2 Supply Lines

Water would be supplied to the Domenigoni Valley Reservoir from the Colorado River Aqueduct (CRA) and State Water Project (SWP). CRA deliveries would be made via the Casa Loma Canal and SWP



MATERIAL TYPES

- | No. | Description  |
|-----|--|
| 1   | Fine Alluvium Core - Silty Sand, Clayey Sand, Lean Clay.                 |
| 2   | Rockfill - Quarried Quartzite, 3-foot Minus. See Note 1.                 |
| 3   | Earth/Rockfill - Ripped/Blasted Metasediments, 2-foot Minus. See Note 2. |
| 4   | Coarse Upstream Filter - Quarried Quartzite.                             |
| 5   | Fine Upstream Filter - Fine Sand with Silt.                              |
| 6   | Downstream Filter - Processed Alluvium or Crushed Quartzite.             |
| 7   | Drain - Crushed Quartzite.   |
| 8   | Cement - Bentonite Slurry Cutoff Wall - See Note 3.                      |
| 9   | Plastic Concrete Cutoff - See Note 4.                                    |
| 10  | Alluvium   |
| 11  | Weathered Bedrock  |

NOTES:

- The larger rock placed in Zone 2 will be raked to the upstream slope for protection from waves.
- The larger rock placed in Zone 3 will be raked to the downstream slope for erosion protection.
- The embankment slurry backfill cutoff wall will consist of cement bentonite. The cutoff will extend from the top of the core to the top of the foundation cutoff.
- The foundation slurry cutoff wall will consist of a plastic concrete backfill extending through the lower 10 ft. (min.) of the dam core and the alluvium, keying into bedrock. Construction will be by alternating primary and secondary (closure) panels, which will be 30 inches wide and approximately 20 feet long.
- Chimney drain outlets will consist of gravel fingers spaced at 100 feet across the valley bottom and a blanket drain on the abutments.



Figure 3.3.1-2 Domenigoni Valley Reservoir Site, West Dam Section on Alluvial Foundation

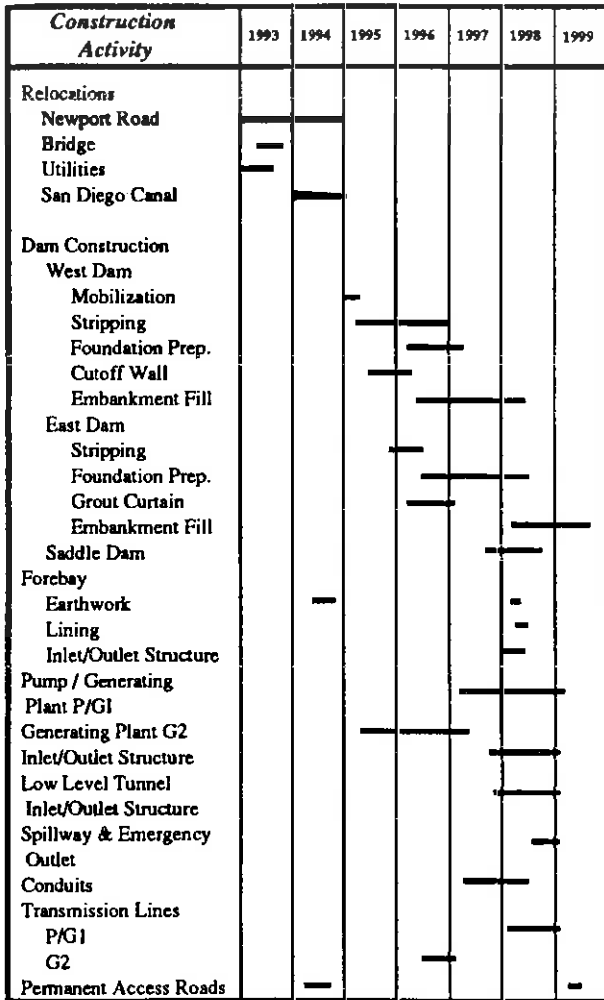


Figure 3.3.3-1 Domenigoni Valley Reservoir Construction Schedule

roads, utilities, and the San Diego Canal would occur in 1993 and 1994. These relocations would occur early in the project schedule to accommodate dam construction and minimize interference between construction and public traffic. Dam construction would begin in early 1995 and end by September 1999. Construction of support facilities, such as the forebay, pump/generating plant, inlet/outlet structure, transmission lines, and conduits, would occur relatively late in the project schedule, from late 1996 to early 1999. Support facility construction would be timed to coincide with the completion

of the dam while delaying expenditures as long as practical.

Dam construction, which would be labor intensive and involve extensive earthmoving, is expected to occur 20 hours per day (two 10-hour shifts), 6 days per week. Support facility construction is expected to require a normal 40-hour work week (five 8-hour days). Manpower, by year, for the 7-year construction period is summarized in Table 3.3.3-1. The peak construction year is expected to be 1996, with a total of 1,065 man-years. Total construction manpower is expected to be approximately 3,400 man-years. Dam construction would require more than six times the manpower required for support facility construction.

### 3.3.3.2 Dam Construction

**Foundation Excavation and Preparation.** Dam construction would begin with removal of vegetation and excavation of surface soil. Excavation at the west dam would be to a depth of 30 feet under the core (center part) of the dam and 60 to 90 feet under the outer parts of the dam. Foundation excavation at the west dam would be to bedrock, an average depth of 90 feet. On the abutments (ends) of the dam, excavation would be to a depth of 5 to 15 feet.

Material would be excavated using scrapers, large backhoes, loaders, and/or bulldozers in the alluvial soils in the valley bottom and with tractors (bulldozers) with a single-shank ripper on the valley slopes. Excavated material would be stockpiled and used in dam construction, as appropriate, based on its suitability. Excavation would expose bedrock over the entire length of the east dam, and at the west dam, on the valley slopes and at the knoll near the center of the valley.

Exposed bedrock would be cleaned of loose material, rock fissures would be cleared out, and dental concrete would be placed. Where excavation exposes alluvium (soil), disturbed material at the bottom would be cleaned up. Because the water table at the east dam is approximately 35 to 45 feet below existing grade, the construction area would have to be dewatered during the later phase of excavation and early phase of embankment construction.

Figure 3.3.2-3 Newport Road Relocation Alternatives, Domenigoni Valley Reservoir Site

Table 3.3.3-1

**Construction Manpower for the  
Domenigoni Valley Reservoir  
(Man-Years)**

	1992	1993	1994	1995	1996	1997	1998	Total
Dam	0	0	115	575	841	857	557	2,945
Support Facilities	30	27	0	0	224	188	2	471
<b>Total:</b>	<b>30</b>	<b>27</b>	<b>115</b>	<b>575</b>	<b>1,065</b>	<b>1,045</b>	<b>559</b>	<b>3,416</b>

Similar dewatering would be required at the west dam, where the water table is approximately 50 feet below existing grade. Dewatering would likely be accomplished by installing lines of deep wells along both sides of the dam footprint, and then pumping groundwater to lower the water table below the level of excavation/construction.

To reduce seepage through bedrock to an acceptable level, grout curtains would be installed at all major bedrock exposure locations. These curtains would be installed into the bedrock, along the long axis of the dam, under the core zone. They would be constructed by drilling small-diameter holes at approximately 20-foot intervals, and then pumping grout (made of cement, water, and bentonite) into the holes under pressure. This would force grout into fractures and voids in the rock, thus reducing seepage. The holes would be drilled more or less vertically, but inclined to better intercept rock joints and discontinuities. Three roughly parallel lines of holes would be installed. The depth of the holes would be 70 feet on the outer lines and 100 feet on the inner line.

**Embankment Materials.** Earthfill and rockfill materials needed for construction of both main embankments would be taken from borrow sites (Figure 3.3.3-2). Finer earthfill material needed for the core of the dams would be taken from the valley floor (Borrow Area 1). This material would be excavated by scrapers, large backhoes, loaders, and/or bulldozers, and transported to the dam sites by large, off-road bottom dump trucks. The haul

routes used to transport material from the borrow sites to the dam are also shown on Figure 3.3.3-2.

Rock material needed for the outer shells of the dams would be taken from Borrow Areas 2 through 7, located primarily in the hills surrounding the site (Figure 3.3.3-2). Most of this material would be removed by drilling and blasting. However, some of the rock in Borrow Areas 3 through 7 may be excavated by a large tractor with a single-shank ripper. Excavated rock would be taken to the dam sites or rock-crushing operation sites using large off-road end dump trucks or possibly conveyors.

Excavated rock would require crushing and size sorting, prior to use in dam construction, to produce material suitable for the various zones of the dam and for concrete aggregate. This would be accomplished at a rock-processing operation located at the construction laydown area near Borrow Area 4. This operation would consist of several shakers/screens to sort rock by size, rock crushers to produce material of various needed sizes, and conveyor belts that would transport material of the various sizes to separate stockpiles.

Material would be loaded by bulldozers, wheeled loaders, and/or track-mounted conveyors into large, off-road end dump trucks and transported to the dam construction sites using the haul routes shown in Figure 3.3.3-2. A second rock-crushing/processing plant may not be required for the earthy rockfill material because the rock sizes obtained from Borrow Areas 3 through 7, using a suitably designed blast





pattern, may not include a large amount of oversize rock.

To expedite dam construction, rockfill, drain and filter materials, and concrete aggregate would be excavated, processed, and stockpiled for about a year prior to initiation of dam construction (1994). These stockpiles would be located near the processing plant. Excavation of material would continue throughout dam construction.

**Embankment Construction.** For the earthfill/rockfill core of the dam, material would be brought from the borrow site in large, off-road bottom dump trucks, spread by motor graders (blades), moisture-conditioned with 5,000- to 8,000-gallon water trailers, and compacted by sheepsfoot rollers and/or compactors. Shell material would be transported by large, off-road end dump trucks or possibly conveyors, spread by motor graders, moisture-conditioned with 5,000- to 8,000-gallon water trailers, and compacted with a 10-ton vibratory roller.

