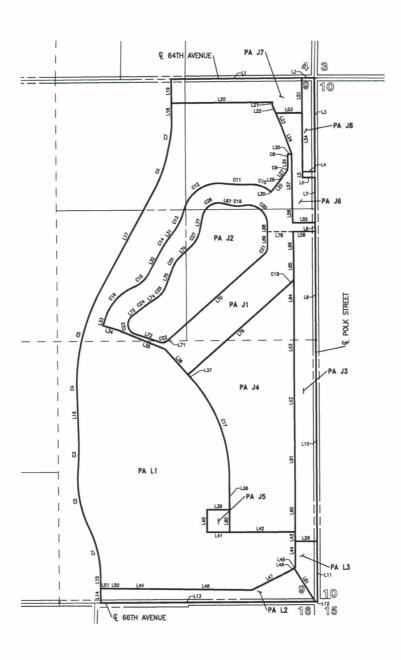
1	ORDINANCE NO. 348.4915					
2	AN ORDINANCE OF THE COUNTY OF RIVERSIDE					
3	AMENDING ORDINANCE NO. 348 RELATING TO ZONING					
4						
5	The Board of Supervisors of the County of Riverside ordains as follows:					
6	Section 1. Section 4.1 of Ordinance No. 348, and Lower Coachella Valley District					
7	Zoning Plan Map No. 41, as amended, are further amended by placing in effect in the zone or zones as					
8	shown on the map entitled "Change of Official Zoning Plan, Lower Coachella Valley District, Map No.					
1	41.094, Change of Zone Case No. 1900027," which map is made a part of this ordinance.					
10	Section 2. This ordinance shall take effect 30 days after its adoption.					
11	BOARD OF SUPERVISORS OF THE COUNTY					
12	OF RIVERSIDE, STATE OF CALIFORNIA					
13	$\mathbf{R}\mathbf{v}$					
14	Chairman, Board of Supervisors					
15	ATTEST:					
16	KECIA R. HARPER Clerk of the Board					
17						
18						
19	By:					
20						
21	(SEAL)					
23						
23	APPROVED AS TO FORM October 19, 2020					
25						
26	By: MELISSA CUSHMAN					
27	Deputy County Counsel					
20						

SEC. 9, T. 7 S., R. 8 E., S. B. M.



SP ZONE SPECIFIC PLAN (SP303 SC3)

MAP NO. 41.094

CHANGE OF OFFICIAL ZONING PLAN LOWER COACHELLA VALLEY DISTRICT

CHANGE OF ZONE CASE NO. 1900027

AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4915

DATE:

RIVERSIDE COUNTY BOARD OF SUPERVISORS





ASSESSORS PARCEL NOS.: 751-070-034 751-070-033

CURVE TABLE			
CURVE #	DELTA	RADIUS	LENGTH
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C5	28'12'44"	2039.00	1004.00
C6	18"34"10"	1361.00	441.10
C7	10'15'10"	1366.22	244.48
C8	10"03'54"	262.00	46.03
C9	38'43'18"	112.00	75.69
C10	40"12'33"	300.00	210.53
C11	7"40"24"	2154.50	288.54
C12	81'23'48"	365.50	519.24
C13	22'14'42"	654.50	254.11
C14	8*31'10"	1000.00	148.69
C15	39'33'07"	300.00	207.09
C16	51'20'17"	500.00	448.01
C17	41"22"28"	1500.00	1083.18
C18	8"13'33"	497.00	71.35
C19	24'04'44"	334.44	140.55
C20	101'14'47"	195.95	346.26
C21	46'50'26"	102.40	83.71
C22	59'14'47"	70.01	72.39
C23	126'53'19"	101.74	225.33
C24	4"51"15"	1000.00	84.72
C25	35'51'36"	250.00	156.47
C26	24'56'45"	316.30	137.71
C27	31'05'52"	322.26	174.91
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	LINE	T	ABLE	
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L2	N89°	34'	20°E	125.59
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L4	N89°	41'	51°E	125.00
L5	S00°	18'	09"E	60.00
L6	N89*	41'	51°E	125.00
L7	S00°	18'	09°E	456.68
L8	S00°	18'	09 " E	92.00
L9	S00°	18'	09"E	1100.07
L10	NOO"	18'	06 " W	2049.61
L11	S00°	18'	06*E	615.40
L12	S89°	37'	52 " W	21.68
L13	N89°	37'	52°E	2176.73
L14	S00°	22'	08"E	146.00
L15	SOO	22'	08°E	118.86
L16	S02*	05'	04°E	475.22
L17	S28*	12'	44"W	1146.98
L18	S00°	33'	39 ° E	231.13
L19	NOO.	33'	38°W	245.00
L20	289	26'	23 " W	1027.33
L21	N00°	33'	37°W	31.35
L22	N23	17'	06*W	86.73
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L25	S79°	37'	57 " W	43.34
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L27	S38°	25'	09°W	59.57
L28	S51*	34'	51"E	4.00
L29	S38 [*]	25'	09"W	179.50
L30	N51'	34'	51 W	15.06
L31	S36'	43'	55*W	71.36
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L43	NOO.	04'	48*W	96.41
L44	NOO"	04'	48°W	263.12
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L48	S89°	25'	36°E	936.33 399.89
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MAP NO. 41.094

CHANGE OF OFFICIAL ZONING PLAN LOWER COACHELLA VALLEY DISTRICT

CHANGE OF ZONE CASE NO. 1900027

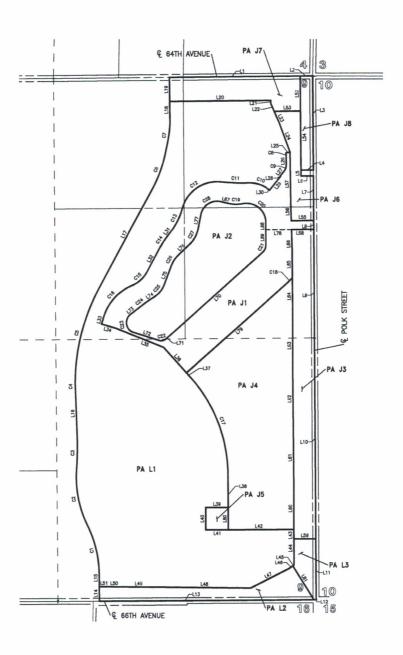
AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4915

DATE:

RIVERSIDE COUNTY BOARD OF SUPERVISORS

SEC. 9, T. 7 S., R. 8 E., S. B. M.



SP ZONE SPECIFIC PLAN (SP303 SC3)

MAP NO. 41.094

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MAP NO. 41.094

CHANGE OF OFFICIAL ZONING PLAN LOWER COACHELLA VALLEY DISTRICT

CHANGE OF ZONE CASE NO. 1900027

AMENDING ORDINANCE NO. 348

ADOPTED BY ORDINANCE NO. 348.4915

DATE:

RIVERSIDE COUNTY BOARD OF SUPERVISORS

ENVIRONMENTAL IMPACT REPORT NO. 396 ADDENDUM NO. 9

for

Tentative Tract Map No. 37269,
Plot Plan No. 180037,
Change of Zone 1900027 and
The Kohl Ranch Specific Plan No. 303,
Substantial Conformance No. 3



Prepared by:

County of Riverside Planning Department 4080 Lemon Street, 12th Floor Riverside, California 92502-1409



Assisted by:

Albert A. WEBB Associates 3788 McCray Street Riverside, California 92506

DATE: October 29, 2019

INTRODUCTION TO ENVIRONMENTAL IMPACT REPORT No. 396, ADDENDUM NO. 9

Project Background

On November 16, 1999, the County of Riverside approved The Kohl Ranch Specific Plan No. 303 (SP303, or "the Specific Plan"), which was prepared pursuant to the authority granted to the County by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 655450 to 65457. SP303 included land uses which allow for development of approximately 7,161 single family residential dwelling units, as well as commercial and industrial land uses, and open space. In conjunction with its approval of SP303, the County of Riverside complied with CEQA by preparing and certifying Environmental Impact Report No. 396 (EIR396).

On January 28, 2003, SP303 was later modified under Amendment No. 1 (SP303A1) and EIR396, Addendum No. 1 (EIR396-A1) and adopted.

On April 7, 2010, the County of Riverside Planning Commission determined that a proposed race course was a land use that would be in aligned with the Heavy Industrial and Open Space zones within the Specific Plan.

On June 7, 2011, the County of Riverside approved and adopted Amendment No. 2 (SP303A2) and EIR396, Addendum No. 2 (EIR396-A2), which was modified to include a racetrack land use. This approval also included related entitlement applications for the Thermal Club Motorsports Track including Plot Plan 24690, Tentative Parcel Map 36315, and Tentative Parcel Map No. 36293. The Applicant requested revisions to the motorsports track including design modifications and construction phasing.

On April 1, 2014, the County approved and adopted Plot Plan No. 24690 Revised Permit No. 1 (PP24690R1), Minor Change to Tentative Parcel Map No. 36293 (PM36293M1), and EIR No. 396, Addendum No. 3 (EIR396-A3). Plot Plan No. 24690 included approval of a public kart racing track for development in Planning Area A-6 of SP303A2.

In September 2014, an approximately one mile driving instruction track with an approximately 49,087 square foot skid pad was found to be in substantial conformance with PP24690 (PP24690SC2). A grading permit was subsequently approved and grading of the track area took place.

On May 19, 2015, the County approved Plot Plan No. 25677 (PP25677) and EIR No. 396, Addendum No. 4 (EIR396-A4) which also covered Tentative Parcel Map No. 36735 (PM36735) which was approved July 15, 2015, providing entitlements allowing for development of the BMW Driver Training Facilities which includes a driver instruction track related to The Thermal Club Motorsports Park located in northern area of Planning Area A-6. PM36735 subdivided PA-6 into 9 parcels; one parcel located north of Jasper Lane for the BMW Facility and 8 parcels south of Jasper Lane for what are currently being proposed for development under Plot Plan No. 26120 and known as the Jasper Lots.

On March 24, 2015, the County of Riverside approved the Kohl Ranch Specific Plan No. 303, Amendment No. 3 (SP303A3) Change of Zone (CZ07852), Noise Exemption (NE06), and EIR396, Addendum No. 5 (EIR396-A5) to create new planning areas within the Thermal Club boundaries and change land use designations to mixed use and allow some overnight accommodations in the southern units around the track. The approved Noise Ordinance Exception (NE06) provides for a continuous event exception to the provisions of Ordinance No. 847 as outlined in Section 7 of the Ordinance to the uses within the boundaries of the Thermal Club because the track units contiguous to the track will be placed in an environment where noise is continually higher when racing and maintaining vehicles than is permitted by the Ordinance without such an exception. TR36851 created duplex units on certain lots within planning areas E-6 and was subsequently approved by the County July 21, 2015 but covered within EIR396-A5.

On July 31, 2017, the County of Riverside approved Plot Plan No. 26120 (PP26120) and Plot Plan No. 26121 (PP26121), and EIR396, Addendum No. 6 (EIR396-A6). PP26120 was approved for development of eight structures along Jasper Lane for warehouse and office use ranging in size from

13,600 squaree feet to 20,300 square feet for a total square footage of 135,549 square feet. PP No. 26121 was approved for development of fifteen structures for warehouse and office uses along Ascot Drive with structures ranging in size from 19,400 square feet to 64,500 square feet for a total square footage of 361,800 square feet.

On March 19, 2018, the County of Riverside approved Plot Plan No. 24690 Revision No. 2 and EIR396 – Addendum No. 7 (EIR396-A7). PP24690R2 was approved for development of a Member's Club located on an approximately 5.4 acre parcel located in Planning Area E-6 of SP303A3 consisting of a 3,354 square foot recreational center with three tennis and game courts, a 2,280 square foot adult pool, 3,578 square foot kids pool, plus 1,647 square foot fitness center with 1,420 square foot locker room, and six hotel suite buildings totaling 23,040 square feet (2,320 square feet per building) housing 8 suites inside each building. PP24690R2 was also approved for development of a trackside garage with a viewing deck located in Planning Area E-2 of SP303A3. The trackside garage was approved as two-story 7,040 square feet with viewing deck on an approximately 140 acre parcel.

On November 6, 2018, the County of Riverside approved The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP303A4), Change of Zone No. 07952 (CZ07952), and EIR396, Addendum No. 8 (EIR396-A8). SP303A4 and CZ07952 were approved to allow for two new planning areas (E-2A and E-2B) within the existing planning area E-2 allowing for "Racetrack Recreational Units" as an allowable use within these two new planning areas. Racetrack Recreational Units are a newly defined use allowing for overnight occupancy.

Summary of Previously Approved Documents

Environmental Impact Report No. 396 (SCH No. 1994112032)

Environmental Impact Report No. 396 (EIR396) was prepared for The Kohl Ranch Specific Plan No. 303 (SP303), certified by the County of Riverside November 16, 1999.

Environmental Impact Report No. 396, Addendum No. 1

Environmental Impact Report No. 396, Addendum No. 1 (EIR396-A1) was prepared for The Kohl Ranch Specific Plan No. 303, Amendment No. 1 (SP No. 303A1), approved by the County of Riverside January 28, 2003.

Environmental Impact Report No. 396, Addendum No. 2

Environmental Impact Report No. 396, Addendum No. 2 (EIR396-A2) was prepared for The Kohl Ranch Specific Plan No. 303, Amendment No. 2 (SP No. 303A2), approved by the County of Riverside June 7, 2011. In addition, Plot Plan 24690, Tentative Parcel Map 36315, and Tentative Parcel Map 36293 for the Thermal Racetrack were also approved by the County of Riverside June 7, 2011.

Environmental Impact Report No. 396, Addendum No. 3

Environmental Impact Report No. 396, Addendum No. 3 (EIR396-A3) was prepared for Plot Plan 24690 Revised Permit No. 1 (PP24690R1) and Tentative Parcel Map 36293, Minor Change No. 1 (PM36293M1), approved by the County of Riverside April 1, 2014.

Environmental Impact Report No. 396, Addendum No. 4

Environmental Impact Report No. 396, Addendum No. 4 (EIR396-A4) was prepared for Plot Plan 25677 (PP25677) and approved by the County of Riverside May 19, 2015. Tentative Parcel Map 36735 (PM36735) was subsequently approved by the County July 21, 2015 but covered within EIR396-A4.

Environmental Impact Report No. 396, Addendum No. 5

Environmental Impact Report No. 396, Addendum No. 5 (EIR396-A5) was prepared for Specific Plan Amendment No. 303, Amendment No. 3 (SP00303A3), Change of Zone (CZ07852), and Noise Exemption (NE06), approved by the County of Riverside March 24, 2015. TR36851 was subsequently approved by the County July 21, 2015 but covered within EIR396-A5.

Environmental Impact Report No. 396, Addendum No. 6

Environmental Impact Report No. 396, Addendum No. 6 (EIR396-A6) was prepared for Plot Plan No. 26120 (PP26120) and Plot Plan No. 26121 (PP26121) approved by the County of Riverside July 31, 2017.