To reduce seepage through the dam and foundation to acceptable levels, a 3-foot-thick plastic-concrete cutoff wall would be constructed through the foundation at the center of the dam from one end to the other. The plastic concrete would be a mixture of cement, aggregate, bentonite, and water. In addition, a 5-foot-thick cement-bentonite wall would be constructed through the embankment fill.

**Saddle Dam Construction.** The saddle dam in the north hills would be constructed of roller-compacted concrete. Bedrock overburden material would be removed and the bedrock foundation prepared as described for the main dams. The dam would be constructed by placing successive layers (approximately 1-foot thick) of concrete on the dam base and compacting each layer with a heavy motorized roller. This process would be repeated numerous times, with the width of the working surface becoming narrower, until the designed dam height and configuration are achieved. Conventional formed and vibrated concrete would be placed in a 3-foot-wide band at the upstream face. The

concrete would be made at a batch plant located on the floor of Domenigoni Valley as close to the saddle dam site as practical, and transported to the dam site using standard concrete mixer trucks.

**Dam Construction Equipment.** The type and number of major construction equipment that are expected to be used at the Domenigoni Valley Reservoir during the height of dam construction activity (mid-1995 to mid-1998) are presented in Table 3.3.3-2. The table lists equipment required for excavation and quarrying of earthfill/rockfill material, transport of construction material to rock-crushing/processing sites and/or the dam sites, rock-crushing/processing, and embankment construction. The west and east dams would be built more or less sequentially, so that the same equipment could be used for both (Figure 3.3.3-1). Fewer types and numbers of equipment would be needed during preliminary phases of dam construction, such as foundation excavation and preparation, and material excavation and stockpiling.

Table 3.3.3-2

**Maximum Numbers of Dam  
Construction Equipment  
Domenigoni Valley Reservoir Site**

Type of Equipment	Number
95-Ton Off-Road Truck	32
52-Ton Scraper	20
Wheeled Tractor (Blade)	14
Track-Type Tractor (Bulldozer)	30
Motor Grader	14
Wheeled Loader	11
Compactor	8
Roller	2
Miscellaneous Trucks	19
Rock Crusher	1
Cranes	2
Conveyor	1
Air Compressor	9
Water Pump	4
<b>Total:</b>	<b>167</b>

**CHAPTER 11 PUBLIC SAFETY**

## CHAPTER 11 PUBLIC SAFETY

### 11.1 INTRODUCTION

This chapter presents a summary of the probabilistic evaluations of potential dam failure that were performed to evaluate the overall safety of proposed reservoir alternatives. For each alternative, the probability, in any given year, of an uncontrollable release of water from the dam system (embankment, foundation, abutments, and ancillary structures) was estimated. This evaluation was based on appropriate factors, considerations, and their relationships, that could contribute to failure scenarios of the dam systems. These critical factors were key to the final computed probability of failure, and can be further evaluated during the final design phase to increase the overall safety level.

It is emphasized that the Eastside Reservoir Project is still at a planning stage. Therefore, the assessment of failure probability performed was based on preliminary designs of the dams and limited data obtained at the sites to date. In fact, a number of key features of the preliminary designs changed and additional alternative preliminary designs were added during the course of this study based, in large part, on the initial results of this study. Such changes and additions can be viewed as the first step in the design optimization for the Eastside Reservoir Project.

The safety study evaluated the probability of failure associated with a primary base design case and an alternative base design case at the Domenigoni Valley west and east dams and the Potrero Creek dam site with a relative estimate made for the Vail Lake dam site.

### 11.2 RISK ANALYSIS METHODOLOGY

#### 11.2.1 Background

For this study, "risk" is defined as the annual probability of a catastrophic failure of a given dam resulting in an uncontrollable release of water impounded in the reservoir. Two key modes of catastrophic failure were considered to be feasible

for each dam under evaluation: (1) failure due to overtopping/loss of freeboard, and (2) failure due to piping/internal erosion. Overtopping or loss of freeboard can initiate failure due to surface erosion and eventual breaching of the dam by water going over the crest of the embankment. Piping or internal erosion can initiate failure due to internal erosion by water flowing through the embankment or through the foundation soils.

Three phases of dam construction and operations were used in evaluating risks of failure:

- The investigation/design/construction phase. While the dam is unlikely to fail during this phase (most likely because of lack of large amounts of water), what is done during this phase will have a significant impact on failure probability during the subsequent phases. This phase will be referred to as the "investigation/design/construction" phase herein.
- The initial filling of the reservoir. Failure sometimes occurs during this phase because it is the first time that a large amount of water is introduced to the dam. This phase will be referred to as the "initial filling" phase herein.
- The operational lifetime following initial filling. The third phase involves a relatively long period during normal operation of the dam including variations in the reservoir water levels due to water release and impoundment. This phase will be referred to as the "steady-state" phase herein.

The investigation/design/construction phase can be used to "drive down" the probability of failure of the dam. For example, if the presence of a weak foundation soil layer greater than some dimension substantially contributes to the failure probability of the dam, then the field investigation program can be designed in such a way that the probability of not detecting such a soil layer would be very low.

For the dams under evaluation in this study, the initial filling phase would be relatively long and gradual (a period of about 5 years), depending on water availability. The performance and operation of various components of the dam system will be monitored extensively during the initial filling period. Any problems and potential problems identified during initial filling will be corrected. Thus, the initial filling will provide an extended "full-scale field test" period to verify the adequacy of many of the components and operations of the dam.

For these reasons, the annual probability of a catastrophic failure was judged to be at least an order of magnitude less during the initial filling phase than during the steady-state phase. Therefore, the present study focused on the calculation and estimation of the annual probability of a catastrophic failure during the steady-state condition phase. Further, the calculation or estimation reflected the benefits from the successful initial filling of the dam.

An economic life of 30 years has been assumed by Metropolitan to evaluate the feasibility of the planned reservoir system. The dam, if built, is likely to be in operation for a longer period of time (such as 100 years). Recent history of technology clearly indicates that the state of knowledge regarding loading conditions on the dam and the dam's response 30 years from now is likely to be substantially more advanced than at present. By the end of the economic life, the project will undergo a thorough reevaluation of the economic feasibility of continuing operation. If it is found to be feasible, the safety of the dam will be evaluated carefully, and the structural operating features of the dam may be modified in light of the improved state of knowledge at that time. Thus, the annual probability of failure beyond the economic life of 30 years is likely to be lower than that for the first 30 years (e.g., Londe 1990). In this study the (higher) annual probability of failure calculated for the economic life was conservatively assumed to be applicable for the longer probable service life of the dam.

### 11.2.2 Description of Logic Tree Model

The risk analysis methodology used in this study is based on the principles of logic tree analysis. Logic tree models have been applied in many industries that employ systems whose failure would have serious economic and safety consequences. Prime examples are the nuclear, chemical, aerospace, and electronics industries (U.S. Nuclear Regulatory Commission 1975; Powers and Tompkins 1974; and Chang, Manning, and Metzger 1970). In recent years, these models have also been applied to such engineering and environmental problems as evaluating probability of failure of pipelines (Lamont, Kulkarni, and Nair 1979); addressing uncertainties in environmental site audits (Kulkarni and Popkin 1989); and analyzing seismic risks (Kulkarni, Young, and Coppersmith 1984). The application of such a model to evaluate the failure probability of dams is discussed by Whitman (1984) and Yegian et al. (1991).

In logic tree analysis, two types of "tree" structures are used to evaluate system safety: event trees and fault trees. An event tree begins with a set of initiating events that poses a threat to the integrity of the system. For each initiating event, subsequent branches of the tree define alternative potential pathways to failure; that is, combinations of intermediate events/conditions that could lead to system failure. The failure pathways should incorporate all of the system's defense mechanisms against a specified initiating event. Therefore, for the system to fail, all of these defense mechanisms must fail first.

Fault trees are used to assess the probabilities of individual events/conditions in failure pathways. A fault tree begins with the definition of the "top event," usually corresponding to an undesired event such as the failure of a specific system function or component. Next, using engineering reasoning and mathematical logic, the events/conditions that lead to the occurrence of the top event are identified. These are called the "lower level events." The process of branching into lower level events is continued until the most basic causes of the top event, called "the basic events," are reached. The basic events should be such that probabilities of

occurrence of these events can be evaluated based on available data and/or experience and judgment.

The logic tree methodology provides the means to estimate the probability of a rare event (such as the failure of a dam). Such a probability is generally extremely small. This means that the available data on such a small probability are, by their nature, very limited. Consequently, the probability of a system failure under such conditions usually cannot be directly estimated from empirical data on the repeated occurrences of system failure. In the logic tree approach, the occurrence of the event is narrowed down into more probable events whose probabilities have a better chance of being estimated using available data and/or judgment. By properly connecting the component events, and using procedures of probability algebra, extremely small probabilities of system failure can be estimated.

### 11.2.3 Summary of Risk Estimates

The proposed reservoir system involves one dam at Potrero Creek, two dams at Domenigoni Valley (Domenigoni west and Domenigoni east), and one dam at Vail Lake. Table 11.2.3-1 shows a summary of risk estimates for each of the reservoir alternatives except Vail Lake (the Vail Lake case is discussed later). The mean annual probability of failure was calculated directly from the event trees developed for various initiating events. The median (i.e., 50th percentile) and 90th percentile values were calculated assuming a lognormal distribution and standard deviation of 1.8 (in natural logarithmic scale) based on results of a previous study.

The extremely low probabilities of failure shown in Table 11.2.3-1 are a consequence of the multiple and redundant defense mechanisms of each dam system. These mechanisms include the following:

- Detailed field investigations during the investigation/design/construction phase to identify problem conditions;
- Extensive monitoring/instrumentation during the initial filling phase;

- Corrective measures taken to address problems identified during the initial filling phase; and
- Conservative and redundant design components (filters, drains, slurry walls, and freeboard).

The failure of a dam can occur only when all of these defense mechanisms fail. Because the failure of each mechanism is an unlikely event in itself, the overall risk of failure, which is a product of the probabilities of individual mechanisms, becomes extremely small.

## 11.3 EVALUATION OF RISKS FOR DOMENIGONI VALLEY, POTRERO CREEK, AND VAIL LAKE RESERVOIR ALTERNATIVES

Quantifying risks for the Domenigoni Valley, Potrero Creek, and Vail Lake dams in terms of probabilities of failure is only one part of the overall risk analysis process. The other important part is to evaluate whether the risks are small enough to be acceptable; in other words, are the planned dams safe enough?

A specific dam failure risk at Vail Lake to impound an additional 150,000 acre-foot reservoir was not evaluated using the methodology discussed earlier. With the exception of the potential for a flood overtopping the dam, the results of such an evaluation for Vail Lake would likely be comparable to the Potrero Creek earth-core rockfill dam. Although the potential for overtopping the Vail Lake dam due to a storm is small, it is credible and would likely increase the risk and be comparable to that associated with the Domenigoni Valley east earth-core rockfill dam. Therefore, the results of a risk analysis for Vail Lake would be in the same range as those presented above.

The extremely small overall probabilities of failure of the Domenigoni Valley, Potrero Creek, and Vail Lake dams are difficult to interpret by themselves. A comparative evaluation of these probabilities helps to put them in appropriate perspective. One useful

Table 11.2.3-1

## Summary of Risk Estimates for All Dams

Dam	Annual Probability of Failure <sup>1</sup>
Domenigoni Valley West (ECRF)	2 X 10 <sup>-8</sup>
Domenigoni Valley West (NECRF)	5 X 10 <sup>-10</sup>
Domenigoni Valley East (ECRF)	4 X 10 <sup>-8</sup>
Domenigoni Valley East (NECRF)	3 X 10 <sup>-9</sup>
Potrero Creek (ECRF)	8 X 10 <sup>-10</sup>
Potrero Creek (CFRF)	2 X 10 <sup>-10</sup>

Notes: <sup>1</sup>Standard deviation of natural logarithm of annual failure probability was assumed to be 1.8 based on previous studies; value shown represents median probability of failure.

<sup>2</sup>ECRF: Earth-core rockfill dam; CFRF: Concrete-faced rockfill dam; NECRF: Narrow earth-core rockfill dam.

comparison is with the annual frequency of failures of large dams. This frequency has been reported to be on the order of about 10<sup>-4</sup> (Whitman 1984). Thus, the mean probabilities of failure of the Domenigoni Valley, Potrero Creek, and Vail Lake dams are three to five orders of magnitude lower than that of the average large dam. Such high levels of estimated safety are considered appropriate for the Domenigoni Valley and Potrero Creek dams due to the following reasons:

- The conservative design based on extensive field investigation;
- Relatively long and controlled initial filling period with remediation as required;
- The extensive testing and monitoring program planned for the dams; and
- Identification of factors critical to the failure of the dam as presented in this report.

All of the above reasons, except the second, would also be applicable for Vail Lake.

The U.S. Nuclear Regulatory Commission (1982) has issued safety goals for the operations of nuclear power plants. Because of the potential for catastrophic incidents involving release of radioactive materials, the safety of nuclear power plants has come under intense scrutiny by regulators, scientists, and the public. Thus, the safety goals for nuclear power plants correspond to the level of acceptable risk for extremely critical facilities. The safety goals state that "the overall mean frequency of a large release of radioactive materials to the environment from a reactor accident should be less than 1 in 1,000,000 per year of reactor operation." The mean probability of failure for the Domenigoni Valley, Potrero Creek, and Vail Lake dams are one to three orders of magnitude lower than the level of acceptable risk of 10<sup>-6</sup> planned for nuclear power plants.

The risks of the proposed dams would be comparable to that of a meteor falling and causing 1,000 or greater fatalities. The annual probability of failure appears to be in the range of 10<sup>-4</sup> to 10<sup>-5</sup> worldwide for dams and 10<sup>-4</sup> to 10<sup>-6</sup> for United States dams. The risks of failure associated with the Domenigoni

Following are Ordinance 460 Section 3.2.J Letters



JUAN C PEREZ  
DIRECTOR  
RIVERSIDE COUNTY TRANSPORTATION  
AND LAND MANAGEMENT AGENCY  
4080 Lemon Street, 11th Floor  
Riverside, CA 92503

Dear Mr. Perez,

Tract No. 35785 (Project)  
Flow Concentration & Potential Drainage Easement

We, the undersigned owners of that certain property with APN 466-220-029, generally located at the SW corner of Wickard and El Centro Roads (please refer to enclosed Assessor's Parcel Map), have received and reviewed the exhibits provided by Global Investment Pool, LLC (Applicant), regarding potential improvements associated with the captioned Project. We understand that those improvements may involve:

- 1) Concentration of drainage flows, and
- 2) Potential drainage easement including Rip Rap and related grading

While we understand that further design and Drawings will be provided at a future date, we will be willing to work with the Applicant to provide the necessary consent and/or permission for the right of entry for the construction identified herein on the above referenced property.

By: JOONG HAENG CHOH AND SOOK P. CHOH  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

Joong Haeng Choh  
JOONG HAENG CHOH  
Sook P. Choh  
SOOK P. CHOH

Date: Nov 16 / 2015

Date: Nov 16 / 2015

By: GENE BYONGJIN OH AND KIM C. H. OH  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
GENE BYONGJIN OH

\_\_\_\_\_  
KIM C. H. OH

Date: \_\_\_\_\_

Date: \_\_\_\_\_

JUAN C PEREZ  
DIRECTOR  
RIVERSIDE COUNTY TRANSPORTATION  
AND LAND MANAGEMENT AGENCY  
4080 Lemon Street, 14th Floor  
Riverside, CA 92501

Dear Mr Perez,

**Tract No. 36785 (Project)**  
**Flow Concentration & Potential Drainage Easement**

We, the undersigned owners of that certain property with APN 466-220-029, generally located at the S/E corner of Wickerd and El Centro Roads (please refer to enclosed Assessor's Parcel Map), have received and reviewed the exhibits provided by Global Investment Pool, LLC, (Applicant), regarding potential improvements associated with the captioned Project. We understand that those improvements may involve:

- 1) Concentration of drainage flows, and
- 2) Potential drainage easement including Rip Rap and related grading

While we understand that further design and drawings will be provided at a future date, we will be willing to work with the Applicant to provide the necessary consent and/or permission for the right of entry for the construction identified herein on the above referenced property.

By: JOONG HAENG CHOH AND SOOK P CHOH  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
JOONG HAENG CHOH

Date: \_\_\_\_\_

\_\_\_\_\_  
SOOK P CHOH

Date: \_\_\_\_\_

By: GENE BYONGJIN OH AND KIM C-H OH  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
GENE BYONGJIN OH

Date: \_\_\_\_\_

\_\_\_\_\_  
KIM C-H OH

Date: \_\_\_\_\_

Tract 36785 Project – Flow Concentration and Potential Drainage Easements

---

By: TAE HEUNG KIM AND KWANG WON KIM  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
TAE HEUNG KIM

Date: \_\_\_\_\_

\_\_\_\_\_  
KWANG WON KIM

Date: \_\_\_\_\_

By: KYUNG HWA KAY IHM,  
AS TRUSTEE UNDER THE KYUNG HWA KAY IHM  
TRUST NO. 1 DATED JUNE 22, 1993  
AS TO AN UNDIVIDED 20% INTEREST

Kyung Hwa Kay Ihm  
KYUNG HWA KAY IHM

Date: 11-10-2015

By: JAE E HAN,  
TRUSTEE OF THE JAE E HAN TRUST NO.1  
DATED OCTOBER 31, 1994, AS TO AN  
UNDIVIDED 20% INTEREST

\_\_\_\_\_  
JAE E HAN

Date: \_\_\_\_\_

JUAN C PEREZ  
DIRECTOR  
RIVERSIDE COUNTY TRANSPORTATION  
AND LAND MANAGEMENT AGENCY  
4080 Lemon Street, 14th Floor  
Riverside, CA 92501

Dear Mr Perez,

Tract No. 36785 (Project)  
Flow Concentration & Potential Drainage Easement

We, the undersigned owners of that certain property with APN 466-220-029, generally located at the S/E corner of Wickerd and El Centro Roads (please refer to enclosed Assessor's Parcel Map), have received and reviewed the exhibits provided by Global Investment Pool, LLC, (Applicant), regarding potential improvements associated with the captioned Project. We understand that those improvements may involve:

- 1) Concentration of drainage flows, and
- 2) Potential drainage easement including Rip Rap and related grading

While we understand that further design and drawings will be provided at a future date, we will be willing to work with the Applicant to provide the necessary consent and/or permission for the right of entry for the construction identified herein on the above referenced property.