Environmental Impact Report No. 396, Addendum No. 7

Environmental Impact Report No. 396 Addendum No. 7 (EIR396-A7) was prepared for Plot Plan No. 24690 Revision No. 2 approved by the County of Riverside March 19, 2018.

Environmental Impact Report No. 396, Addendum No. 8

Environmental Impact Report No. 396, Addendum No. 8 (EIR396-A8) was prepared for The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP No. 303A4) and Change of Zone No. 07952, approved by the County of Riverside November 6, 2018.

Proposed Project

The Applicant is proposing Substantial Conformance No. 3 to The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP00303S3), Tentative Tract Map No. 37269 (TTM37269), Plot Plan No. 180037 (PPT180037), Change of Zone No. 1900027 (CZ1900027), and Environmental Impact Report No. 396, Addendum No. 9 (EIR396-A9), collectively referred to as the "proposed Project" or "Pending Applications."

Under the *State CEQA Guidelines*, Section 15162, if an Environmental Impact Report (EIR) has been prepared for a project, there is a strong presumption against requiring further environmental review. Public Resources Code 21166 provides that once an EIR has been completed, the lead agency may not require a subsequent or supplemental EIR unless:

- Substantial changes are proposed in the project that will require major revisions of the EIR;
- Substantial changes have occurred in the circumstances under which the project is being undertaken that will require major revisions in the EIR; or
- New information of substantial importance to the project that was not known and could not have been known at the time the EIR was certified as complete becomes available.

The State CEQA Guidelines further clarify these criteria by providing that further environmental review is required only if proposed changes to the project will require "major revisions" to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (14 CCR 15162). Therefore, once an EIR has been approved, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous EIR:
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. (14 CCR 15162).

In processing the Pending Applications in conformity with CEQA, the following Environmental Assessment (EA) was conducted to determine if the changes proposed by the Project, will trigger any new or more severe significant environmental impacts as compared to those analyzed in the context of EIR396. For the purpose of the following discussion and analysis below, EIR396, EIR396-A1, EIR396-A2, EIR396-A3, EIR396-A4, EIR396-A5, EIR396-A6, EIR396-A7, and EIR396-A8 are jointly referred to as the "Previously Approved Project" or "Previous CEQA Documents."

The EA therefore classifies impacts in one of four ways:

□ Potentially Significant New Impact

This category is utilized for any potentially significant new impact that was not analyzed in Previous CEQA Documents.

☐ Less Than Significant New Impact with Mitigation Incorporated

This category is utilized for any new impacts which were not analyzed or found less than significant in Previous CEQA Documents but are nonetheless found to be less than significant with mitigation incorporated.

This category is also utilized to identify impacts which are equal to or less than the impacts found and analyzed Previous CEQA Documents that require revised or eliminated mitigation measures that are specific to the proposed Project.

□ Less Than Significant New Impact

This category is utilized for any new impacts which were not analyzed or found in Previous CEQA Documents but which are nonetheless less than significant.

No New Impact

This category is utilized for impacts which are equal to or less than the impacts found and analyzed in Previous CEQA Documents.

The result of the EA is that the environmental impacts of the proposed Project, as modified by the Pending Applications, do not require substantial changes to EIR396, will not create any form of significant environmental impacts which were not previously analyzed in the Previous CEQA Documents, nor will the impacts of the modified project be more severe than those already analyzed in the Previous CEQA Documents. Given that fact, the Riverside County Planning Department determined that an Addendum to EIR396 is the proper form of environmental review for the Pending Applications based on the following facts:

- No changes to the overall Specific Plan outer boundaries are being proposed. As a result, the environmental impacts to natural land resources that are associated with the physical boundary of the Project have already been analyzed. For example, potential impacts to agricultural resources, biological resources, cultural resources, geology and soils, hydrology/water quality, and mineral resources would be no greater than the effects that were previously analyzed.
- As demonstrated in detail in Section V. Environmental Issues Assessment of this document, the proposed Project would not require major revisions to the previously-certified EIR396 because the proposed Project would neither result in any new significant impacts to the physical environment that were not already disclosed in the EIR396 nor result in substantial increases in the severity of the environmental impacts previously disclosed in the EIR396.
- The proposed Project would not result in additional dwelling units or intensity than already analyzed in previous CEQA documents. As such, the proposed land uses were accounted for in the aggregate unit count that was used to prepare the Water Supply Assessment for EIR396-A2. On January 25, 2018, the Coachella Valley Water District (CVWD) confirmed that the existing Water Supply Assessment is applicable to this Project, and no additional assessment is needed (CVWD-A, Appendix I). Therefore, the proposed Project would not increase water demand beyond what was previously analyzed.
- No land uses are being proposed that will increase the intensity of the site. Therefore, the potential impacts to air quality are no worse than those previously analyzed.
- The proposed Project does not include any revisions to the approved Circulation Plan approved for SP No. 303A4.
- The proposed project will not result in an increase to the number of trips per day than those estimated in EIR396.
- The proposed Project will not substantially alter the present or planned land use of the area, and noise impacts from operations will be similar to those examined previously.
- Subsequent to the certification of EIR396-A8, no new information of substantial importance has become available which was not known or could not have been known at the time it was prepared.
- Mitigation measures identified in EIR396-A8, other than those that have been changed as a result of this EIR Addendum, remain appropriate and feasible for the proposed Project and will still be required, with some additional conditions, upon approval of the Project.

This Introduction, the EA and the mitigation monitoring program collectively make up the Environmental Impact Report No. 396, Addendum No. 9 (EIR396-A9), applicable to the Pending Applications, referred to from this point on as the proposed "Project."

COUNTY OF RIVERSIDE ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: CEQ180127

Project Case Type (s) and Number(s): Tentative Tract Map No. 37269 (Case No. TTM37269), Plot Plan No. 180037 (Case No. PPT180037), Change of Zone No. 1900027 (CZ1900027), and Specific Plan No. 303-Amendment No. 4-Substantial Conformance No. 3 (Case No. SP00303S3).

Lead Agency Name: Riverside County Planning Department

Address: P.O. Box 1409, Riverside CA 92502-1409 **Contact Person:** Jason Killebrew, Project Planner

Telephone Number: (951) 955-0314

Applicant's Name: Kohl Ranch Company, LLC

Applicant's Address: 11812 San Vicente Blvd, Suite 510, Los Angeles, CA 90049

I. PROJECT INFORMATION

Project Description:

The proposed Thermal Beach Club (TBC) Project involves development of approximately 123 acres of vacant land within the community of Thermal, County of Riverside, California as reflected in **Figure 1**, **Vicinity Map**. The TBC Project site consists of Assessor Parcel Numbers (APNs) 751-070-034 and is located within The Kohl Ranch Specific Plan No. 303, bound by Avenue 64 to the north, Polk Street to the east, and proposed "Spine Road" to the west and located north of Avenue 66. As discussed in further detail below, some improvements will encroach into the adjacent APN 751-070-033, so the environmental analysis will take into account impacts within an overall area of impact consisting of approximately 250 acres as presented in **Figure 2**, **Aerial Boundary Map**.

The Project proposes the following land use entitlements:

- The Kohl Ranch Specific Plan No. 303, Amendment No. 4, Substantial Conformance No. 3 (SP303S3);
- Tentative Tract Map No. 37269 (TTM37269); and
- Plot Plan No. 180037 (PPT180037)
- Change of Zone No. 1900027

The TBC is a proposed private residential development intended for use as vacation homes. There may be some semi-public (non-commercial) events occurring from time to time, however, these events will consist of surfing demonstrations for TBC residents and their guests. The clubhouse, otherwise known as "the Village" will provide amenities to serve the TBC residents and their guests. Developer will be building and selling semi-custom homes to prospective residents. Lots will not be offered for sale individually without the home. Only TBC residents, their families and their guests will have access to the lagoon and surf for recreational purposes.

The proposed Project includes development of an approximately 117 acre site to include a private residential neighborhood surrounding a surfing lagoon with beach and village area. An approximately 30 acre area will provide for development of a surfing lagoon using Crystal Lagoon surf technology along with a village area to be used recreationally by the members of TBC and their guests. The lagoon will be capable of producing 6 waves per second with heights to seven feet.

The lagoon contains water cleaning technology from Crystal Lagoons which will allow the lagoon to remain crystal clear and blue at all times. The lagoon's filtration and monitoring system and patented cleaning process uses two percent of the energy and 100 times less chemicals than is needed by conventional swimming pool filtration systems. The crystal lagoon uses up to 30 times less energy than

a golf course and 50 percent less water than is required by a park of the same size. Additionally, the evaporation control film technology reduces water consumption and evaporation even further. The filtration system will be powered by electricity and will be located in an underground vault, similar to those used by golf courses and Home Owner's Associations throughout the desert. This allows for almost completely silent operation. Additionally, an approximately three acre reservoir will be developed to hold irrigation water to be used for the delivery and retention of canal water for recreational purposes within the surf lagoon. The surf system is an air pressure system that allows the creation of naturally occurring swells just as they occur in the ocean. The system uses commercial grade electric heating, ventilation, and air conditioning (HVAC) type fans to create the pressure changes in chambers that are necessary to create a swell mirroring the oceans natural swell. The system is powered by electricity and the fans are located in enclosed concrete chambers to control air pressure and sound levels.

The village area will allow for future development of various private club amenities including clubhouse, pool, spa, retail, office, and restaurant within four buildings consisting of approximately 34,400 square foot designed to encompass a village type feel and atmosphere. The remaining area of the site will be developed with private roads and private residential neighborhood that will include 326 residential dwelling units to be developed into single family homes, duplex and four-plex units. The development will consisting of 131 medium density dwelling units and 195 high density dwelling units. All landscaping in common area and residential unit yards (both front and back) will be installed and maintained by the TBC.

The TBC community will be designed to discourage use of cars so as to feel like a resort. Its design will encourage the use of walking, bicycles, and electric only golf carts. Each residence will have two to four parking spaces within garages. Some residences will have temporary parking allowed within driveways and all parking located outside of owner's spaces will be limited. The TBC will provide a staff driven golf cart shuttle for residents to be picked up and dropped off at the amenity of their choice. The TBC will also provide travel to offsite amenities such as golf courses to further discourage the need for automobile usage.

The Project site also lies within the Jacqueline Cochran Regional Airport Land Use Compatibility Plan; specifically Compatibility Zones D and E, with a small area in the northwest corner touching Compatibility Zone C as reflected in **Figure 3**, **Airport Compatibility Zones**. The area touching Compatibility Zone C lies within road right-of-way whereby the only roadway improvements will be made; no vertical development will take place. Migratory Geese, due to their size, may present potential impacts to aircraft and health hazards to residents due to the large amounts of fecal matter they leave behind. Thus, the Project includes a Wildlife Mitigation Plan in order to:

- Reduce threats to human health and safety;
- Ensure the health and safety of the residents of the Thermal Beach Club and the adjourning properties including the Jacqueline Cochran Regional Airport;
- Mitigate, as much as possible, the risk of bird strikes to aircraft on approach to and departure from the Jacqueline Cochran Airport;
- Reduce damage to property; and
- Remove birds and or encourage birds to seek other locations more safe and desirable for their occupation.

TBC will incorporate the following measures as part of the project through a Wildlife Mitigation Plan to minimize any potential impacts from geese or other wildlife as follows:

Reservoir

- Will be treated to reduce and or eliminate weeds and all organic matter that attracts birds.
- Floating fountains will be installed in reservoir to maintain water movement to prevent stagnation as this allows for growth of organic material.

Landscaping surrounding the lagoon will be maintained to discourage nesting.

Crystal Lagoon/Surf Lagoon

- Lagoon utilizes water cleaning technology which eliminates all organic matter.
- The crystal lagoon by its nature will not attract water fowl.
- Surf Generation equipment will be generating waves from 1 to 7 feet in height.
- Multiple people will be surfing and enjoying water based activities throughout the day.
- The wave and watersports activities, in combination with the Crystal Lagoon, will create an environment that is unfriendly to birds/water fowl.

Landscape Maintenance

- Landscaping throughout the entire property will be installed and maintained in a manner that will
 not allow nesting to start or provide food for migratory birds.
- Thermal Beach Club will be responsible for managing all landscaping, including all common area and the front and back yard landscaping of all residential units.

Bird Mitigation / Goose Depredation Methods

Bird Mitigation and Goose Depredation programs will follow all licensing requirements of the U.S. Fish & Wildlife Services and the California Department of Fish and Game. The program will utilize multiple methods of non-lethal abatement such as:

- Specially trained birds of prey Hawks and Falcons
- Specially trained dogs which are used in conjunction with the hawks and falcons to condition the Geese that the property is a hostile environment not suitable for nesting.
- Remote controlled devices such as boats are used to encourage the geese to seek water elsewhere.
- Use of Parabolic Speakers for bird harassment.
- Laser Conditioning shows a goose that every time they see a laser it means that a predator is
 on its way to the goose. The laser is pointed at the ground near the bird and the dog is released
 to chase the goose. Once the geese know this happens, the laser is extremely effective.
- Removal of nests will be by permit and within the legal limits of such permit.
- A no feeding policy strictly enforced within the community.
- Dedicated staff members employed and trained in bird mitigation tactics.
- Minimum of 5 staff cleaning crystal lagoon 8 hours per day, 7 days per week

In addition to the health and safety benefits of bird abatement, the residents of TBC will have the unique opportunity participate in educational programs relating to the use of Hawks and Falcons in the bird mitigation program where educational events and demonstrations may be provided to residents to enrichen the experience of the TBC residents and their children.

Off-Site Areas

The Project will require approximately 487,000 cubic yards (CY) of import which will be stockpiled just south of the proposed development west of Polk Street, east of "Spine Road" and north of Avenue 60. Approximately 250,000 CY will be obtained from a CVWD basin located approximately three miles to the north within the Kohl Ranch Specific Plan boundary. The haul route will occur along Polk Street which is partially paved. And additional 50,000 to 60,000 CY will be obtained from tribal land located outside of the Kohl Ranch Specific Plan boundary but directly to the east of the Project site. This soil will be pushed across Polk Street during the grading phase. The remaining 177,000 to 187,000 CY will

be obtained from within the Kohl Ranch Specific Plan boundary directly south of the proposed TBC site. This soil will be pushed across to the TBC site during grading.

Additionally, an interim retention basin will be located southeast of the TBC southern boundary just below the proposed "Off-Newport Estates" lots as reflected on TTM37269. The purpose of this interim basin is to retain the incremental increase of runoff from the 100-year storm event. A sand filter bed will be constructed in the bottom of the retention basin to allow percolation into the soil and be treated prior to entering the existing 16-inch tile drain system. Further, this basin will be designed to Riverside County standards to meet the incremental increase drainage.

Specific Plan No. 303, Substantial Conformance No. 3/Change of Zone No. 1900027:

The project entails minor modifications to The Kohl Ranch Specific Plan to allow for a re-configuration of planning areas J-1 through J-8, L-1, L-2, and L-3 to allow for development of the TBC as depicted in **Figure 4, Land Use Plan**. Each planning areas will maintain an acreage variance within 16 to 30 percent and changes to target dwelling unit within each planning area will be no more than 10 percent to maintain consistence with processing of a Substantial Conformance. No land use designation changes are proposed as part of this project.

Tentative Tract Map No. 37269

As reflected in **Figure 5**, **Tentative Tract Map No. 37269**, the Tract Map will subdivide APN 751-070-034 into 326 lots for residential development consisting of 131 medium density dwelling units and 195 high density dwelling units which will include single family home, duplex units and four-plex units; one lot for reservoir; one lot for a private lagoon with wave making capabilities and future village area, along with private internal streets.

Plot Plan No. 180037

As reflected in **Figure 6**, **Plot Plan No. 180037**, the Plot Plan will allow for development of an approximately 30 acre area for a private lagoon with wave making capabilities and future village area allowing for up to four buildings totaling approximately 34,400 square feet. The future village area will be for use by TBC members and their guests that may include development of spa, exercise and locker areas; pool and deck; retail; restaurant, kitchen and bars; dining area for members; and office area.

Figure 1, Vicinity Map

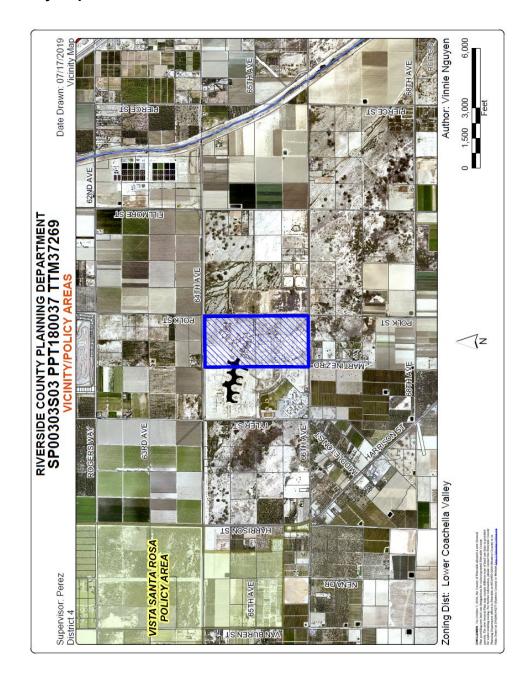


Figure 2, Aerial Boundary Map



Figure 3, Airport Compatibility Zones

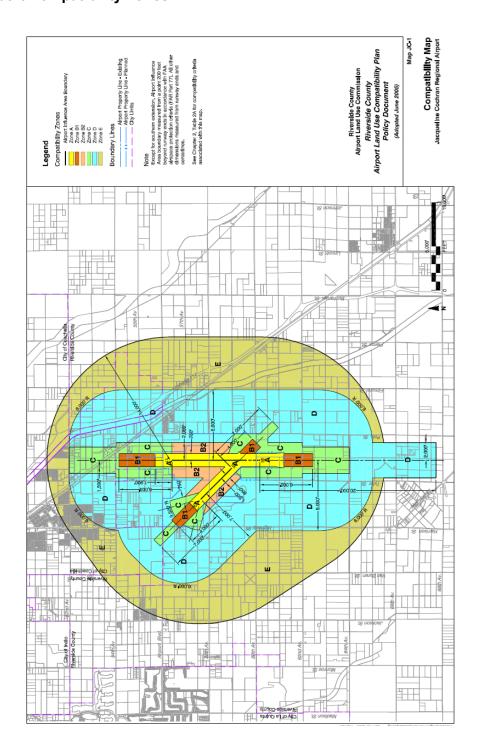
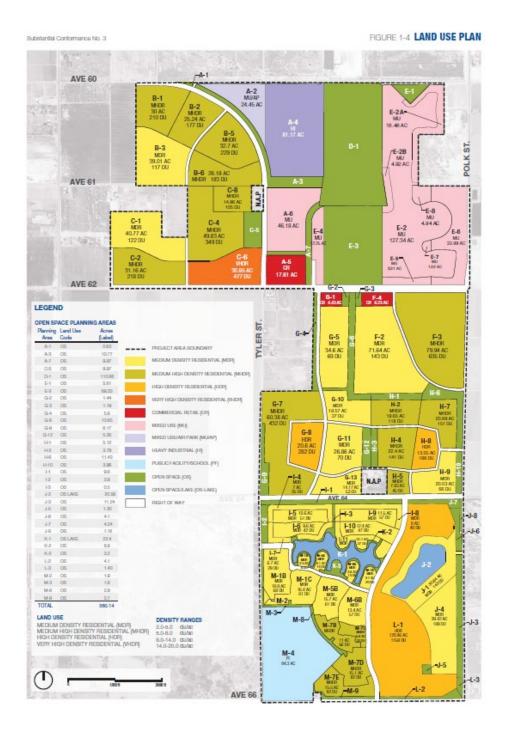


Figure 4, Land Use Plan



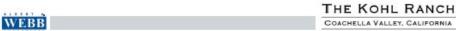


Figure5, TTM37269



Figure 6, PPT180037 (Clubhouse Village)



Α. Τ	Type of Project:	Site Specific ⊠;	Countywide :;	Community :	Policy .
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B. Total Project Area: Approximately 250 acres as described in project description above.

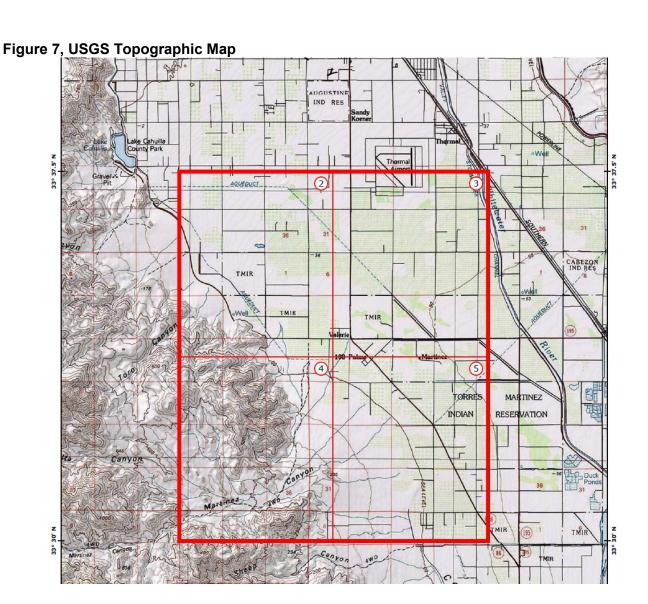
Residential Acres: 87	Lots : 208	Units: 326	Projected No. of Residents: 1,604 ¹
Commercial Acres: n/a	Lots: n/a	Sq. Ft. of Bldg. Area: n/a	Est. No. of Employees: n/a
Industrial Acres: n/a	Lots: n/a	Sq. Ft. of Bldg. Area: n/a	Est. No. of Employees: n/a
Other: See Project Description	above		

C. Assessor's Parcel No(s): 751-070-033 and 751-070-034

Street References: The proposed Project is bound by Avenue 64 to the north, Polk Street to the east, proposed "Spine Road" to the west, and located north of Avenue 64, as reflected in **Figure 2**, above.

- D. Section, Township & Range Description or reference/attach a Legal Description: Section 9, Township 7 South, Range 8 East, San Bernardino Baseline and Meridian as reflected in Figure 7, USGS Topographic Map.
- E. Brief description of the existing environmental setting of the project site and its surroundings: The surrounding area is primarily vacant as depicted in Figure 2, above. The Project site is characterized as a vacant lot with elevations ranging from approximately 150 to 168 feet below sea level. The Project site is surrounded by a mix of developed and undeveloped agricultural lands to the north; vacant lands to the east; agricultural, vacant, and scattered sparse rural development to the south; and vacant lands to the east. The Las Palmitas Elementary, Toro Canyon Middle School, and Desert Mirage High Schools are located just under one half mile southwest of the site located at the corner of Tyler Street and Avenue 66. The Salton Sea is located approximately 6.5 miles southeast of the Project site.

¹ Person-per-dwelling unit generation factor of 4.92, per COR GP, Appendix E-2, p. 2.



II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- 1. Land Use: The proposed Project site is designated Community Development: High Density Residential (CD:HDR), Community Development: Medium Density Residential (CD:MDR), Open Space: Open Space (OS:OS), all as reflected on the Land Use Plan for Specific Plan No. 303, and Open Space: Open Space/Lake (OS:OS-Lake). The Project includes minor modifications to The Kohl Ranch Specific Plan No. 303 to allow for a re-configuration of planning areas J-1 through J-8, L-1, L-2, and L-3 to allow for development of the Thermal Beach Club. Per the Specific Plan, each planning areas will maintain an acreage variance that is within 16 to 30 percent and changes to target dwelling unit within each planning area will be no more than 10 percent to maintain consistency with the Kohl Ranch Specific Plan in order to process a Substantial Conformance. No land use designation changes are proposed as part of this Project. Therefore, the proposed Project will not conflict with any General Plan Land Use polices.
- **2. Circulation:** No circulation changes are proposed. Thus, no policies are applicable and the proposed Project will not conflict with any General Plan Circulation Element policies.
- 3. Multipurpose Open Space: The proposed Project will not conflict with areas identified for conservation, preservation, or reservation within the Multipurpose Open Space Element. The proposed Project is located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) but is not located within any CVMSHCP conservation area. The proposed Project will not conflict with any General Plan Multipurpose Open Space polices.
- 4. Safety: The proposed Project site is not located within a Fault Zone but could be subjected to ground shaking, is within an active subsidence zone, and has a high potential for liquefaction. In addition, it is located within the Jacqueline Cochran Regional Airport Influence Policy Area. The propped Project is located within a 100-year flood plain but will be designed to accept conditions of a 100-year storm event. The proposed Project is located in an area considered to be at very low susceptibility for wildfire. All structures will be required to comply with all applicable local and state regulations including the California Building Code to ensure the health and safety.

There are no known hazardous waste sites in the area but the uses proposed within the proposed Project site and other sites within the vicinity that handle hazardous materials will be required to comply with all applicable state and local laws concerning the handling, storage and disposal of hazardous wastes. As the proposed Project lies directly south of the Jacqueline Cochran Regional Airport, it is within the influence area. The project is consistent will all ALUC Zone D requirements and has incorporated all of ALUC's recommended conditions. Thus, the project is consistent with the Jacqueline Cochran Regional Airport so does not conflict with any County of Riverside General Plan (GP) policies pertaining to airport hazards.

- 5. Noise: Noise impacts from the proposed Project will be generated during construction, from future on-site activities, and from future Project specific traffic that will occur as a result of the Project. During the lifetime of the Project, noise impacts to the Project site will be generated from vehicular-sourced noise from nearby roadways. Further, with implementation of mitigation measures the Project will not conflict with any General Plan Noise Element policies.
- **6. Housing:** Implementation of the proposed Project does not entail the displacement of significant numbers of existing housing nor does it create a need for new housing; thus, the proposed Project will not conflict with General Plan Housing Element policies

- 7. Air Quality: The proposed Project includes site preparation and construction-related activities. The proposed Project will comply with all applicable regulatory requirements to control fugitive dust during construction and grading activities and will not conflict with policies in the General Plan Air Quality Element.
- 8. Healthy Communities: The Project site is surrounded by a mix of developed and undeveloped land with agricultural lands to the north; vacant lands to the east; agricultural, vacant, and scattered sparse rural development to the south; and vacant lands to the east. The Las Palmitas Elementary, Toro Canyon Middle School, and Desert Mirage High Schools are located adjacent to the Project site at the corner of Tyler Street and 66th Avenue. The Project site is not adjacent to city or county boundaries. The Project is located within the Thermal Community but is not located within an established community that would be divided or disrupted by the Project. Nonetheless, the proposed Project will mitigate impacts to ensure Project will not conflict with any Heathy Community Element policies.
- 9. Environmental Justice (After Element is Adopted): N/A
- **B.** General Plan Area Plan(s): The proposed Project site is located within the Eastern Coachella Valley Area Plan (ECVAP).
- **C. Foundation Component(s):** The proposed Project site is located within the Community Development and Open Space Foundation Components.
- D. Land Use Designation(s): The Project's land use designations from SP303A4 are Community Development: High Density Residential as reflected on the Land Use Plan for Specific Plan No. 303 (CD:HDR), Community Development: Medium Density Residential as reflected on the Land Use Plan for Specific Plan No. 303 (CD:MDR), Open Space: Open Space (OS:OS), and Open Space: Open Space/Lake (OS:OS-Lake).
- E. Overlay(s), if any: N/A
- F. Policy Area(s), if any: N/A
- G. Adjacent and Surrounding:
 - General Plan Area Plan(s): Eastern Coachella Valley Area Plan (ECVAP)
 - 2. Foundation Component(s): Community Development (CD) and Open Space (OS)
 - 3. Land Use Designation(s): General Plan adjacent and surrounding land use designations are as follows: Open Space: Open Space-Conservation (OS:OS-C) and Community Development: Medium Density Residential (CD:MDR) to the North as reflected on the Land Use Plan for Specific Plan No. 303; Community Development: Very High Density Residential (CD:VHDR), Community Development: Medium High Density Residential (CD:MHDR), Open Space: Open Space-Conservation (OS:OS-C), Community Development: Medium Density Residential (CD:MDR), Community Development: Commercial Retail (CD:CR), and Community Development: Public Facility (CD:PF) to the West as reflected on the Land Use Plan for Specific Plan No. 303; and Torres-Martinez Reservation to the East and South.
 - 4. Overlay(s), if any: NA
 - 5. Policy Area(s), if any: N/A
- H. Adopted Specific Plan Information
 - **1. Name and Number of Specific Plan, if any:** Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP303A4)
 - **2. Specific Plan Planning Area, and Policies, if any:** Planning Areas J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1, L-2, and L-3
- I. Existing Zoning: Specific Plan (Kohl Ranch Specific Plan No. 303)

- **J. Proposed Zoning, if any:** No zone change proposed at this time, but the internal Specific Plan boundaries of the above-listed Planning Areas are being adjusted.
- **K.** Adjacent and Surrounding Zoning: Specific Plan (SP), Heavy Agriculture (A-2-10), and Light Agriculture (A-1-10).