By: JOONG HAENG CHOH AND SOOK P CHOH  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
JOONG HAENG CHOH

Date: \_\_\_\_\_

\_\_\_\_\_  
SOOK P CHOH

Date: \_\_\_\_\_

By: GENE BYONGJIN OH AND KIM C-H OH  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
GENE BYONGJIN OH

Date: \_\_\_\_\_

\_\_\_\_\_  
KIM C-H OH

Date: \_\_\_\_\_

LA VENTANA RANCH DEVELOPMENT PROJECT (Tract 36785)

---

TAE HEUNG KIM AND KWANG WON KIM  
HUSBAND AND WIFE AS JOINT TENANTS  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
TAE HEUNG KIM

Date: \_\_\_\_\_

\_\_\_\_\_  
KWANG WON KIM

Date: \_\_\_\_\_

KYUNG HWA KAY IHM,  
AS TRUSTEE UNDER THE KYUNG HWA KAY IHM  
TRUST NO. 1 DATED JUNE 22, 1993  
AS TO AN UNDIVIDED 20% INTEREST

\_\_\_\_\_  
KYUNG HWA KAY IHM

Date: \_\_\_\_\_

JAE E HAN,  
TRUSTEE OF THE JAE E HAN TRUST NO.1  
DATED OCTOBER 31, 1994, AS TO AN  
UNDIVIDED 20% INTEREST

  
\_\_\_\_\_  
JAE E HAN

Date: Jan. 30, 2016

■ Your Property

■ TR 36785

■ Perris Union HS District  
Future HS#4 Project Site

Briggs Road

Leon Road

Garbani Road

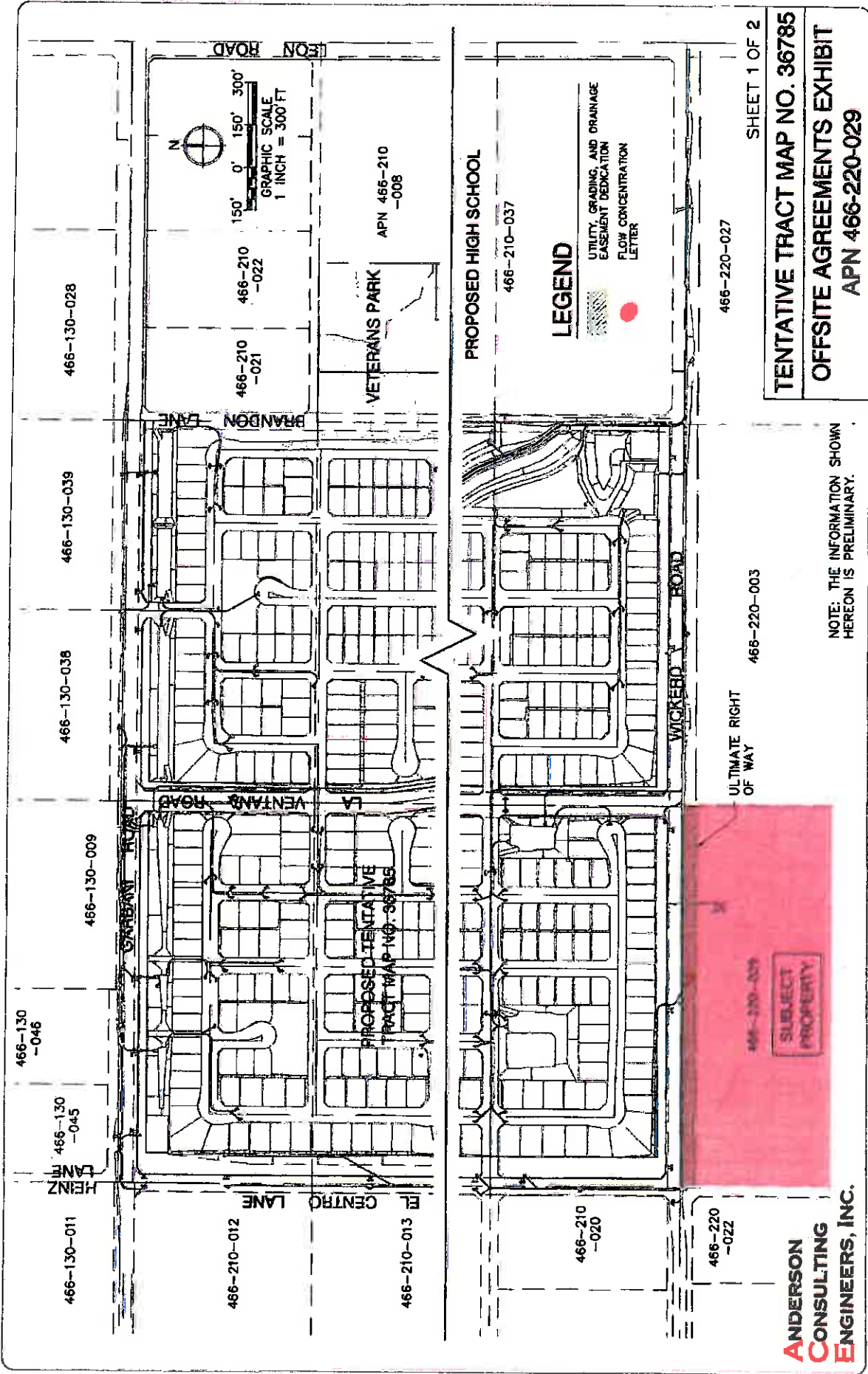
TR 36785  
LA VENTANA

PUHSD  
HS#4

APN  
466-220-029

Scott Road





SHEET 1 OF 2

**TENTATIVE TRACT MAP NO. 36785**  
**OFFSITE AGREEMENTS EXHIBIT**  
**APN 466-220-029**

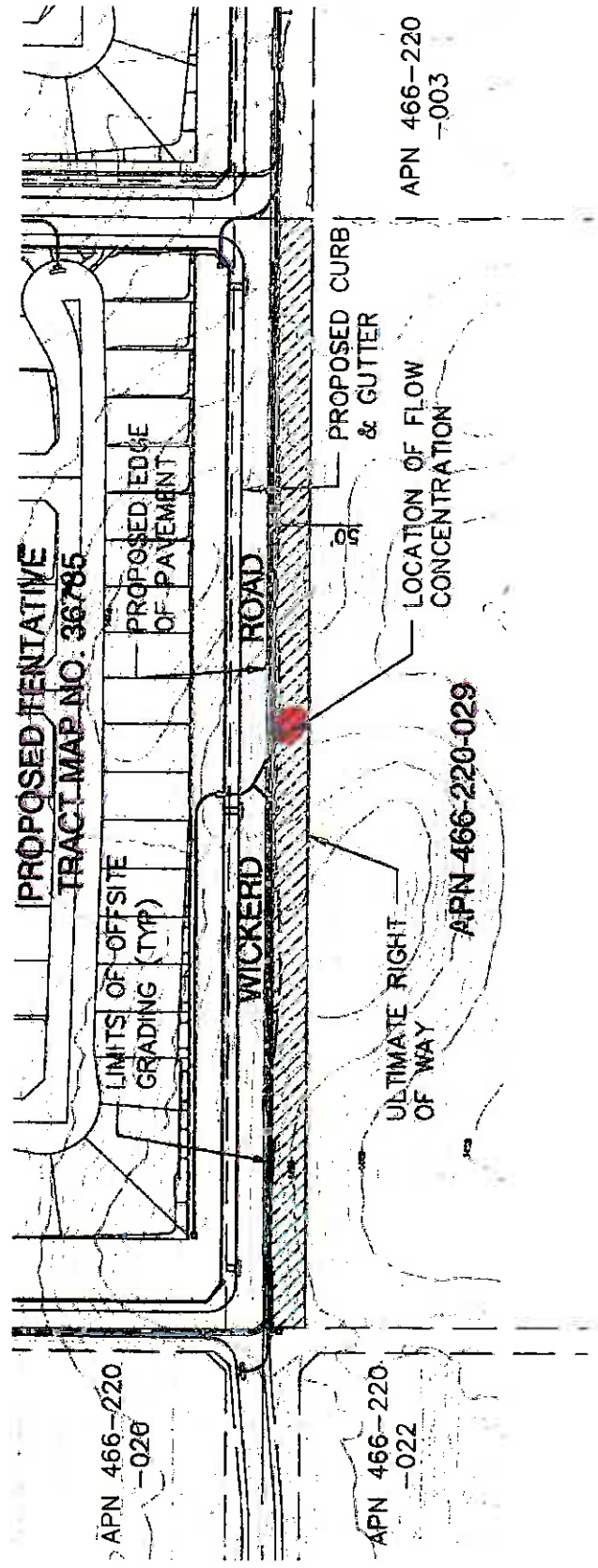
NOTE: THE INFORMATION SHOWN  
 HEREON IS PRELIMINARY.

**ANDERSON**  
**CONSULTING**  
**ENGINEERS, INC.**



100' 0' 100' 200'

GRAPHIC SCALE  
1 INCH = 200FT



NOTE: THE INFORMATION SHOWN  
HEREON IS PRELIMINARY.

SHEET 2 OF 2

### LEGEND

-  UTILITY, GRADING, AND DRAINAGE EASEMENT
-  FLOW CONCENTRATION LETTER

TENTATIVE TRACT MAP NO. 36785

OFFSITE AGREEMENTS EXHIBIT

APN 466-220-029

**ANDERSON**  
**CONSULTING**  
**ENGINEERS, INC.**



CALVARY CHURCH OF MENIFEE

Concentrated Flow and Easements Letter

JUAN C PEREZ  
DIRECTOR  
RIVERSIDE COUNTY TRANSPORTATION  
AND LAND MANAGEMENT AGENCY  
4080 Lemon Street, 14th Floor  
Riverside, CA 92501

Dear Mr Perez,



**Tract No. 36785 Project**  
**Flow Concentration & Potential Drainage Easement**

The CALVARY CHAPEL OF MENIFEE, the undersigned owner of that certain property with APN 466-220-003 , generally located at the S/E of Wickerd and La Ventana Roads (please refer to enclosed Assessor's Parcel Map), have received and reviewed the exhibits provided by Global Investment Pool, LLC, (Applicant), regarding potential improvements associated with the captioned Project. I/We understand that those improvements may involve:

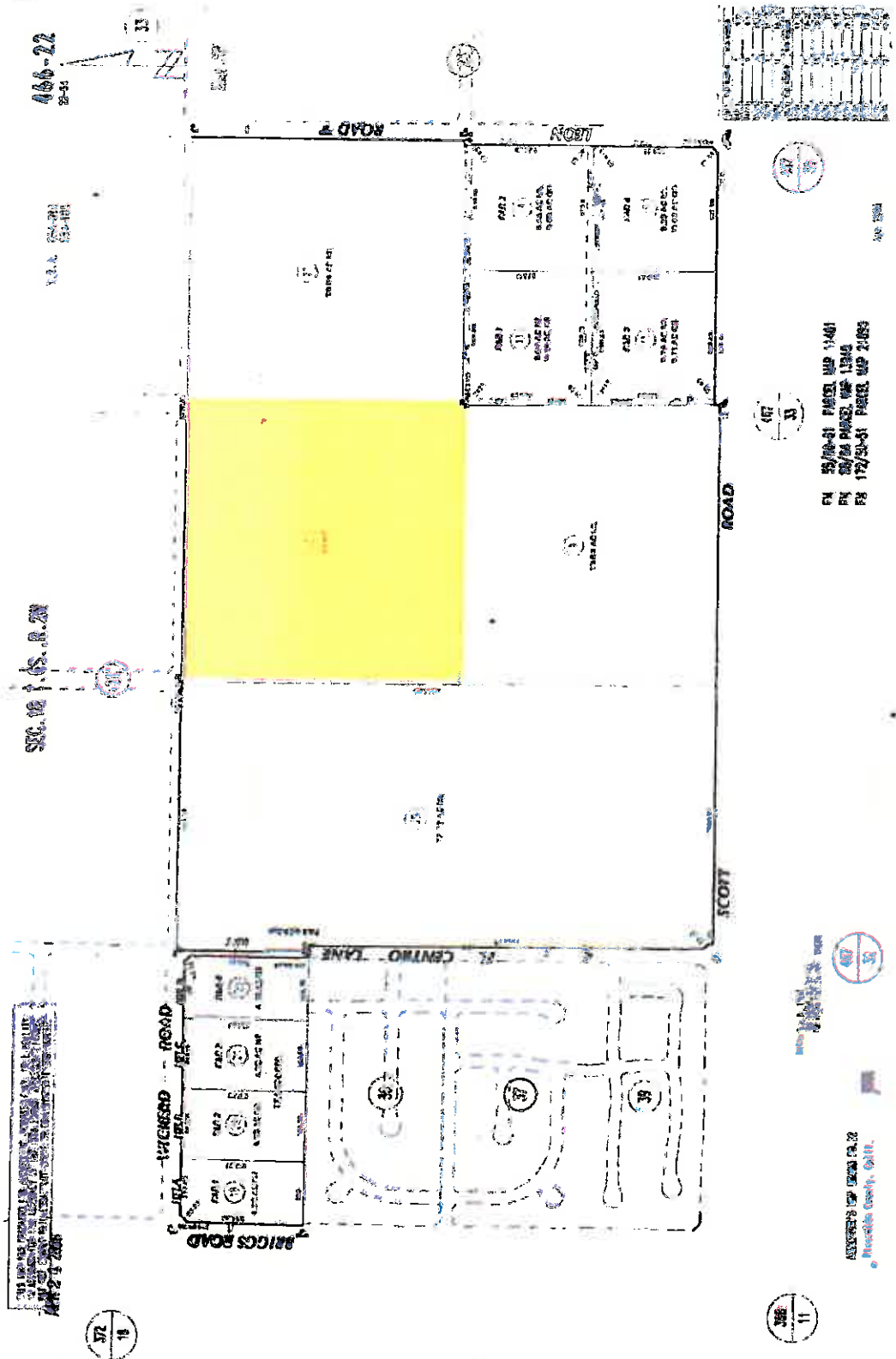
- 1) Concentration of drainage flows, and
- 2) Potential drainage easement including Rip Rap and related grading

While we understand that further design and drawings will be provided at a future date, we will be willing to work with the Applicant to provide the necessary consent and/or permission for the right of entry for the construction identified herein on the above referenced property.

By: THE CALVARY CHAPEL OF MENIFEE

By: \_\_\_\_\_  
  
Name  
  
Title

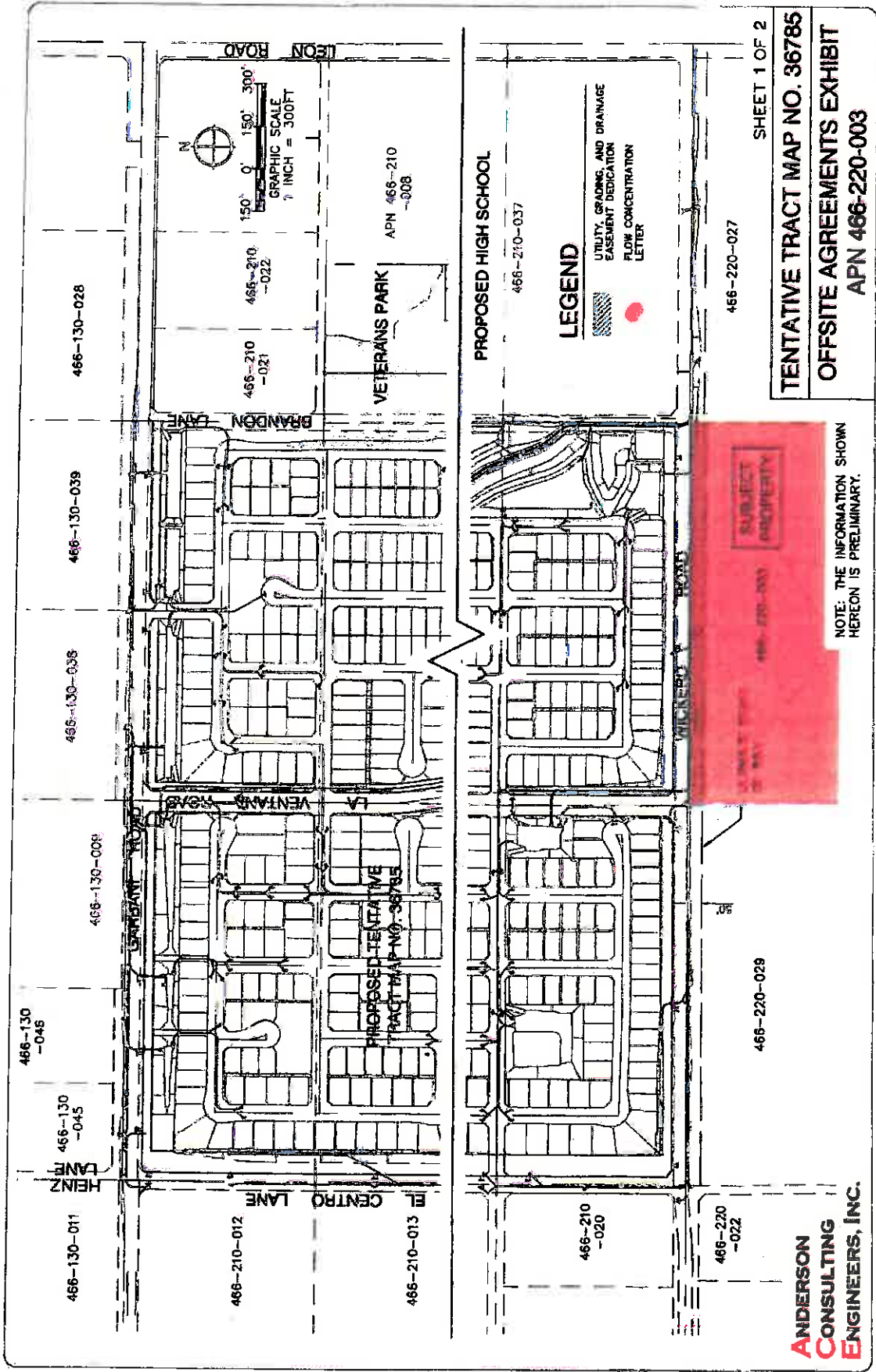
Date: 10-13-13



PA 55/56-61 PARCEL MAP 11-401  
 PA 58/59 PARCEL MAP 13-142  
 PA 172/53-61 PARCEL MAP 2-185

ADVISORY OF OPEN PA-22  
 Precinct County, Ohio

THIS MAP WAS PREPARED BY THE COUNTY ENGINEER'S OFFICE  
 IN ACCORDANCE WITH THE REQUIREMENTS OF THE  
 REVISED COUNTY ENGINEER'S ACT OF 1915  
 APR 23 2008



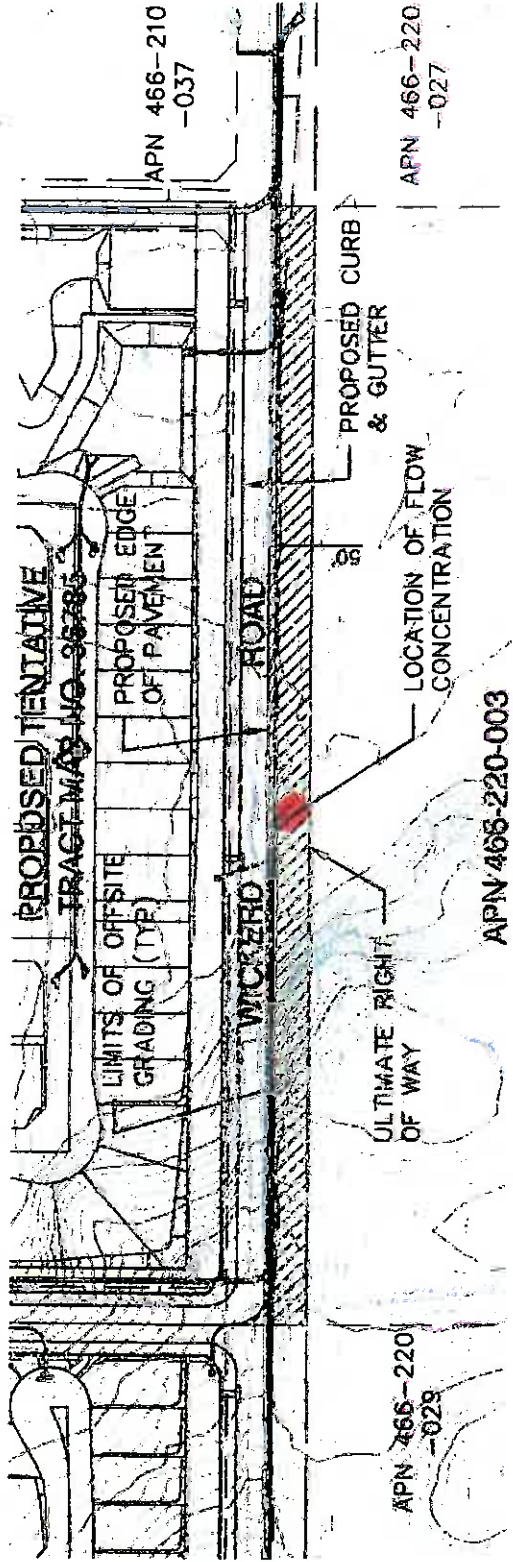
SHEET 1 OF 2  
 TENTATIVE TRACT MAP NO. 36785  
 OFFSITE AGREEMENTS EXHIBIT  
 APN 466-220-003

NOTE: THE INFORMATION SHOWN  
 HEREON IS PRELIMINARY.