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked be impact that was a "Potentially Signific Environmental Issues Assessment, b	cant Impact" as described in the <i>EIR</i> 3	<u> </u>
 ☐ Aesthetics ☐ Agriculture & Forest Resources ☐ Air Quality ☐ Biological Resources ☐ Cultural / Paleontological Resources 	 ☐ Greenhouse Gas Emissions ☐ Hazards & Hazardous Materials ☐ Hydrology / Water Quality ☐ Land Use / Planning ☐ Mineral Resources 	 □ Population / Housing □ Public Services □ Recreation □ Transportation □ Utilities / Service Systems
☐ Geology / Soils	Noise Noise	☐ Mandatory Findings of Significance
All topics below were found to be conmitigation measures previously require boxes marked with a red "X." These to	ed in the original EIR or less than sign	nificant with the exception of
 ☐ Aesthetics ☐ Agriculture & Forest Resources ☐ Air Quality ☐ Biological Resources ☐ Cultural Resources ☐ Energy ☐ Geology / Soils ☐ Greenhouse Gas Emissions 	 ☐ Hazards & Hazardous Materials ☐ Hydrology / Water Quality ☐ Land Use / Planning ☐ Mineral Resources ☐ Noise ☐ Paleontological Resources ☐ Population / Housing ☐ Public Services 	 ☐ Recreation ☐ Transportation ☒ Tribal Cultural Resources ☐ Utilities / Service Systems ☐ Wildfire ☒ Mandatory Findings of Significance
IV. DETERMINATIONOn the basis of this initial evaluation:		
	. IMPACT REPORT/NEGATIVE [DECLARATION WAS NOT
	COULD NOT have a significant effe prepared.	ct on the environment, and a
will not be a significant effect in this	d project could have a significant effects case because revisions in the project e project proponent. A MITIGATED	t, described in this document,
☐ I find that the proposed proje ENVIRONMENTAL IMPACT REPO	ect MAY have a significant effect on RT is required.	on the environment, and an
	MPACT REPORT/NEGATIVE DECL	
NEW ENVIRONMENTAL DOCUMI effects of the proposed project have pursuant to applicable legal standard	ed project could have a significant enter the ENTATION IS REQUIRED because been adequately analyzed in an earlieds, (b) all potentially significant effects to that earlier EIR or Negative Declaration.	(a) all potentially significant or EIR or Negative Declaration of the proposed project have
	environmental effects not identified	

Declaration, (d) the proposed project will not substantially increase the severity of the environmental effects identified in the earlier EIR or Negative Declaration, (e) no considerably different mitigation

	I find that although all potentially significant effects EIR or Negative Declaration pursuant to applicable legal	
	necessary but none of the conditions described in Califor	
	An ADDENDUM to a previously-certified EIR or Negative	ve Declaration has been prepared and will be
l	considered by the approving body or bodies.	
	☐ I find that at least one of the conditions described in (
	exist, but I further find that only minor additions or chan	
	adequately apply to the project in the changed situ	
l	ENVIRONMENTAL IMPACT REPORT is required that n	•
ŀ	make the previous EIR adequate for the project as revise	
	I find that at least one of the following conditions Section 15162, exist and a SUBSEQUENT ENVIRON	MENTAL IMPACT REPORT is required: (1)
	Substantial changes are proposed in the project which we or negative declaration due to the involvement of new significant control of the involvement of the involvem	
	increase in the severity of previously identified significant	
	with respect to the circumstances under which the pro-	
	revisions of the previous EIR or negative declaration	
	environmental effects or a substantial increase in the sev	
	or (3) New information of substantial importance, which w	
	with the exercise of reasonable diligence at the time the	
	negative declaration was adopted, shows any the follo	
	significant effects not discussed in the previous EIR or	
	previously examined will be substantially more severe	
	declaration;(C) Mitigation measures or alternatives previfeasible, and would substantially reduce one or more significant to the state of the state	
	proponents decline to adopt the mitigation measures of	
	alternatives which are considerably different from thos	
	declaration would substantially reduce one or more signif	
	but the project proponents decline to adopt the mitigation	
-	0.000	Dit
	Signature	Date
-	Jason Killebrew	9/9/2019
	Printed Name	

V. ENVIRONMENTAL ISSUES ASSESSMENT

□ No New Impact

The County prepared the following Environmental Checklist as suggested by Section 15164(d) of the *State CEQA Guidelines*. The *State CEQA Guidelines* include a suggested checklist to indicate whether the conditions set forth in Section 15162 of the *State CEQA Guidelines*, which would require a subsequent or supplemental EIR, are met and whether there would be new significant impacts resulting from the Project not examined in the previously certified EIR396.

There are four possible responses to each of the environmental issues included on the Environmental Checklist.

Potentially Significant New Impact
This category is utilized for any potentially significant new impact that was not analyzed in EIR396.
Less than Significant New Impact with Mitigation Incorporated
This category is utilized for any new impacts which were not analyzed or found less than significant in EIR396, but are nonetheless found to be less than significant with mitigation incorporated.
This category is also utilized to identify impacts which are equal to or less than the impacts found and analyzed EIR396, that require revised or eliminated mitigation measures that are specific to the proposed Project.
Less than Significant New Impact
This category is utilized for any new impacts which were not analyzed or found in EIR396, but which are nonetheless less than significant.

This category is utilized for impacts which are equal to or less than the impacts found and analyzed in EIR396.

The Environmental Checklist and accompanying responses provide the information and analysis necessary to assess relative environmental impacts of the proposed Project in the context of environmental impacts addressed for Kohl Ranch Specific Plan No. 303, Amendment No. 4, Substantial Conformance No. 3 (SP303S3) in the previously certified EIR531. In doing so, the County will determine the extent of additional environmental review, if any, for the current Project.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
AES		TICS Would the project:				
1.	Sce a)	enic Resources Have a substantial effect upon a scenic highway corridor within which it is located?				
	b)	Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings and unique or landmark features; obstruct any prominent scenic vista or view open to the public; or result in the creation of an aesthetically offensive site open to public view?				\boxtimes
	c)	In non-urbanized areas, substantially degrade the existing visual character or quality of public views of the site and its surroundings? (Public views are those that are experienced from publicly accessible vantage points.) If the project is in an urbanized area, would the project conflict with applicable zoning and other regulations governing scenic quality?				

Source(s): CALTRANS, EIR396, GP

Findings of Fact:

a) EIR396 Conclusion: No Impact. EIR396 determined that no scenic highway corridors would be affected by the project (EIR396, Appendix A, p. 9). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396. EIR396 and EIR396-A1 through EIR396-A8 are collectively referred to as "the prior CEQA documents."

No New Impact. The proposed Project lies within the same area as previously analyzed. There are no scenic highways within the vicinity of the Project area (GP, Figure C-8). No new scenic highways have been designated in the vicinity since EIR531 was prepared. A section of State Route 111 that has been designated "Eligible State Scenic Highway – Not Officially Designated" is approximately 3.3 miles east of the Project site (CALTRANS). Since this is not officially designated, this does not impact the Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would not obstruct any prominent scenic vista or view open to the public, or result in the creation of an aesthetically offensive site open to public view (EIR396, Appendix A, p. 9). EIR396 determined, with the implementation of Mitigation Measure C13-1, there would be no impact to scenic resources (EIR396, pp. V-190 – V-191). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project contains no major rock outcroppings, trees, or unique or landmark features and continues to include Planning Standards and Design Guidelines which will ensure the proposed Project results in an aesthetically pleasing area and views of the surrounding scenic resources are not obstructed by the proposed Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would not obstruct any prominent scenic vista or view open to the public, or result in the creation of an aesthetically offensive site open to public view (EIR396, Appendix A, p. 9). EIR396 determined that the project would alter visual aspects of the project site, but Mitigation Measure C13-1 would ensure architectural and landscaping consistency in proposed projects by creating a unique and unifying theme throughout the area (EIR396, p. V-191).

No New Impact. The proposed Project lies within the same area as previously analyzed, and does not change the land use designations, zoning, or land use intensity of the site from what was analyzed in the prior CEQA documents. The Project is located in the community of Thermal, which is an unincorporated area of Riverside County. Per CEQA Guidelines Section 21071, an unincorporated area is considered urbanized area if it satisfies criteria (1) and (2) below.

- (1) The unincorporated area is either A or B below:
 - (A) Completely surrounded by one of more incorporated cities and both of the following are met:
 - The population of the unincorporated area and the population of the surrounding incorporated city or cities equals not less than 100,000 persons.
 - The population density of the unincorporated area at least equals the population density of the surrounding city or cities.
 - (B) Located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile. An "urban growth boundary" means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side.
- (2) The board of supervisors with jurisdiction over the unincorporated area has previously taken both of the following actions:
 - (A) Issued a finding that the general plan, zoning ordinance, and related policies and programs applicable to the unincorporated area are consistent with principles that encourage compact development in a manner that does both of the following:
 - Promotes efficient transportation systems, economic growth, affordable housing, energy efficiency, and an appropriate balance of jobs and housing.
 - Protects the environment, open space, and agricultural areas.
 - (B) Submitted a draft finding to the Office of Planning and Research at least 30 days prior to issuing a final finding, and allowed the office 30 days to submit comments on the draft findings to the board of supervisors.

The community of Thermal is surrounded by unincorporated communities to the west, east, and south. The only city adjacent to the community of Thermal is the City of Coachella to the north. Since Thermal does not meet criteria (1) above, Thermal is considered a non-urbanized area. Consistent with the findings of the prior CEQA documents, the proposed Project will not degrade the existing visual character or quality of the area or the surrounding properties. Mitigation Measure C13-1 remain in effect and ensure that the development of the Project site provides a visual character that is consistent with other developments within the Kohl Ranch SP. Thus, Mitigation Measure C13-1 remains in effect for the proposed Project to ensure impacts remain less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
Mitiga	ation:	All mitigation measures related to this issue t documents remain in effect as they are not affect				EQA
Monit	toring:	Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.
2.	Mt. a)	Palomar Observatory Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?				\boxtimes
Sourc	ce(s):	EIR396, ORD 655, RCIT				
Findi	ings c	of Fact:				
a)	imp C13	2396 Conclusion: Less Than Significant with Mitigation acts would be less than significant with the implem 3-8, C13-11, and C13-12 (EIR396, pp. V-192 – permined there to be no impacts beyond what was a	nentation of V-194). EIF	f Mitigation N R396-A1 thro	<i>leasures</i> C	:13-7,
	loca obs the Mea pre	New Impact. The proposed Project lies within the sated within Zone B of the Mt. Palomar Nighttime Lightervatory is approximately 43.4 miles southwest of tregulatory requirements of Ordinance No. 655 (OR asure C13-11 and C13-12, the proposed Project wiviously analyzed. Therefore, no new or substant posed Project beyond those analyzed by the prior O	nting Policy he Project s D 655) and Il not result ially increa	Area (RCIT); site. Through I implementat in impacts be sed impacts	the Mt. Pal compliance tion of Mitig eyond wha	lomar e with gation t was
Mitiga	ation:	All mitigation measures related to this issue t documents remain in effect as they are not affect				EQA
Monit	toring:	Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.
3.	Oth a)	er Lighting Issues Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				\boxtimes
	b)	Expose residential property to unacceptable light levels?				\boxtimes
Sour	ce(s):	EIR396, ORD 655				
Findi	ings c	of Fact:				
a-b)	imp thro	2396 Conclusion: Less Than Significant with Mitigation eacts would be less than significant with the implem ough C13-12 (EIR396, pp. V-192 – V-194). EIR396- be no impacts beyond what was analyzed in EIR396	mentation of A1 through	of Mitigation N	Measures (C13-2
	doe	New Impact. The proposed Project lies within the s not result in an increase in intensity. Low preservenced in Riverside County Ordinance No. 655 (O	sure sodiu	m lighting wi	ill be utilize	ed as

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residential uses as well as to surrounding properties and "night glow" will be reduced to less than significant levels by using hoods and other design features on light fixtures used within the proposed Project and through implementation of Mitigation Measures C13-2 - C13-9, C13-11, and C13-12, and as required through standard County conditions of approval, plan checks,

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

permitting procedures, and code enforcement. Daytime glare will be reduced through the implementation of Mitigation Measure C13-10. Thus, Mitigation Measures C13-2, and C13-9 through C13-12 remain in effect for the proposed Project to ensure impacts remain less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

AGI	RICUI	LTURE & FOREST RESOURCES Would the project:		
4.	Agr	iculture		
	a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		\boxtimes
	b)	Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?		\boxtimes
	c)	Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?		
	d)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?		\boxtimes

Source(s): DOC, EIR396, FMMP, RCIT

Findings of Fact:

a) EIR396 Conclusion: Significant and Unavoidable. EIR396 determined that the project would result in the loss of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance (EIR396, p. V-74). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. As depicted on the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the Project site is located only within Farmland of Local Importance. Since the Project site does not have any land designated as Prime, Unique, or Farmland of Statewide Importance, no conversion of Farmland to non-agricultural use will occur. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

b-d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would have significant impacts with the implementation of Mitigation Measures C2-1 through C2-3 (EIR396, pp. V-75 – V-77). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
	incorporated		

No New Impact. The proposed Project lies within the same area as previously analyzed and is located only in Farmland of Local Importance. No new areas will be affected or result in the loss of Farmland. No new Williamson Act contracts have been enacted within the proposed Project since 1996 and no active Williamson Act contracts currently exist within the site (DOC). The Project does not propose to change the zoning designations of the property. Per the Riverside County Map Viewer (RCIT), The Project is not located in a Riverside County Agricultural Preserve. With implementation of Mitigation Measures C2-1 through C2-3, the proposed Project would not result in impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

5.	For a)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?		
	b)	Result in the loss of forest land or conversion of forest land to non-forest use?		\boxtimes
	c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?		\boxtimes

Source(s): EIR396
Findings of Fact:

a-c) EIR396 Conclusion: Not analyzed because these thresholds were not applicable at the time of EIR396. EIR396-A1 through EIR396-A8 determined there to be no impacts to forest land so there were no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and does not include areas of native tree cover or timber production and is not presently zoned to support this type of use. The Project does not propose to change the zoning of the property. The proposed Project would not result in impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. Monitoring: None required.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
AIR	QUA	LITY Would the project:				
6.		Quality Impacts				
	a)	Conflict with or obstruct implementation of the applicable air quality plan?				\boxtimes
	b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?		\boxtimes		
	c)	Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?		\boxtimes		
	d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				

Source(s): EIR396, EIR396-A2, SCAQMD 2003, SCAQMD 2016, SCAQMD 402, WEBB-A,

Findings of Fact:

a) EIR396 Significant and Unavoidable. Even with the implementation of Mitigation Measures C6-11 and C6-14, there would still be significant impacts to the applicable South Coast Air Quality Management District's (SCAQMD) 1994 Air Quality Management Plan (AQMP) (EIR396, pp. V-113, V-122 – V-123, V-131). Short-term air quality impacts would still be significant even with the implementation of Mitigation Measures C6-1 through C6-5 (EIR396, pp. V-114 – V-116). Long-term air quality impacts would still be significant with the implementation of Mitigation Measures C6-6 through C6-10, and C6-12 (EIR396, pp. V-116 – V-118, V-125 – V-126). In addition to the above mentioned mitigation measures, EIR396-A2 identified Mitigation Measures MM Air 1 through MM Air 6 to help reduce impacts specifically for the Thermal Motorsports Park Race Track (analyzed in comparison to SCAQMD's more recent 2007 AQMP), however, impacts are still significant even with this additional mitigation (EIR396-A2, pp. 45-46). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed in the prior CEQA documents. The Project site is under the jurisdiction of SCAQMD. The SCAQMD has adopted a series of AQMPs to reduce air emissions in its jurisdiction. When EIR396 was certified, SCAQMD's 1994 AQMP was the applicable air quality plan, and the 2007 AQMP was considered in EIR396-A2. Since that time, SCAQMD has adopted several updates to the AQMP, including the 2016 AQMP which was approved in March 2017 and is in effect at this time (SCAQMD 2016). For purposes of evaluation and to determine whether the proposed Project may have the potential to result in any new or more severe air quality impacts than disclosed in the prior CEQA documents, consistency with the 2016 AQMP, which is applicable today, is discussed below.

The proposed Project lies within the same area as previously analyzed and does not propose to change the land use or increase the site intensity or number of dwelling units beyond what was already analyzed in the prior CEQA documents. The Project will not result in air pollutant emissions that were not anticipated by the 2016 AQMP and will not exceed the AQMP's long-term growth assumptions because the Project will implement the same land uses contemplated in the prior CEQA documents on the Project site. As such, the proposed Project was accounted for in the regional growth projections that were used to prepare the 2016 AQMP. Therefore, no

Potentially Less than Less No Significant Significant Than New New **New Impact** Significant Impact **Impact** with New Mitigation Impact Incorporated

new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Threshold did not previously exist, however at the time the Project site was located within the Southeast Desert Air Basin (SEDAB) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SEDAB, comprised of the eastern portion of San Bernardino, Riverside, Kern, Los Angeles and San Diego Counties, and all of Imperial County, continued to exceed state and national ambient air quality standards (NAAQS) on more than 150 days annually, despite efforts to control emissions from stationary pollutant sources and motor vehicles (EIR396, p. V-105). EIR396-A2 demonstrated that, after the incorporation of mitigation measures and with emissions reductions utilized in EIR396, projected short-term emissions from construction were below applicable SCAQMD daily regional thresholds. It also determined that the operational emissions would exceed SCAQMD operational thresholds for volatile organic compounds (VOCs), nitrogen oxide (NO_{X)}, and carbon monoxide (CO); thus, the Project's incremental contribution to criteria pollutant emissions for which the region is non-attainment, were also considered to be cumulatively considerable (EIR396-A2, p. 46).

Less than Significant New Impact with Mitigation Incorporated. An Air Quality Analysis was prepared by Albert A. Webb Associates dated June 12, 2019 (WEBB-A). WEBB-A was prepared to evaluate whether the expected criteria air pollutant emissions generated as a result of construction (short-term) and operation (long-term) of the proposed Project would cause exceedances of SCAQMD's thresholds for air quality in the Project area. The Project's applicable SCAQMD regional daily significance thresholds for construction and operation for criteria pollutants VOC, NO_x, CO, sulfur dioxide (SO₂), particulate matter 10 micrometers or less in diameter (PM-10), and particulate matter 2.5 micrometers or less in diameter (PM-2.5), are shown on Table 1 of WEBB-A. SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same (SCAQMD 2003). Consequently, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. A discussion of the Project's potential short-term construction-period and long-term operational-period air quality impacts is provided below.

Construction Emissions

Construction emissions from Project construction were evaluated in WEBB-A using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 and reflect a worst-case scenario for maximum daily construction emissions, meaning the Project emissions are expected to be equal to or less than the estimated emissions of SCAQMD criteria pollutants. The estimated construction period for the proposed Project is three consecutive phases over approximately five years, beginning no sooner than November 2019. Construction related emissions may result from construction activities involving: site preparation, stockpiling, grading, building construction, paving, and painting (architectural coatings) (WEBB-A, pp. 2-3).

Based on WEBB-A, peak daily construction emissions from the Project will not exceed any SCAQMD criteria pollutant thresholds for Phase 2 and Phase 3 of the Project's construction. In Phase 1, peak daily construction emissions of NO_x will exceed the SCAQMD threshold (WEBB-A, Table 2). However, the implementation of mitigation measures **MM AQ 1** and **MM AQ 3** will reduce NO_x emissions from Project construction:

MM AQ-1: Where physically and economically feasible, electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce

Potentially Significant New Impact Less than Significant New Impact with Mitigation Incorporated Less Than Significant New Impact No New Impact

associated construction emissions. Feasibility shall be determined by the Department of Building and Safety's Grading Division prior to issuance of grading permits.

MM AQ 2: To reduce potential fugitive dust emissions associated with the unpaved portions of the soil import haul road on Polk Street south of 62nd Avenue, the Project shall pave Polk Street prior to any soil hauling activities. The construction specifications shall be reviewed by the County's Building and Safety Department for compliance with this mitigation measure prior to issuance of grading permit.

MM AQ-3: To reduce NO_X emissions associated with off-road construction equipment during grading, heavy-duty construction equipment greater than 75 horsepower (i.e., scrapers, graders, and excavators) shall be certified to meet or exceed United States Environmental Protection Agency (USEPA) Tier 3 standards. Proof of compliance shall be reviewed by the Department of Building and Safety's Grading Division prior to issuance of a grading permit. An exemption from this requirements may be granted by Riverside County in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Riverside County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.

Construction-Related Localized Air Quality Impacts

As part of the SCAQMD's environmental justice program, attention has been focused on localized effects of air quality. Staff at SCAQMD has developed localized significance threshold (LST) methodology that can be used by public agencies to determine whether or not a project may generate significant adverse localized air quality impacts (both short- and long-term). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant in the local area. According to the LST methodology, only onsite emissions need to be analyzed. Emissions associated with vendor and worker trips are mobile source emissions that occur off site, and thus are not included in the LST analysis. The emissions analyzed under the LST methodology are NO_x, CO, PM-10, and PM-2.5. The LST thresholds are estimated using the maximum daily disturbed area (in acres) and the distance of the Project to the nearest sensitive receptors (in meters) (WEBB-A, p. 7).

According to the LST methodology, LSTs only apply to the long-term (operational) impacts if a project includes stationary sources or attracts mobile sources that may spend long periods of time idling at the site, such as warehouse/transfer facilities. The proposed Project does not include such uses. Therefore, due to the lack of stationary source emissions or on-site mobile equipment, no long-term (operational) LST analysis is needed (WEBB-A, p. 9). The LST analysis described below is applicable to short-term (construction) emissions.

Per WEBB-A, peak daily emissions will not exceed SCAQMD's LST thresholds for Phase 2 and 3. In Phase 1, peak daily emissions of PM-10 will exceed its LST threshold (WEBB-A, Table 5 and Table 6). Implementation of mitigation measure **MM AQ 3** reduces LST emissions of PM-10 to be under its LST threshold (WEBB-A, pp. 10-12), and thus impacts are less than significant.

Operational Emissions

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	•
-	Mitigation	Impact	
	Incorporated	-	

Long-term (operational) emissions are evaluated at build-out of a project. The Project is assumed to be operational at the end of each phase in 2020 (Phase 1), 2022 (Phase 2), and 2024 (Phase 3). Operational activities associated with the proposed Project may result in emissions of SCAQMD criteria pollutants VOC, NO_x, CO, SO₂, PM-10, and PM-2.5. Operational emissions may be expected from area source emissions, energy source emissions, and mobile source emissions (WEBB-A, p. 6). Peak daily emissions from the Project's operation will not exceed SCAQMD thresholds (WEBB-A, Table 3 and Table 4), and thus impacts are less than significant.

In conclusion, the Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. All mitigation measures from the prior CEQA documents remain in effect, with the exception of MM Air 1 through MM Air 6, which are only specifically applicable to the Thermal Motorsports Park Race Track as discussed in EIR396-A2 (EIR396-A2, pp. 45-46). With the incorporation of mitigation measures MM AQ-1 through MM AQ-3 impacts are less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed in the prior CEQA documents.

c) EIR396 Conclusion: Less Than Significant. EIR396 determined that impacts are less than significant with no mitigation measures required (EIR396, pp. V-119 – V-122). The project is not located within one mile of a point source emitter or significant point source emissions (EIR396, Appendix A, p. 7). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less than Significant New Impact with Mitigation Incorporated. As described in Threshold localized impacts analyzed air quality are SCAQMD's LST thresholds. The LST thresholds are estimated using the maximum daily disturbed area (in acres) and the distance of the Project to the nearest sensitive receptors (in meters). The closest existing sensitive receptors to the Project site are the existing residences approximately 270 feet (83 meters) south of 66th Avenue. However, there are several sensitive receptors located adjacent to the haul route along Polk Street. There is also a school at the corner of Tyler Street and 66th Avenue containing an elementary school, middle school, and high school approximately 250 meters west of the Project site and the stockpile area. Additionally, on-site residences (constructed during Phase 1) may also be occupied during construction of Phase 2 and 3 (WEBB-A, p. 7).

To provide a conservative analysis, the closest receptor distance was chosen. According to LST methodology, projects with boundaries closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters. Therefore, a receptor distance of 25 meters (85 feet) was used (WEBB-A, pp. 7-8). Per WEBB-A, peak daily emissions will not exceed SCAQMD's LST thresholds for Phase 2 and 3. In Phase 1, peak daily emissions of PM-10 will exceed its LST threshold (WEBB-A, Table 5 and Table 6). Implementation of mitigation measure **MM AQ 3** reduces LST emissions of PM-10 to be under its LST threshold (WEBB-A, pp. 10-12), and thus impacts are less than significant. The Project will not expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed in the prior CEQA documents.

d) EIR396 Conclusion: No Impact. EIR396 determined that no objectionable odors would be created (EIR396, Appendix A, p. 7). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

No New Impact. The proposed Project lies within the same area as previously analyzed and does not change any land use designations or increase the Project site's land use intensity. Thus, the proposed Project does not add any sources of objectionable odors. The proposed Project may have the potential to produce odors during construction activities resulting from construction equipment exhaust, and/or the application of architectural coatings; however, standard construction practices will minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction will be temporary, short-term, and intermittent in nature, and will cease upon the completion of the construction activities. In addition, construction activities on the Project site is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance (SCAQMD 402). Accordingly, the proposed Project will not create objectionable odors affecting a substantial number of people during construction, and short-term impacts will be less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed in the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the Mitigation Monitoring Report.

BIO	LOGI	CAL RESOURCES Would the project:		
7.	Wild	dlife & Vegetation		
	a)	Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?		\boxtimes
	b)	Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?	\boxtimes	
	c)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?		
	d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?		\boxtimes
	e)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?		\boxtimes

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
f)	Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				\boxtimes
g)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				\boxtimes

Source(s): DUDEK-A, DUDEK-B, EIR396, ORD 559

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant. EIR396 determined, at the time of its adoption, that the project was not located within any approved local, regional, or state conservation plan, or local policies or ordinances protecting biological resources (EIR396, p. V-80, V-88 – V-89). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. However, since the adoption of EIR396, Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) was adopted. The Project is now located within the boundaries of the CVMSHCP. The CVMHSCP is a habitat conservation plan pursuant to Section 10(a) of the federal Endangered Species Act, which authorizes the issuance of take permits and establishes standards for the content of habitat conservation plans. It is also a natural community conservation plan pursuant to California Fish and Game Code Section 2835, which authorizes the California Department of Fish and Wildlife (CDFW) to permit the take of any covered species whose conservation and management are provided for in an approved natural community conservation plan. Compliance with the CVMSHCP (and associated permits) provides permittees with take authorization for covered species so long as the activity is covered by the CVMSHCP. Covered species include listed and non-listed species that are adequately conserved by the CVMSHCP. The proposed project is a covered activity under the CVMSHCP and would receive coverage for impacts to covered species. The project is not located within or adjacent to any designated Conservation Areas. The nearest Conservation Area is located approximately 2.1 miles east of the Project. The Project site is mapped as Agriculture in the CVMSHCP and is within a Specific Plan Zone as mapped by the County zoning ordinance. (DUDEK-A, p. 2).

A Biological Resources Assessment was prepared by Dudek on July 17, 2019 (DUDEK-A). The lead agency for this Project is the County of Riverside, which is a permittee of the CVMSHCP. Compliance with Sections 4.5, 9, and 10 of the CVMSHCP provides permittees with take authorization for Covered Species for all Covered Activities, which includes development outside of Conservation Areas. The Project is outside of a Conservation Area so Avoidance, Minimization, and Mitigation Measures for Covered activities within Conservation Areas, defined under Section 4.4 of the CVMSHCP does not apply. (DUDEK-A, pp. 10-11).

Section 4.5

Section 4.5 of the CVMSCHP provides Land Use Adjacency Guidelines for new land uses adjacent to Conservation Areas. The project is not located adjacent to a Conservation Area. Thus, these measures do not apply (DUDEK-A, p. 10).

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Section 9

Section 9 of the CVMSHCP sets forth species-specific Conservation Goals and Objectives for each of the Covered Species. The following species was determined to have at least a moderate potential to occur within the study area and are Covered Species under the CVMSHCP: crissal thrasher. For this species, Section 9 of the CVMSHCP does not indicate any additional avoidance, minimization, or mitigation measures for areas outside of the Conservation Areas. Similarly, the permits do not provide any additional conditions for these species. The CVMSHCP shows modeled habitat overlapping a very small area located along the eastern edge of the Project for crissal thrasher. As noted previously, Section 9 of the CVMSHCP does not identify any avoidance, minimization, or mitigation measures for areas outside of the Conservation Areas for crissal thrasher. Thus, the Project is consistent with Section 9 (DUDEK-A, pp. 10-11).

Section 10

Section 10 of the CVMSHCP sets forth Conservation Goals and Objectives for each of the Covered Natural Communities. Covered natural communities present in the study area include arrowweed scrub, desert saltbush scrub, desert sink scrub, and mesquite hummocks. No measures are required outside of Conservation Areas for these communities. Payment of CVMSHCP development fee would provide coverage for sensitive natural communities that will be impacted. In addition, a fee is required for all projects located within the CVMSHCP Plan Area. Thus, with payment of this fee through implementation of mitigation measure C3-2, the Project would be consistent with the CVMSHCP Section 10. (DUDEK-A, p. 11). Therefore, with implementation of mitigation already in effect, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b-c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Impacts to all endangered, threatened, candidate, sensitive, and/or special status species are less than significant, with the exception of the burrowing owl, which is a sensitive species. Mitigation Measure C3-1 reduces potential impacts to the burrowing owl and any other potentially sensitive species to less than significant (EIR396, pp. V-91 – V-93). EIR396-A2 added Mitigation Measure C3-2 to ensure payment of CVMSHCP fees (EIR396-A2, p. 171). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. The proposed Project lies within the same area previously analyzed. A Biological Resources Assessment was prepared by Dudek on July 17, 2019 (DUDEK-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer, totaling approximately 309 acres as depicted in Figure 2 above. As discussed in the prior CEQA documents, Burrowing owl (*Athene cunicularia*), a California Species of Special Concern, has the potential to occur on site. Potential for occurrence is considered low due to the absence of suitable burrows and soils, however this species is known to occur and forage within the vicinity of the Project. Burrowing owl is covered under the CVMSHCP, and it is also protected under the Migratory Bird Treaty Act and the California Fish and Game Code (Section 3516) protecting nesting birds; therefore, a preconstruction burrowing owl survey is recommended (DUDEK-A, p. 12). To ensure impacts remain less than significant, mitigation measure C3-1 will be revised as follows (DUDEK-A, p. 13):

Mitigation Measure C3-1 - Pre-construction surveys for nesting burrowing owls shall be conducted in the early spring that precedes the time when clearing or grading is

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anticipated. If potential nest sites are discovered, they shall be plugged or fenced to discourage nesting within the project impact zone when construction crews are on site completed in accordance with the Staff Report on Burrowing Owl Mitigation, with the first survey no less than 14 days prior to initiation of project-related activities, and the second within 24 hours of project-related activities. If an active burrowing owl burrow is detected within 500 feet of the project site, avoidance and minimization measures shall be implemented in accordance with the California Department of Fish and Game 2012 quidelines, including implementation on a non-disturbance buffer and monitoring of the nest to ensure activities are not adversely affecting the nest. If the project will occur within this zone, then work must occur outside the nesting season, or until it can be shown that they have finished nesting, and then passive relocation may occur. The proposed process must be documented in a burrowing owl relocation plan and submitted to the Coachella Valley Association of Governments at least 30 days in advance of the proposed activity.