**ANDERSON  
 CONSULTING  
 ENGINEERS, INC.**



100' 0' 100' 200'  
 GRAPHIC SCALE  
 1 INCH = 200' FT



NOTE: THE INFORMATION SHOWN  
 HEREON IS PRELIMINARY.

**LEGEND**

-  UTILITY, GRADING, AND DRAINAGE EASEMENT DEDICATION
-  FLOW CONCENTRATION LETTER

**ANDERSON  
 CONSULTING  
 ENGINEERS, INC.**

SHEET 2 OF 2

**TENTATIVE TRACT MAP NO. 36785**

**OFFSITE AGREEMENTS EXHIBIT**

**APN 466-220-003**

ANNE HYMAN / NORTHERN TRUST, et al

Concentrated Flow and Easements Letter

THE HYMAN FAMILY TRUST  
3625 E. Thousand Oaks Blvd., Suite 325  
Westlake Village, California 91362

November 10, 2015

Juan C. Perez, Agency Director  
Transportation and Land Management Agency  
County of Riverside  
4080 Lemon Street, 12th Floor  
Riverside, CA 92501

Re: La Ventana Ranch Development Project (TR 36785):  
Possible Flow Concentration & Potential Drainage Easement

Dear Mr. Perez:

We, the undersigned owners of that certain property with APN's 466-130-036, 037, 038 and 039, generally located at the N/E corner of Garbani and La Ventana Roads (please refer to enclosed Assessor's Parcel Map), have received and reviewed certain exhibits provided by Global Investment Pool, LLC, (Applicant), regarding potential improvements associated with the captioned Project. We understand that those improvements may involve:

Concentration of drainage flows, and

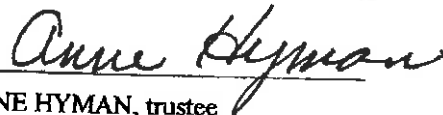
Potential drainage easement including Rip Rap and related grading.

While we understand that further designs and drawings will be provided at a future date (which designs and drawings, as it relates to our property, we will have the right to review approve (or disapprove) in our discretion), we are willing to work with the Applicant to better understand their desire to obtain our consent and/or permission for the right of entry for the construction identified herein on the above referenced property.

Very truly yours,

ANNE HYMAN, NORTHERN TRUST COMPANY and TIMOTHY M. ISON (and their respective successors), not in their respective individual capacities but solely in their respective capacities as co-trustees of the Hyman Family Trust established under Article V of Section A of instrument dated October 30, 1997, as amended,

By:

  
ANNE HYMAN, trustee

By:

  
NORTHERN TRUST COMPANY, trustee

[Signatures Continue on Following Page]

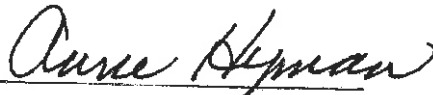
By:



TIMOTHY M. ISON, trustee

ANNE HYMAN and NORTHERN TRUST COMPANY (and their respective successors), not in their respective individual capacities but solely in their respective capacities as co-trustees of the Hyman Marital Trust established under Article VIII of Section A of instrument dated October 30, 1997, as amended

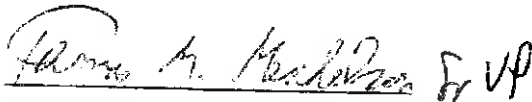
By:



ANNE HYMAN, trustee

By:

6-



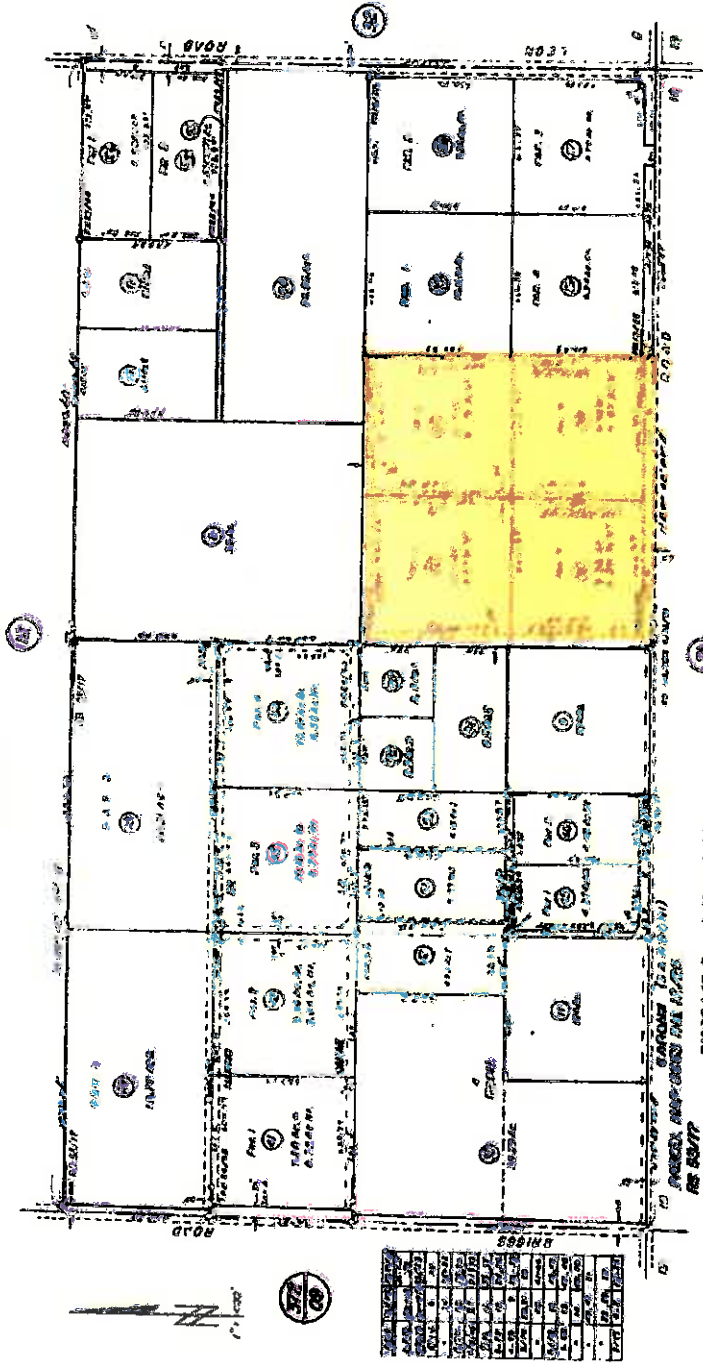
NORTHERN TRUST COMPANY, trustee



466-13  
2-2

T.M.A. 600-02

S 1/2 SEC 7, T. 6S, R. 21W



ASSASSINATED FOR THE STATE OF CALIFORNIA  
SACRAMENTO COUNTY, CALIF.

APR 1908

Recording requested by and when recorded mail to:

PERRIS UNION HIGH SCHOOL DISTRICT  
155 East 4th Street  
Perris, CA 92570  
Attn: Superintendent

*This document is exempt from payment of a recording fee pursuant to Government Code Section 6103.*

*Space above this line for recorder's use*

**SCHOOL FACILITIES FUNDING AND MITIGATION AGREEMENT**

**PERRIS UNION HIGH SCHOOL DISTRICT and GLOBAL INVESTMENT POOL LLC**

**FOR**

**TENTATIVE TRACT MAP 36785**

THIS SCHOOL FACILITIES FUNDING AND MITIGATION AGREEMENT ("Agreement") dated as of May 20, 2015 ("Effective Date"), is entered into by and between the PERRIS UNION HIGH SCHOOL DISTRICT, a public school district organized and existing under the laws of the State of California ("District"), and GLOBAL INVESTMENT POOL LLC a Delaware limited liability company ("Developer"). District and Developer may be referred to herein individually as a "Party," or collectively as the "Parties."

**RECITALS**

A. Developer intends to develop approximately 170 acres of property located in Riverside County ("County"), California, depicted on Exhibit A, with Assessor Parcel Numbers listed below: ("Property").