Further, the Project is under the jurisdiction of the federal Migratory Bird Treaty Act and implementation of mitigation measure **MM BIO-1** will ensure impacts remain less than significant (DUDEK-A, p. 14):

MM BIO-1: To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, should ground disturbance and/or vegetation clearance activities be scheduled to occur during the avian nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist within the project footprint and a 300-foot buffer around the project footprint. Surveys shall be conducted within 3 days prior to initiation of activity and shall be conducted between dawn and noon.

If an active nest is detected during the nesting bird survey, avoidance buffers shall be implemented as determined by a qualified biologist. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. All nests shall be monitored as determined by the qualified biologist until nestlings have fledged and dispersed or it is confirmed that the nest has been unsuccessful or abandoned.

No federally or state-listed wildlife species has potential to occur within the study area. One non-listed special-status species has moderate potential to occur within the study area: – crissal thrasher (*Toxostoma crissale*). However, crissal thrasher is a covered species under the CVMSHCP and because of the prevalence of suitable habitat surrounding the Project site and the preservation of suitable habitat through the CVMSHCP, impacts would be less than significant (DUDEK-A, p. 12).

As discussed in threshold 7.a above, three vegetation communities that are considered special-status vegetation communities will be permanently impacted from implementation of the proposed Project: arrowweed scrub, desert saltbush scrub, and desert sink scrub. However, these species are covered under the CVMSHCP. Thus, compliance with the CVMSHCP including payment of the CVMSHCP development mitigation fee through implementation of mitigation measure C3-2, ensures impacts to these special-status vegetation communities are reduced to less than significant (DUDEK-A, pp. 11-12).

A Special Status Plant Survey was conducted April 27, 2018 to determine the absence or presence for gravel milk-vetch (*Astragalus sabulonum*); a species ranked as 2B, which states that it is rare, threatened, or endangered in California, but more common elsewhere. This species was not detected during the April 2018 focused survey. Below-average rainfall in winter

2017 and 2018, and spring 2018, may have limited the number of annual rare plant species that germinated this year and limited the blooming period of those that did. However, a threat rank of 2 indicates that 20 to 80 percent of occurrences are threatened, with a moderate degree and immediacy of threat. While the Project would remove approximately 9.62 acres of disturbed habitat (e.g., dirt roads, gravel) potentially suitable for this species, due to the limited amount of suitable habitat on site, the presence of suitable habitat surrounding the Project site, and the preservation of habitats through the CVMSHCP, potential impacts to this species would be less than significant. No other special-status plant species were identified (DUDEK-A, pp. 3, 9, and 12).

Therefore, with the implementation of mitigation already in effect and as revised and added, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

d) EIR396 Conclusion: Less Than Significant. EIR396 concluded that the project site does not contain habitats or natural features that would contribute to use of the site as a wildlife corridor (EIR396, p. V-82 – V-86). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation; they may be continuous habitat or discrete habitat islands that function as stepping stones for wildlife dispersal. Wildlife movement within the Project site is unlikely due to the fence that currently lines the dirt road along the western portion of the proposed project footprint; however, the remainder of the study area and the surrounding environment consist of rural development, agricultural areas, and open scrub habitat that likely function as open habitat, but do not function as a corridor for wildlife. Furthermore, the CVMSHCP addresses regional wildlife linkages and crossings, and the Project site is not within a designated linkage. (DUDEK-A, p. 10). The site currently does not function as a wildlife corridor and does not support any wildlife nursery sites (DUDEK-A, p. 13). Thus, no wildlife crossings are identified by the CVMSHCP within the project site or vicinity so the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

e) EIR396 Conclusion: Less Than Significant. EIR396 concluded that the project site does not support sensitive riparian species, riparian habitat, or other sensitive natural community (EIR396, p. V-82 – V-86). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. The proposed Project site lacks riparian resources (DUDEK-A, p. 12). There are no other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service within the Project site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

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f) EIR396 Conclusion: Less Than Significant. EIR396 determined that the project site does not contain any blue-line streams or jurisdictional wetlands (EIR396, p. V-86). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. A *Jurisdictional Delineation* was prepared by Dudek in January 2019 (DUDEK-B) for the "study area" which consists of the Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer, as depicted in Figure 2 above to determine the site's potential for jurisdictional impacts (DUDEK-B, p. 1).

Army Corps of Engineers (ACOE)

Title 33 of the Code of Federal Regulations (CFR), Chapter 2, Part 328.3, defines waters of the United States with an amendment published in the Federal Register on June 29, 2015, effective on August 28, 2015. The newly modified Section 328.3(a) defines waters of the United States as follows:

- 1) All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- 2) All interstate waters, including interstate wetlands;
- 3) The territorial seas;
- 4) All impoundments of waters otherwise identified as water of the United States under this section;
- 5) All tributaries, as defined in this section;
- 6) All waters adjacent to a water identified in 1 through 5 above;
- 7) Additional waters (as defined in the section) where they are determined, on a case-specific basis, to have a significant nexus to a water in 1 through 3 above.

For non-tidal waters of the United States, the lateral limits of ACOE jurisdiction extend to the ordinary high water mark (OHWM) when no adjacent wetlands are present. As defined in Title 33 of the CFR Chapter 2, Part 328.3(c)(6), the OHWM is "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as [a] clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas." If adjacent wetlands are present, the jurisdiction extends to the limit of the wetlands. (DUDEK-B, p.2).

Wetlands are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions as per Title 33 Code of Federal Regulations Chapter 2, Part 328.3. Wetlands are jurisdictional if they meet this definition as well as the definition of waters of the United States. Three criteria must be satisfied to classify an area as a wetland under ACOE jurisdiction: (1) a predominance of plant life that is adapted to life in wet conditions (hydrophytic vegetation); (2) soils that saturate, flood, or pond long enough during the growing season to develop anaerobic conditions in the upper part (hydric soils); and (3) permanent or periodic inundation or soils saturation, at least seasonally (wetland hydrology). The ACOE uses the methodology in the Regional Supplements to the Corps of Engineers Wetland Delineation Manual to determine whether an area meets these three criteria.

In the project area the supplement for the Arid West Region (ACOE 2008a) is used. (DUDEK-B, p. 2).

Regional Water Quality Control Board (RWQCB)

Section 401 of the Clean Water Act requires that any applicant for a federal permit for activities that involve a discharge to waters of the United States shall provide the federal permitting agency a certification from the state in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the federal Clean Water Act. Therefore, in California, before the ACOE will issue a Section 404 permit, applicants must apply for and receive a Section 401 Water Quality Certification or waiver from the Regional Water Quality Control Board (RWQCB). Under Section 401 of the Clean Water Act, the RWQCB regulates at the state level all activities that are regulated at the federal level by ACOE. The RWQCB also regulates actions that would involve "discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state" (California Water Code, Section 13260(a)), pursuant to provisions of the state Porter-Cologne Water Quality Control Act. "Waters of the state" are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code, Section 13050(e)). Under the Porter-Cologne Water Quality Control Act, the RWQCB regulates all such activities, as well as dredging, filling, or discharging materials into waters of the state, that are not regulated by the ACOE due to a lack of connectivity with a navigable water body. (DUDEK-B, p.3).

California Department of Fish and Wildlife (CDFW)

CDFW jurisdiction includes ephemeral, intermittent, and perennial watercourses (including dry washes) and lakes characterized by the presence of (1) definable bed and banks and (2) existing fish or wildlife resources. Furthermore, CDFW jurisdiction extends to riparian habitat and may include oak woodlands in canyon bottoms. Historical court cases have further extended CDFW jurisdiction to include watercourses that seemingly disappear, but reemerge elsewhere. Under the CDFW definition, a watercourse need not exhibit evidence of an OHWM to be claimed as jurisdictional. The CDFW does not have jurisdiction over ocean or shoreline resources. Under California Fish and Game Code, Sections 1600–1616, the CDFW has the authority to regulate work that will substantially divert or obstruct the natural flow of, or substantially change or use any material from, the bed, channel, or bank of any river, stream, or lake. The CDFW also has the authority to regulate work that will deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. This regulation takes the form of a requirement for a Lake or Streambed Alteration Agreement and is applicable to all projects. (DUDEK-B, pp. 3-4).

<u>Discussion</u>

The study area is located within the Guadalupe Creek–Whitewater River Watershed, specifically within the Indio Hydrologic Subarea of the Coachella Hydrologic Area within the Whitewater River Hydrologic Unit. The Whitewater River is the major drainage course within the Coachella Valley. According to the Water Quality Control Plan for the Colorado River Basin, the constructed downstream extension of the Whitewater River, known as the Coachella Valley Storm Water Channel, serves as a drainage way for irrigation return flows, treated community wastewater, and storm runoff. Furthermore, groundwater is unconfined except in the lower areas of the Coachella Valley. A clay aquitard resulting from past sedimentation in the old lakebed extends from the Salton Sea to west of Indio, overlying the domestic-use aquifers. (DUDEK-B, p. 9).

Three soil series are mapped within the study area: Gilman silt loam, wet (0 - 2 percent slopes); Indio very fine sandy loam, wet; and Salton silty clay loam. A total of nine vegetation communities and land cover types occur within the study area consisting of five vegetation communities that include arrowweed scrub, desert saltbush scrub (including disturbed forms), desert sink scrub, mesquite hummocks, and tamarisk thickets, and four land covers that include agriculture, disturbed habitat, open water, and urban/developed. (DUDEK-B, p. 6).

A playa, two canals (northern and southern), a man-made drainage, a man-made trough, five erosional features, and an artificial lake were recorded within the study area (DUDEK-B, p. 10). The study area has indicators of soft playa throughout including friable soils, puffy surface, and salt crystals. The study area was completely cleared and modified in 2006 in preparation for development that was thereafter delayed. Portions of the study area in the southwestern corner have compacted soils that were assumed to be the result of the site grading in 2006. Additionally, a berm was constructed at this time on the southern boundary oriented west to east, as well as one approximately 470 feet long and oriented north to south in the southern portion of the study area. This area is a topographic low point with berms on two sides and compacted soils resulting in periodic ponding from rainfall and localized runoff. Due to the presence of soft playa, the study area was assessed for federal and state wetlands. A total of 23 data stations were assessed within the study area. (DUDEK-B, p. 12). To determine the presence of wetlands within the study area, the following identifies the presence of hydrophytic vegetation, hydric soils, and wetland hydrology.

Hydrophytic Vegetation

The study area supports obligate and facultative wetland species including arrowweed (facultative wetland), seepweed (obligate), and iodine bush (facultative wetland). Of the 23 total data stations, eight included a dominance of hydrophytic vegetation. (DUDEK-B, p. 13).

Hydric Soils

Of the 23 total data stations, two included evidence of hydric soils. (DUDEK-B, p. 14).

Wetland Hydrology

The majority of the study area contained hydrology indicators including aquatic invertebrates, soil cracks, salt crust, drainage patterns, saturation, and/or standing water. However, not all indicators were considered indicative of wetland hydrology. The vestige shells of aquatic invertebrates are remnant of the ancient Lake Cahuilla and are known to occur throughout the valley (Singer 1998), including where the study area is located. As such, they were not considered functioning evidence for a current wetland hydrology indicator. Additionally, much of the study area contains surface soil cracks and a salt crust. According to Delineating Playas in the Arid Southwest: A Literature Review, soils cracks and a salt crust within softer playa are typically the result of capillary rise from groundwater, not the result of inundation. Salt crusts are "typically reflecting the combination of relatively high water tables, salinity, sodicity, and high evaporative demand of an arid environment" (ACOE 2001). As such, in portions of the study area with soft playa, these indicators were not determined to function as wetland hydrology indicators. Other wetland hydrology indicators, present in 13 of the 23 total data stations, included surface soil cracks and a salt crust in areas with compacted soils, as well as drainage patterns, saturation, and standing water. (DUDEK-B, pp. 13-14).

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Of the 23 data stations, eight include a dominance of hydrophytic vegetation; two of which also supported wetland hydrology indicators. However, none of the data stations supported all three parameters. Thus, no wetland waters are present within the study area. (DUDEK-B, pp. 12, 14).

The following discussion reviews the jurisdictional potential of the northern and southern canals, man-made drainage feature, man-made trough, the five erosional features, and artificial lake.

Playa

The review of aerial imagery and the site visits confirmed that isolated ponding occurs within the study area following storm events. Ponding within the study area is isolated. Thus, due to a lack of connectivity to traditional navigable waters, these features are not considered non-wetland waters of the United States under the jurisdiction of the ACOE. Furthermore, the isolated ponding within the study area is not contributing to a substantial beneficial use within the region; therefore, these features would not be considered isolated waters of the state under the jurisdiction of RWQCB. Finally, due to the lack of a defined bed and bank, these features are not streambeds under the jurisdiction of CDFW. Due to the absence of all three wetland parameters, the soft playa is not wetland waters of the United States or wetland waters of the state. (DUDEK-B, p. 14).

Man-Made Troughs

Man-made troughs comprise a series of parallel troughs on the northeastern side of the project site. These features appear to have been created between 2009 and 2011 and stem from the northeastern corner of the study area. They travel approximately 0.26 miles south to their terminus on the eastern side of the study area. Because the start of these troughs is directly south of the Northern Canal (described below) where the concrete is broken, it is hypothesized that these troughs may have been installed in order to control seepage from the canal. This is further supported by the higher cover of iodine bush at the terminus of the troughs. The data station at the terminus of these troughs where higher cover of iodine bush was observed; however, this data station did not result in all three wetland parameters being met. As such, no wetland waters are located in this portion of the study area. Further, the troughs do not contain OHWM indicators, nor do they appear to convey water in a way that contributes to the stated beneficial uses in the region. Percolating water in this feature may contribute to stated beneficial use of groundwater recharge, but this beneficial use is equally contributed to by the multitude of agricultural activities surrounding the study area. This isolated feature does not contain the presence of an OHWM indicator, lacks connectivity to a water of the United States, and is not contributing to a substantial beneficial use within the region. Thus, it was determined that these man-made troughs are not a water under the jurisdiction of ACOE or RWQCB. And finally, this feature does not contain defined beds and banks, so is not a streambed under the jurisdiction of CDFW. (DUDEK-B, pp. 14-15).