466-210-029	466-210-033	466-210-038
466-210-030	466-210-034	
466-210-031	466-210-035	
466-210-032	466-210-036	

- B.** Developer is processing entitlements with the County for proposed Tract Map 36785, consisting of a general plan amendment, rezoning and tentative subdivision map pursuant to which the Property is projected to be developed with approximately 523 residential units ("Project").
- C.** District is the fee owner of property located adjacent to the Property at the northwestern intersection of Leon and Wickerd Roads in the unincorporated portion of Riverside County, also depicted on Exhibit A, on which District intends to construct a new high school ("High School Property").
- D.** The Property is located within the attendance boundaries of the District, which is responsible for providing school facilities for students in Grades 9-12 who reside within those attendance boundaries.
- E.** Development of the Property will generate additional Grade 9-12 school students ("Project Students") which in turn will have an impact on existing facilities and the new high school ("New High School") to be constructed on the High School Property.
- F.** District and Developer acknowledge and agree that while funding the school facilities has been a shared obligation between the State and local school districts, both the adequacy and timing of State funding is unpredictable so that the Parties are not able to rely upon State funding to finance school facilities.
- G.** The Property is located within the boundaries of Community Facilities District No. 92-1 of Perris Union High School District ("CFD 92-1"). In the absence of the Parties' mutual agreement as set forth herein, District is authorized to collect special taxes as set forth in the notice of special tax lien of CFD 92-1 which is recorded against the Property.
- H.** District and Developer agree that given the uncertainties of the timing and amount of State funding for school facilities and given the close geographical proximity of the Project and the New High School, it is in the Parties' mutual best interests to enter into this Agreement to provide a local source of funding and improvements for the High School Property that may be in excess of the statutory amount Developer would otherwise be required to provide.
- I.** Developer's performance of this Agreement is intended to constitute complete mitigation of the impact of the development of the Property upon District in lieu of any special taxes of CFD 92-1 and any fees which the District might impose in connection with such development pursuant to Education Code Section 17620 or Government Code Sections 65970 et seq. and 65995 et seq. or any other present or future law.
- J.** Developer and District desire to enter into this Agreement to set forth Developer's obligations to mitigate the effects on the District of its development of the Property within the boundaries of the District and to set forth the corresponding obligations of District.

NOW, THEREFORE, the Parties agree as follows:

**AGREEMENT**

**1. Recitals.**

The foregoing recitals are true and correct.

**2. Definitions.**

Capitalized terms used in this Agreement shall have the meanings set forth as follows unless such terms are defined elsewhere herein or the context requires otherwise:

"Act" means the Mello-Roos Community Facilities Act of 1982, as amended (Government Code Section 53311, et seq.).

"Assessor's Parcel" means a lot or parcel of land designated on an Assessor's Parcel Map with an assigned Assessor's Parcel Number.

"Assessor's Parcel Map" means an official map of the Assessor of the County designating parcels by Assessor's Parcel Number.

"Assessor's Parcel Number" means the number assigned to an Assessor's Parcel by the County for the purpose of identification.

"Building Square Feet" means square footage of assessable internal living space exclusive of garages or other structures not used for living space in a Unit, as determined by reference to the building permit application for such Assessor Parcel.

"Certificate of Compliance" means (i) a certificate issued by the District pursuant to Education Code Section 17620(b) acknowledging the fact that the recipient has complied with all requirements of the District for the payment of statutory school fees/alternative school facility fees/mitigation payments or (ii) a certificate issued by the District acknowledging that adequate provisions have been made for school facilities.

"CFD 92-1" means Community Facilities District No. 92-1 of the Perris Union High School District.

"Commercial/Industrial Development" means any non-residential property including, but not limited to, any hotel, inn, motel, tourist home, or other lodging for which the maximum term of occupancy for guests does not exceed thirty days, but not including any residential hotel, as defined in paragraph (1) of subdivision (b) of section 50519 of the Health and Safety Code, nor any facility used exclusively for religious purposes that is thereby exempt from property taxation under the laws of California, any facility used exclusively as a private full-time day school as described in Section 48222 of the Education Code, or any facility that is owned and occupied by one or more agencies of federal, state, or local government.

"Community Facilities District" or "CFD" means a community facilities district authorized to finance public facilities that is formed by the District or other Public Agency pursuant to the provisions of the Act encompassing all or any portion of the Property.

"County" means the County of Riverside.

"Developer" means Global Investment Pool, LLC, a Delaware limited liability company, its successor and assigns.

"Effective Date" means the date this Agreement has been fully executed and approved by the District's governing board.

"Mitigation Payment" means Five Thousand Nine Hundred Fifty Dollars (\$5,950) per Unit for all Units less than 4,000 Building Square Feet; and \$1.69 per Building Square Foot for each Unit that is 4,000 Building Square Feet or larger ("Mitigation Payment"). The Mitigation Payment shall increase by 2% each January 1, beginning January 1, 2021.

"Project Students" mean Grades 9-12 students enrolled in the District and residing within the Property.

"Public Agency" means the County, any city or other public agency, the boundaries of which include all or any portion of the Property.

"PUHSD CFD 92-1 Special Tax Lien" means the Notice of Special Tax Lien, originally recorded January 25, 1993, in the County of Riverside, California as document number 28785, cancelled by that Notice of Cancellation of Special Tax Lien, recorded January 23, 1995 in the County of Riverside, California as document number 019882; and the Supplemental Notice of Special Tax Lien, recorded December 14, 1994, in the County of Riverside, California as document number 466806.

"Superintendent" means the Superintendent of the District, or his designee.

"Unit" means a separate single family detached dwelling unit constructed on a subdivided Assessor's Parcel within the Property."

### **3. Mitigation of School Facilities Impacts.**

3.1 Purpose and Covenants. The purpose of this Agreement is to set forth the Parties' mutual obligations, including Developer's agreement to fund school facilities needed as a result of its development of the Project and the corresponding obligations of District relating to development of the Project.

3.2 Fulfillment of Obligations. By entering into this Agreement and complying with its terms, Developer shall be deemed to have fulfilled its obligation to assist in funding school facilities to house the Project Students resulting from development of the Property. In consideration of Developer's obligations provided for in this Agreement, District agrees to fulfill its obligations as described in Section 6 below.

3.3 Agreement Unaffected By Changes in Law. District and Developer agree that each Party has negotiated in good faith to reach accord on this Agreement, and as such, the Agreement is a legally binding contract between the Parties, enforceable in accordance with its terms. Developer and District agree that to the maximum extent permitted by law, this Agreement shall not be affected, modified, or annulled by any subsequent change in local, state or federal law.

4. Developer Obligations Prior to Receipt of Certificate of Compliance. In order for Developer to obtain a Certificate of Compliance for a Unit within the Project, Developer must

have completed the following pre-conditions, as described in more detail below: (i) Section 4.1 Timely Payment of Mitigation Payments; (ii) Section 4.2 Completion of Developer Improvements and (iii) Section 4.3 Payment of Fees for Commercial/Industrial Development, if applicable.

**4.1 Timely Payment of Mitigation Payments.**

**4.1.1 Cancellation of CFD 92-1 Special Tax.** Not later than 30 days after the District receives notice that all of the following conditions have been met, the District shall record the necessary documents in the official records of the County of Riverside, California to cancel the CFD 92-1 Special Tax Lien for each Assessor's Parcel that is part of the Property.

(a) No building permit has previously been issued for the Assessor's Parcel and therefore the Assessor's Parcel is not yet subject to the CFD 92-1 "Annual Special Tax" (as defined in the Rate And Method Of Apportionment Of Special Tax for CFD 92-1);

(b) This Agreement has been recorded against the Property in the official records of the County pursuant to Section 7.15 and has not terminated pursuant to Section 7.17;

(c) One or more final subdivision maps, for a total of no fewer than fifty (50) Units within the Project is recorded;

(d) Developer has deposited with the District an amount equal to Mitigation Payments for no fewer than twenty (20) Units within the Project. As a result of such deposit, Developer shall receive a credit against the Mitigation Payments due for twenty (20) Units.

**4.1.2 Payment of Mitigation Payment.** Upon Developer's request for a Certificate of Completion for any Assessor's Parcel, so long as the CFD 92-1 Special Tax Lien applicable to the Assessor's Parcel has been cancelled, Developer shall pay to District the then applicable Mitigation Payment for each Assessor's Parcel as part of its obligations to obtain a Certificate of Compliance.

**4.2 Completion of Developer Improvements.** Developer, at its sole expense, shall have completed construction of or posted a bond, if required, for the following improvements for the benefit of the District, collectively, the "Developer Improvements":

**4.2.1 Sewer Facilities.** Sewer facilities for the New High School in accordance with plans approved by Eastern Municipal Water District to a point of connection designated by District and Developer (currently anticipated to be approximately 150' north of the intersection of Wickerd Road and Brandon Lane at the westerly edge of the school site) with the final location yet to be determined; and

**4.2.2 Garbani Road.** Developer will construct improvements to Garbani Road from Brandon Lane to Leon Road, with street improvements that match the width and specifications required by the County of Riverside. If the Garbani Road improvements are not constructed or Developer has not posted bonds for the improvements by the time building



permits for two hundred (200) Units have been issued, District will have no obligation to issue a Certificate of Compliance for the remainder of the Property until such improvements are constructed or a bond for such improvements has been posted.

4.3 Payment of Fees for Commercial/Industrial Development. Upon Developer's request for a Certificate of Compliance for any Commercial/Industrial Development within the Property, Developer shall pay to District the then current statutory fees per square foot pursuant to Education Code Section 17620 and Government Code Section 65995.

5. Other Development Issues

5.1 Wickerd Road Improvements.

5.1.1 Reimbursement. In the event Developer constructs improvements to or within Wickerd Road prior to District's completion of such improvements, Developer shall be reimbursed by the District within thirty (30) days of completion for actual construction costs related only to that portion of Wickerd Road from Leon Road to Brandon Lane that the District is required to improve as a condition of the County of Riverside Transportation Department.

5.1.2 Scope of Work. The Developer's specific scope of work shall be limited to (a) pavement from the north curb face to south curb face/edge of pavement; (b) necessary engineered grading to daylight with existing topography; and (c) any drainage facilities determined necessary for the High School Property.