Erosional Features

The study area contains five erosional features. Three of the features are located within the northern portion of the study area and appear to be associated with the dirt road that has been created in conjunction with the CVWD facility. These features appear to collect runoff from the road and terminate within the project site. The other two features are located along the berm on the southern boundary of the study area. They both appear to stem from road runoff and convey water south to north into the lower elevation area north of the berm, where water from each feature appears to then percolate or evaporate. Neither feature of these two features are evident from Avenue 66, nor are any culverts located in the southern portion

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of the project site. Further, erosional features are not considered to be jurisdictional waters for ACOE, RWQCB, or CDFW. Thus, it was determined that these man-made troughs are not a water under the jurisdiction of ACOE, RWQCB, or CDFW. (DUDEK-B, p. 15).

Northern Canal

The northern canal is a trapezoidal, concrete-lined canal that appears to originate west of Tyler Street and crosses beneath Tyler Street before continuing east into the western end of the study area, east of Tyler Street. It continues east outside of the study area for approximately 1.6 miles until its confluence with the Whitewater River, which continues to flow southeast approximately 7.1 miles, ultimately flowing into the Salton Sea. An OHWM is evident throughout the canal with a defined bed/bank. The OHWM averages 8 feet in width. Flowing water is present and sediment was observed within the bed of the canal that is supporting seaweed. Fish were observed within the canal. The trapezoidal banks of the canal are approximately 9 feet in height. The concrete within the northern canal has broken and is missing on the southern bank of its eastern side. As such, there appears to be seepage from the canal into the northern portion of the study area. This is evident based on the saturated soils found within this area, as well as the presence of the man-made troughs, discussed above, that flow south from the seepage location towards an area that contains a higher vegetation cover within the central eastern side of the study area. In addition, a culvert comprising two PVC pipes approximately 6-inches in diameter is located on the western side of the canal and extends to the project site to the south. These pipes appear to convey water from the canal during overflow events to preserve the road south of the canal from washing out. Due to absence of hydric soils and hydrophytic vegetation, and based on the presence of an OHWM and connectivity to the Whitewater River, which ultimately terminates into the Salton Sea, the northern canal was determined to be nonwetland waters of the United States under the jurisdiction of ACOE and the RWQCB, but considered a streambed under the jurisdiction of CDFW. (DUDEK-B, p. 11).

Southern Canal

The southern canal is an earthen-lined canal that appears to originate just south of the intersection of Avenue 66 and Tyler Street, flowing east for approximately 0.5 miles, where it enters the western end of the study area. It continues east for approximately 1.4 miles to just south of the intersection of Fillmore Street and Avenue 66. From there, it continues in a southeasterly direction for approximately 1.6 miles through Pierce Street until turning east for approximately 0.5 miles to its confluence with the Whitewater River, which continues approximately 4.4 miles southeast to the Salton Sea. An OHWM is evident throughout the canal with a defined bed and bank, but with an absence of vegetation. The OHWM averages 3 feet in width and flowing water is present. The southern canal contains earthen, trapezoidal banks approximately 8 feet in height. Due to absence of hydric soils and hydrophytic vegetation, and based on the presence of an OHWM and connectivity to the Whitewater River, which ultimately terminates into the Salton Sea, the southern canal was determined to be non-wetland waters of the United States under the jurisdiction of ACOE and the RWQCB, but considered a streambed under the jurisdiction of CDFW. (DUDEK-B, pp. 10-11).

Artificial Lake

An artificial lake associated with an adjacent development is located west of the TBC site and north of the proposed access road. This lake is isolated with a defined bed and bank.

The associated banks are vegetated with both tamarisk and cattail (obligate). Due to the dominance of hydrophytic, obligate vegetation and wetland hydrology, hydric soils were assumed to be present for the vegetated portions of this constructed artificial lake. The artificial lake serves as the largest waterbody in the immediate area. As such, it demonstrates the following beneficial uses as described for ephemeral streams in the region: freshwater replenishment, groundwater recharge, non-contact water recreation, and wildlife habitat. Based on the presence of all three wetland parameters, substantial beneficial use, an OHWM, and lack of connectivity to waters of the United States, this feature may be considered waters of the state. Additionally, CDFW may assert jurisdiction over this feature as a lake. (DUDEK-B, p. 15).

Man-Made Drainage

When the Las Palmitas Elementary School, Toro Canyon Middle School, and Desert Mirage High School complex was constructed in 2004, a drainage channel was created that let out into the natural drainages immediately to the east of the study area. When the artificial lake on the site located west of the proposed TBC development was constructed in 2006, the drainage was redirected into this artificial lake. This drainage exhibits an OHWM approximately 33 feet wide, a defined bed and bank, and is dominated by salt cedar. Because this feature connects with the artificial lake, it contributes to the following beneficial uses listed for ephemeral streams in the region: freshwater replenishment, groundwater recharge, non-contact water recreation, and wildlife habitat. Due to the presence of an OHWM indicator, substantial beneficial use, and a lack of connectivity to waters of the United States, this feature was determined to be isolated non-wetland waters of the state under the jurisdiction of the RWQCB and a streambed under the jurisdiction of CDFW. (DUDEK-B, p. 15).

As discussed above, there are four features within the area considered to be jurisdictional under the ACOE, RWQCB, and/or CDFW. However, the proposed Project is not expected to impact any of these jurisdictional features. Thus, the Project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

g) EIR396 Conclusion: Less Than Significant. EIR396 determined, at the time of its adoption, that the project was not located within any local policies or ordinances protecting biological resources (EIR396, p. V-80, V-88 – V-89). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. Riverside County Ordinance No. 559 (ORD 559) pertains to regulating the removal of native trees. No trees have been identified as being present at the Project site (DUDEK-A, pp. 4-10). Thus, the Project will not involve the removal of native trees so will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as revised and added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

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	LTURAL RESOURCES Would the project:				
8.	Historic Resources a) Alter or destroy a historic site?				\boxtimes
	 b) Cause a substantial adverse change in th significance of a historical resource, pursuant t California Code of Regulations, Section 15064.5 	о П			

Source(s): AE-A, EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant. EIR396 determined that there were no cultural resources on the project site that meet the CEQA criterion of an historic resource or site (EIR396, pp. V-182 – V-183). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. A Cultural Resource Assessment was prepared for the Project by Applied Earthworks dated October 2018 (AE-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer as depicted in Figure 2 above to determine the potential for historical and archaeological resources.

A historical resource is considered when included in a local register of historical resources or is listed in or determined eligible for listing on the California Register of Historical Resources (CRHR) under any one of the following criteria (Title 14, California Code of Regulations [CCR], § 15064.5):

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2) Is associated with the lives of persons important in our past;
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
- 4) Has yielded, or may be likely to yield, information important in prehistory or history. Compliance with CEQA's cultural resource provisions typically involves several steps. Briefly, archival research and field surveys are conducted, and identified cultural resources are inventoried and evaluated in prescribed ways. Prehistoric and historical archaeological sites as well as built-environment resources (e.g., standing structures, buildings, and objects) deemed historically significant must be considered in project planning and development. (AE-A, pp. 1, 4).

On August 27, 2018, prior to the field survey of the Project area, the Eastern Information Center (EIC) of the California Historical Resource Information System (CHRIS), housed at the University of California, Riverside was contacted to complete an archaeological literature and records search. The two-fold objective of this records search was to determine: 1) whether any previous cultural resource investigations have been completed; and 2) whether any prehistoric or historical cultural resources are previously recorded within an area encompassing a one mile wide radius of the study area. The records search indicated no fewer than 27 cultural resource studies have been conducted previously within the study area. Three of these involved portions of the study area. One hundred percent of the study area has been surveyed previously as a result of these studies. (AE-A, p. 13).

The 1904 Indio 30-minute USGS topographic quadrangle map, the 1941, 1943, and the 1956 Coachella 15-minute USGS topographic quadrangle maps, and the 1956 and 1972 Valerie 7.5-minute USGS topographic quadrangle maps were also consulted to assess historical land use in the study area. A northwest/southeast oriented levee crosses the study area in two locations on the 1956 and 1972 Valerie 7.5-minute USGS topographic quadrangle maps. No other structures, roads, or other features of interest are shown within, or in the vicinity of, the study area on any of the other historical maps. (AE-A, p. 17).

An intensive pedestrian survey was conducted between September 4 and September 7, 2018 covering the study area. Due to the extensive surface disturbance within the study area, wide transects (25 to 30 meters apart) were utilized. (AE-A, p. 19). Two potentially historic resources were acknowledged that had been previously identified in the study area.

The first resource (33-014739) is located in the southwestern corner of the study area. It is a mid-twentieth-century refuse scatter. No CRHR eligibility recommendation is included for this resource. (AE-A, pp. 16-17)

The second resource (CA-RIV-9202H/33-017762) is a segment of a historical earthen drainage channel and remnants of a cement box culvert and headwall along Avenue 66. This resource was recommended as not eligible for listing on the National Register of Historic Places (NRHP) or CRHR. (AE-A, p. 17).

Field surveys of the Project area concluded that 33-014739 was no longer present in the Project area and was likely destroyed during prior grading and farming (AE-A, p. 20). CA-RIV-9202H/33-017762 was still present within the study area, with no changes from its previous identification (AE-A, p. 21). No surface remnants of the former levee as depicted on the 1956 and 1972 Valerie 7.5-minute USGS topographic quadrangle maps were observed.

One new site was identified during the field survey (AE-3925-1H). This resources is a midtwentieth-century refuse scatter adjacent to or partially overlapping a segment of the former levee in the southern portion of the study area. This historical refuse scatter covers approximately 95 by 134 feet. Artifacts noted in the refuse scatter include fragments of domestic household items (i.e., beverage and medicinal bottles, and tableware ceramics). This discrete concentration appears to be the result of a single dumping event. Although the age of the site is uncertain, date ranges on the temporally diagnostic items range from the 1950s through 1970s. The area in and around the artifact concentration has been extensively impacted by previous mechanical grading and agricultural activities, resulting in poor site preservation. All material within the concentration was fragmentary and surface examination of the artifact scatter suggested the deposit does not extend into the subsurface. Archival research on this location and surrounding parcels to determine if the refuse scatter could be associated with a place or person. The land within the Project area was originally part of the 132,303 acres in the Coachella Valley granted to the Southern Pacific Railroad from the federal government in 1866. The Project area was vacant from 1904 until circa 1953 when the levee (now gone) and a few dirt access roads were constructed. No structures, roads, or other features of interest are shown within the study area on any of the historical maps. Historically, there were three farm properties in the vicinity but, all were outside of the study area. Two farm properties were extant from at least 1944 to circa 1996 on the east side of Tyler Street where the school complex is now located. The third farm property was located along Avenue 66 and appears to have been extant between at least 1953 until 2014. This resource does not meet the criteria for listing on the CRHR so is not considered a significant historical or archeological resource. (AE-A, pp. 21-24).

Potenti Signific New Impa	cant Significant New Impact	Less Than Significant New Impact	No New Impact
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Although terrain throughout the entire study area has been disturbed by mechanical grading, previous agricultural cultivation, and off-road recreation vehicles, no potentially significant historic resources were identified. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitig	<u>ation</u> :	None required.		
Mon	itoring:	None required.		
9.	Arch a)	aeological Resources Alter or destroy an archaeological site?	\boxtimes	
	b)	Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?	\boxtimes	
	c)	Disturb any human remains, including those interred outside of formal cemeteries?		\boxtimes

Source(s): AE-A, EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 identified three archeological sites at the project site, two of which could be potentially significant resources. Mitigation Measures C12-1 and C12-2 reduce potential impacts to these resources to less than significant, and Mitigation Measure C12-3 reduces potential impacts to any areas not examined for archeological resources in the project site (EIR396, pp. V-179 – V-182). Note that Mitigation Measure C12-2 had been revised in EIR396-A2 to reflect planning area numbering in SP303A2. EIR396-A2 also added Mitigation Measure C12-8 to ensure that archeological monitoring previously recommended in EIR396 is accomplished (EIR396-A2, p. 52). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. The proposed Project lies within the same area previously analyzed. A Cultural Resource Assessment was prepared for the Project by Applied Earthworks dated October 2018 (AE-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer as depicted in Figure 2 above to determine the potential for archaeological resources (AE-A, p. 1). Terrain throughout the entire study area has been disturbed by mechanical grading, previous agricultural cultivation, and off-road recreation vehicles, Geological and archaeological data indicate that undisturbed sediments within the study area have a high potential for buried prehistoric archaeological resources, particularly those locations associated with former Lake Cahuilla. Deeper excavations (11 to 20 feet below ground surface) may extend to undisturbed lacustrine deposits that may yield intact and historically significant buried archaeological deposits. Thus, full-time cultural resource monitoring by of those portions of the study area within native soils is recommended. In the event that potentially significant archaeological materials are encountered during construction, all work must be halted in the vicinity of the discovery until a Qualified Archaeologist can visit the site of discovery and assess the significance of the find. If significant archaeological remains are encountered, the impacts of the Project must be mitigated appropriately. Any such discoveries, and subsequent evaluation and treatment, must be documented in a cultural resource report that would be submitted to the EIC for archival purposes. (AE-A, p. 27).

Implementation of mitigation measure **MM CR-1** will ensure impacts remain less than significant:

MM CR-1: Full-time cultural resource monitoring by both a Qualified Archaeologist and Tribal Monitor of those portions of the Project area within native soils.

Thus, with implementation of mitigation measure **MM CR-1** and mitigation measure C12-8 that is already in effect, impacts are less than significant. Therefore, with implementation of mitigation already in effect and **MM CR-1**, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

c) EIR396 Conclusion: EIR396 Conclusion – Less Than Significant with Mitigation Incorporated. The entire surface of the Project area has been disturbed by past and on-going agricultural activities. Soil preparation has consistently disturbed at least the top sixty inches of the Project area and irrigation and leach lines have been installed to a depth of up to seven feet. All ground disturbing activities occurring below the plow zone (below five feet), should be monitored by a qualified archaeologist. Mitigation Measures C12-1 through C12-3, and C12-8 would reduce impacts to a less than significant level (EIR396, pp. V-179 – V-181).