5.1.3 District's Obligations. If Developer constructs the portion of Wickerd Road from Leon Road to Brandon Lane, the District shall provide to Developer the following for that portion: a) all approved improvement plans (including temporary drainage structures), b) necessary right of way/easements, c) drainage acceptance/flow concentration letters, and d) bonding, if required by the County.

5.2 Entry Requirements. In the event that construction of the improvements discussed in this Agreement requires entry onto and work on District property, Developer shall obtain a right of entry permit on a form mutually agreed to by the Parties requiring Developer to indemnify and hold harmless the District for any claims, loss or injury resulting from such construction on District property, in addition to maintaining appropriate levels of insurance naming the District as an "Additional Insured."

5.3 Reciprocal Easements. Developer and District shall, in good faith, provide each other with necessary easements and/or drainage acceptance letter(s) for any improvements adjacent to shared property lines between the Project and the High School Property.

6. District Obligations.

6.1 So long as Developer is not in breach of this Agreement, District hereby covenants the following as to the Project:

6.1.1 District's governing board shall include language in its resolution

approving this Agreement stating that Developer has fully mitigated for any potential Project impacts to District facilities, that the District will not seek any additional mitigation for the Project, that the District supports the Project and will cooperate with Developer to obtain approvals from the County.

6.1.2 Except for the Mitigation Payments, District will not exercise any power or authority (under Section 17620 of the California Education Code or any other provision of applicable current or future law) to levy a fee, charge, dedication, or other form of requirement against any Unit or any development undertaken within the boundaries of the Property for the purpose of funding or financing any school facilities.

6.1.4 District will not require the County or any other governmental entity to exercise, or cooperate with the County or any other governmental entity in the exercise of, the power under Title 7, Division 1, Chapter 4.7 of the California Government Code (commencing with Section 65970) or any other provision of applicable current or future law, to require the dedication of land, the payment of fees in lieu thereof, or both, or any other exaction or requirement for classroom or related facilities as a condition to the approval of a Unit or any development within the boundaries of the Property.

6.1.5 District will not sponsor or require the formation of a CFD, assessment district or similar district which includes the Project, without the written consent of Developer, which consent may be given or withheld in Developer's sole discretion.

6.2 District acknowledges that compliance with terms in this Agreement makes adequate provision for the school facilities needed to house the Project Students. By execution of this Agreement, the Superintendent is authorized to execute a document from time to time, if requested by Developer, indicating that this Agreement has been approved by the District, that performance of this Agreement by Developer mitigates the school facilities impacts of the development of the Property and that Developer, as of the time of execution of such document, has performed its obligations as set forth in this Agreement.

6.3 If Developer requests the District to (i) form a CFD for the Project and/or (ii) enter into a Joint Community Facilities Agreement in connection with a CFD being formed by another Public Agency for the Project for the purpose of funding the Mitigation Payments, the District will make reasonable efforts to cooperate.

## **7. Miscellaneous.**

7.1 Successors and Assigns. All of the covenants, stipulations, promises, and agreements contained in this Agreement by or on behalf of, or for the benefit of, either of the Parties, shall bind or inure to the benefit of the successors and assigns of the respective Parties. Nothing in this Agreement shall in any way limit the right or ability of Developer to transfer, assign, encumber, hypothecate or in any way convey any interest of Developer in the Property without the consent of the District provided that transferee assumes all obligations of Developer under this Agreement. District agrees to thereafter look solely to the transferee for performance of Developer's obligations under this Agreement.



7.2 Amendment. This Agreement may not be amended except in writing by Developer and District, duly executed by their authorized agents. Developer and District recognize that it may be necessary to make revisions to this Agreement, clarify its terms or provide additional detail in order to implement its terms after execution by the Parties. Therefore, District delegates to the Superintendent the authority to approve amendments to this Agreement that do not substantially affect the terms contained herein and to approve implementation agreements with Developer that implement or clarify the terms contained herein. Amendments to this Agreement that do substantially modify the terms contained herein must be approved by the Board of Education of the District.

7.3 Entire Agreement. This Agreement supersedes and cancels any and all other agreements, either oral or written, between the Parties with respect to the subject matter herein. Each Party to this Agreement acknowledges that no representation by any Party which is not embodied herein or in any other agreement, statement, or promise not contained in this Agreement shall be valid and binding. The Parties hereto agree to act in a manner that will not frustrate the purposes of this Agreement.

7.4 Attorney Fees. In the event of any action or proceeding brought by either Party against the other under this Agreement, the prevailing party shall be entitled to recover its reasonable attorney fees, costs and expenses incurred in such action or proceeding. In addition to the foregoing, the prevailing party shall be entitled to its reasonable attorney fees and costs and expenses incurred in any post-judgment proceedings to collect or enforce the judgment. This provision is separate and several and shall survive the merger of this Agreement into any judgment on this Agreement.

7.5 Execution. This Agreement may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same agreement.

7.6 Notices. All correspondence, notices or certificates required by this Agreement shall be sufficiently given and served if delivered by hand directly to the individuals named below or sent by United States first-class mail postage prepaid, with return receipt requested, and addressed as follows:

If to Developer:                      Global Investment Pool, LLC  
  Attention: Joseph Rivani, Principal  
  3470 Wilshire Boulevard, Suite 1020  
  Los Angeles, CA 90010

With a copy to:                        Best Best & Krieger LLP  
  3390 University Avenue, 5th Floor  
  Riverside, CA 92501  
  Attention: Michelle Ouellette

If to District:                            Perris Union High School District  
  155 East 4th Street  
  Perris, CA, 92570

Attention: Superintendent

With a copy to: Perris Union High School District  
155 East 4th Street  
Perris, CA, 92570  
Attention: Asst. Superintendent, Business  
Services

With a copy to: Fagen Friedman & Fulfrost LLP  
1525 Faraday Avenue Suite #300  
Carlsbad, CA 92008  
Attention: Kathleen J. McKee

Either Party may change its mailing address at any time by giving written notice of such change to the other Party in the manner provided herein. All notices under this Agreement shall be deemed given, received, made, or communicated on the date personal delivery is effected or, if mail, on the delivery date or attempted delivery date shown on the return receipt.

7.7 Exhibits. The Exhibits attached hereto are deemed incorporated into this Agreement in their entirety by reference.

7.8 Time. Time is of the essence in this Agreement for each and every term, provision and condition for which time is a factor.

7.9 Remedies Cumulative. No remedy or election hereunder shall be deemed exclusive but shall, wherever possible, be cumulative with all other remedies at law or in equity. The waiver or failure to enforce any provision of this Agreement shall not operate as a waiver of any future breach of such provision or of any other provision hereof.

7.10 Construction. The Parties acknowledge and agree that each has been given the opportunity to review this Agreement with legal counsel independently, and/or has the requisite experience and sophistication to understand, interpret, and agree to the particular language of these provisions. In the event of an ambiguity in or dispute regarding the interpretation of same, the interpretation of this Agreement shall not be resolved by any rule of interpretation providing for interpretation against the party who causes the uncertainty to exist or against the draftsman.

7.11 Choice of Law. This Agreement has been negotiated and executed in the State of California and shall be governed and construed by the laws of that state without regard to the conflicts of laws principles.

7.12 Captions. The captions, headings, and titles to the various articles and paragraphs of this Agreement are not a part of this Agreement, are for convenience and identification only, and shall have no effect upon the construction or interpretation of any part hereof.

7.13 No Third Party Benefit. This Agreement is by and between the parties named herein, and unless expressly provided in the foregoing provisions no third party shall be benefited hereby. This Agreement may not be enforced by anyone other than a party hereto or a successor to such party who has acquired his/her/its interest in a way permitted by the above provisions.

7.14 Force Majeure. The obligations of any Party under this Agreement and all deadlines by which any Party's obligations must be performed, shall be excused or extended for a period of time equal to any prevention, delay or stoppage in performance which is attributable to any strike, lock-out or other labor or industrial disturbance, civil disturbance, act of a public enemy, war, riot, sabotage, blockade, embargo, lightning, earthquake, fire, storm, hurricane, tornado, flood or explosion.

7.15 Recording the Mitigation Agreement. Within 30 days of District's receipt of notice from Developer (or Developer's successor) that Developer is the legal owner of the Property, District shall cause this Agreement to be recorded in the official records of the County.

7.16 Binding. Developer acknowledges that District's support of the Project is in consideration of the terms contained in this Agreement. Therefore, this Agreement shall be recorded in the County Recorder's Office and shall bind and inure to Developer's successors and assigns; provided, however, that individual purchasers of Units shall not be deemed successors and assigns of the Developer.

7.17 Termination. This Agreement shall automatically terminate ten years after the Effective Date unless all of the conditions listed below have been met within that ten year period:

7.17.1 This Agreement is recorded against the Property in the official records of the County;

7.17.2 One or more final subdivision maps, for a total of no fewer than fifty (50) Units within the Project is recorded; and,

7.17.3 Developer has deposited with the District an amount equal to Mitigation Payments for no fewer than twenty (20) Units within the Project. As a result of such deposit, Developer shall receive a credit against the Mitigation Payments due for twenty (20) Units.

7.18 Governing Board Approval. This Agreement is subject to the approval or ratification of the District's Board of Trustees.

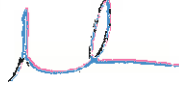
**[Signatures on following page]**

IN WITNESS WHEREOF, the Parties have executed this Agreement as of the dates set forth below.

**DISTRICT**

**PERRIS UNION HIGH SCHOOL DISTRICT**

Date: 5/27/15



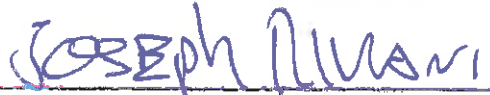
Name: Nick Newkirk

Title: Purchasing Agent

**DEVELOPER**

**GLOBAL INVESTMENT POOL LLC**

Date: 5/28/2015



Name: JOSEPH RIVANI

Title: MANAGER

Date: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_