No New Impact. The proposed Project occupies the same area as previously analyzed and is not located on a known formal or informal cemetery. In the event that unknown human remains are uncovered during construction activities, Sections 7052 and 7050.5 of the California Health and Safety Code (HSC) require that the Riverside County Coroner's Office must be contacted within 24 hours and all work shall be halted until a clearance is given by that office and any other involved agencies. If human remains are discovered, the County shall comply with the requirements of Public Resources Code Section 5097.98, as amended. Potential impacts with respect to disturbing human remains are not expected but will be less than significant with adherence to these existing laws and codes. The Project will comply with all regulations mandating the process to be followed in the unlikely event of an accidental discovery of human remains in a location other than a dedicated cemetery (AE-A, p. 27). Thus, with regulatory compliance, potential impacts with respect to disturbing human remains are not expected and will be less than significant. Therefore, with implementation of mitigation, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

ENE	RGY	Would the project:		
10.	Ene	rgy Impacts		
	a)	Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?		\boxtimes
	b)	Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	\boxtimes	

Source(s): CARB 2012, CEC 2015, COR CAP, EIR396 WEBB-B, WEBB-C

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would, at its full buildout, require approximately 126,059,763 kilowatt hours per year

(kWh/yr) of electricity and 68,713,569 cubic feet per month (cf/month) of natural gas. The project does not conflict within an adopted energy conservation plan. The GP contains policies to reduce the demand of energy resources and to consider alternatives to conventional sources of energy. The programs affecting the project in order to reach these goals, include reducing energy consumption and implementing building design standards to encourage alternative energy sources. The site is currently utilized for agricultural use which is not an energy intensive use therefore, energy demands will increase as a result of residential, commercial, business and industrial land uses. Mitigation Measures C9-1 and C9-2 would reduce energy use to make energy conservation impacts less than significant (EIR396, pp. V-161 – V-163). EIR396-A2 replaced Mitigation Measure C9-1 with Mitigation Measure MM GHG 1 (EIR396-A2, p. 74). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and is subject to current GP policies and requirements regarding energy efficiency. The Project will not add new land uses to the Project site nor increase the site's land use intensity. Energy Consumption Calculations were prepared by Albert A. Webb Associates in June 2019 (WEBB-B). The Project's electricity and natural gas consumption during its operation are approximately 10,749,486 kWh/yr and 6,017,918 kilo-british thermal units per year (kBTU/yr), respectively (WEBB-B, Table 3). This is well under EIR396's assumed buildout consumption of approximately 126,059,763 kWH/yr of electricity and 824,562,828 kBTU/yr of natural gas² (EIR396, p. V-162).

The Project will promote building energy efficiency through compliance with Title 24 building energy efficiency standards. Title 24 building energy efficiency standards are updated approximately every three years (CEC 2015), meaning the standards have been updated since EIR396 was written current standards at the time of development may be even more energy efficient. Therefore, the Project buildings' energy efficiency will be as or more efficient than assumed in the prior CEQA documents.

The Project's proposed lagoon will be designed to be energy efficient. The lagoon's filtration system and HVAC system will be powered by electricity. The lagoon's filtration and monitoring system and patented cleaning process uses two percent of the energy that is needed by conventional swimming pool filtration systems. The lagoons energy requirements were considered within the Project's energy calculations (WEBB-B); as stated above, the energy consumption of the Project is well within what was assumed in the prior CEQA documents.

The Project also reduces vehicle fuel usage due to compliance with regulatory programs. Specifically, the Project will comply with the following regulations, among others, to reduce fuel usage:

 AB 1493 ("the Pavley Standard") requires reduction in GHG emissions from noncommercial passenger vehicles and light-duty trucks of model year 2009 and thereafter (COR CAP, p. 1-8).

 $^{^2}$ EIR396 expressed this as 68,713,569 cf/month. 12 months = 1 year, so 68,713,569 cf/month x 12 months = 824,562,828 cf/year. 1 cf = 1000 british thermal units (BTU), which can be expressed as 1 kBTU. Thus, 824,562,828 cf/year = 824,562,828 kBTU/year.

- Executive Order S-01-07 went into effect in 2010 and requires a reduction in the carbon intensity of transportation fuels used in California by at least 10 percent by 2020 (COR CAP, p. 4-3). It imposes fuel requirements on fuel that will be sold in California that will decrease GHG emissions by reducing the full fuel-cycle and the carbon intensity of the transportation fuel pool in California.
- The Advanced Clean Cars program, introduced in 2012, combines the control of smog, soot causing pollutants and greenhouse gas (GHG) emissions into a single coordinated package of requirements for model years 2017 through 2025 (CARB 2012).

The Project is a proposed private residential development intended for use as vacation homes. Since vacation homes are typically not occupied as frequently as primary residences, traffic at the Project site will be less intensive than assumed in EIR396, which did not assume residential land uses would be used as vacation homes (EIR396, p. V-24). The Project will be designed to discourage use of cars; its design will encourage the use of walking, bicycles, and electric only golf carts. The Project will provide a staff driven golf cart shuttle for residents to be picked up and dropped off (as opposed to residents using their cars) at the amenity of their choice. The Project will also provide travel to offsite amenities such as golf courses to further discourage the need for automobile usage.

The proposed Project will also consume energy during its construction. Construction equipment and heavy duty trucks generally requires diesel as the fuel source whereas worker trips consume gasoline (WEBB-B, Tables 2 and 3). Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Construction equipment is also required to comply with regulations limiting idling to five minutes or less (CCR Title 13 §2449(d)(3)). Furthermore, there are no unusual characteristics of the proposed Project that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. Therefore, it is expected that construction-related fuel consumption associated with the Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

As discussed under Threshold 20a-b, the Project will comply with the County of Riverside Climate Action Plan (CAP), which sets County-wide GHG emissions targets consistent with state reduction goals in Assembly Bill (AB) 32. The CAP includes energy efficiency measures within its GHG Screening Table in order to meet its GHG emission reduction goals (COR CAP, Appendix F, p. 1). Per mitigation measure **MM GHG-8** (as described under Threshold 20a-b), the Project will comply with the CAP by implementing at least some of these measures, in order to achieve at least 100 points from the GHG Screening Table. The Project's GHG Screening Table, by Albert A. Webb Associates in June 2019 (WEBB-C), has been included in this addendum.

Compliance with regulatory programs, implementation of the Riverside County CAP Screening Table measures (per mitigation measure **MM GHG-8**), and the Project's design that is energy efficient, ensures that the Project would not result in the inefficient, unnecessary, or wasteful consumption of energy during construction or operation. All existing mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact		
CEOLOGY AND COLIC Would the majest divestly as indivestigation	41					
GEOLOGY AND SOILS Would the project directly or indirect 11. Alquist-Priolo Earthquake Fault Zone or County	tiy:					
Fault Hazard Zones a) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?						
Sources: EIR396, RCIT, SE-A, SE-B, and SE-C						
Findings of Fact:						
that the Project was not located within an Alquist-Priolo Zone (EIR396, Appendix A, p. 6). EIR396-A1 throug impacts beyond what was analyzed in EIR396. No New Impact. The proposed Project lies within the Geotechnical Investigation was completed for the Proseptember 14, 2016 (SE-A). The purpose of the invest and geologic conditions to ensure conditions have reanalyzed in a manner that may pose potentially significantly analyzed. An Updated Geotechnical Investigation was January 25, 2019 (SE-B) to provide an update recommendations for the currently proposed Project. was also prepared by Sladden Engineering April 13, 20 construction recommendations specifically pertaining this expected in southern California (SE-A, p. 4). However Alquist-Priolo Earthquake Fault Zone or County Fault faults are the San Andreas – Coachella and San Analyticantly are the San Analyticantly are the San Analyticantly are the	EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the Project was not located within an Alquist-Priolo Earthquake Fault or County Fault Hazard Zone (EIR396, Appendix A, p. 6). EIR396-A1 through EIR396-A8 determined there to be no					

Mitigation: None required.

Monitoring: None required.

12. Liquefaction Potential Zone

a) Be subject to seismic-related ground failure,
including liquefaction?

Source(s): EIR396, EIR396-A2, RCIT, SE-A, SE-B, SE-C

Findings of Fact:

Potentially Significant New Impact		Less Than Significant New Impact	No New Impact
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a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 completed a geotechnical report for the project, and found that liquefaction potential is minimal. Mitigation Measure C4-1 is required to mitigate the impact of any future discovery of soils with liquefaction potential at the project site (EIR396, p. V-96). EIR396-A2 revised the language of Mitigation Measure C4-1 to specify that it applies to implementing projects and to require project design to conform to applicable earthquake standards (EIR396-A2, pp. 57-58). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The geotechnical investigation completed for the Project found that there is a potential risk of liquefaction due to the general uniformity of the soil and groundwater conditions (SE-A, pp. 6-8), which is also confirmed in the Riverside County Map Viewer (RCIT). This potential impact is less than significant with the implementation of the geotechnical investigations project design and construction recommendations (SE-A, pp. 6-8, SE-B, SE-C). Mitigation Measure C4-1 remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

		9		
13.	Gro	und-shaking Zone Be subject to strong seismic ground shaking?		\boxtimes
	ω,	De cabject to chorig colornic ground charming.		

Source(s): EIR396, SE-A, SE-B, SE-C

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 found that the project lies within Groundshaking Zones III-C and IV-C per the GP, which is a potentially significant impact. Mitigation Measure C4-2 reduces this impact to less than significant (EIR396, pp. V-96 – V-97). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project boundary is within the same area as previously analyzed. The geotechnical investigation completed for the Project found that the Project site could be subjected to ground shaking due to seismic activity in the region. This impact is less than significant with the implementation of the geotechnical investigations project design and construction recommendations (SE-A, pp. 6-8, SE-B, SE-C). Mitigation Measure C4-2 remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

<u>Monitoring</u>: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact		
14.	Land a)	deslide Risk Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onor off-site landslide, lateral spreading, collapse, or rockfall hazards?						
Sour	ce(s):	EIR396, SE-A, SE-B, SE-C						
Find	ings o	of Fact:						
a)	that sub	EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the Project was not subject to landslide risk, soils with shrink/swell potential, or ground subsidence (EIR396, Appendix A, p. 6). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.						
No New Impact. The proposed Project is within the same area as previously analyzed. T geotechnical investigation found no signs of slope instability in the form of lateral spreadir landslides, rockfalls, earthflows or slumps, and considers these risks to be low (SE-A, pp. 6-The Project will be required to follow the project design and construction recommendatio outlined in the geotechnical investigations (SE-A, pp. 7-8, SE-B, and SE-C). Thus, the Project will not result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazard Therefore, no new or substantially increased impacts result from the proposed Project beyo those analyzed by the prior CEQA documents.						ading, . 6-7) ations roject zards.		
Mitig	ation:	None required.						
<u>Moni</u>	toring:	None required.						
15.	Gro (a)	Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in				\boxtimes		

ground subsidence?

Source(s): EIR396, RCIT, SE-A, SE-B, SE-C

Findings of Fact:

a) EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the Project was not subject to landslide risk, soils with shrink/swell potential, or ground subsidence (EIR396, Appendix A, p. 6). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is within the same area as previously analyzed. The geotechnical investigation found no signs of geologic instability, and considers this risk to be low (SE-A, pp. 6-7). The geotechnical investigation found that the Project site is located within an active subsidence zone (SE-A, pp. 7-8), which is confirmed by the Riverside County's Map Viewer (RCIT). While the surrounding region (the Coachella Valley) has been subjected to groundwater withdrawal related subsidence, no fissures or other evidence of subsidence was observed at the Project site. The Project will be required to follow the project design and construction recommendations outlined in the geotechnical investigations (SE-A, pp. 7-8, SE-B, and SE-C). Thus, the Project will not result in geologic instability or subsidence. Therefore, no

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact	
	or substantially increased impacts result from the per prior CEQA documents.	roposed Pr	oject beyond	l those ana	lyzed	
Mitigation:	None required.					
Monitoring:	None required.					
a) E	Geologic Hazards Be subject to geologic hazards, such as seiche, mudflow, or volcanic hazard?				\boxtimes	
Source(s): E	EIR396, SE-A					
Findings of	Fact:					
Howe other there from s	96 Conclusion: No Impact. Not analyzed due to ever, these issues were analyzed in the geotechn geologic hazards were identified. No volcanic hazare no active volcanoes located within southern Casuch hazards will affect the project. EIR396-A1 thropacts beyond what was analyzed in EIR396.	ical report ards are me alifornia. Tr	prepared for entioned in E nerefore, no p	EIR396 ai IR396, how potential im	nd no vever, pacts	
geote 7-8).	No New Impact. The proposed Project lies within the same area as previously analyzed. The geotechnical investigation considered these hazards as low risk for the Project site (SE-A, pp. 7-8). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.					
Mitigation:	None required.					
Monitoring:	None required.					
17. Slopes						
	Change topography or ground surface relief eatures?				\boxtimes	
b) C	Create cut or fill slopes greater than 2:1 or higher han 10 feet?					
,	Result in grading that affects or negates subsurface sewage disposal systems?				\boxtimes	
•						

Source(s): EIR396, ORD 457

Findings of Fact:

a-c) EIR396 Conclusion: Less than Significant with Mitigation Incorporated. EIR396 determined that the Project would not change topography or ground surface relief features, create cut or fill slopes greater than 2:1 or higher than 10 feet, or result in grading that affects or negates subsurface sewage disposal systems (EIR396, Appendix A, p. 6). EIR396's geotechnical report did make grading recommendations, which are captured in Mitigation Measures C1-1 through C1-7. EIR396 also refers to Mitigation Measures C6-1, C7-1, and C7-2 as related to grading. No significant impacts from on-site grading are anticipated (EIR396, pp. V-58 – V-59). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project is not located within an area of steep slopes. No slopes will be greater than 10

Poten: Signifi	icant	Less than Significant	Less Than Significant	No New Impact
Ner Impa	•w	New Impact with	Significant New	Impact
		Mitigation Incorporated	Impact	

feet in height;although some will be greater than 2:1. However, all slopes will comply with ORD 457 and have been designed in accordance with the California Building Code and per the recommendations of the Geotechnical Report so as not to create any significant impacts. Grading is designed to conform to the drainage conveyance requirements while following existing topographical patterns. All mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

18.	Soil	s		
	a)	Result in substantial soil erosion or the loss of topsoil?		
	b)	Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial direct or indirect risks to life or property?		\boxtimes
	c)	Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?		\boxtimes

Source(s): EIR396, SE-A, SE-B, SE-C

Findings of Fact:

 a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Erosion from wind has a moderate to severe potential to occur on the project. EIR396 refers to Mitigation Measure C6-1 to reduce impacts from wind erosion to less than significant (EIR396, p. V-59). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is located within the same area as previously analyzed and will experience the same issues regarding soil erosion from wind as was analyzed in EIR396. So, the Project does not result in impacts related to soil erosion beyond those previously analyzed. All mitigation remains in effect. The Project's construction activities have the potential to result in soil erosion or the loss of topsoil. However, erosion will be addressed through the implementation of existing State and Federal requirements, and minimized through compliance with the National Pollutant Discharge Elimination System (NPDES) general construction permit which requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared prior to construction activities and implemented during construction activities. The SWPPP will identify Best Management Practices (BMPs) to address soil erosion. Upon compliance with these standard regulatory requirements, the proposed Project is not anticipated to result in substantial soil erosion or the loss of topsoil so impacts will be less than significant. Therefore, no new or substantially increased significant effects result from the Project beyond those analyzed by the prior CEQA documents.

b-c) EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the project was not subject to expansive soils and EIR396 did not include a threshold related

			Significant New Impact	Significant New Impact with Mitigation Incorporated	Than Significant New Impact	No New Impact
		se of septic tanks or alternative waste systems (ugh EIR396-A8 determined there to be no impacts				
	The of st (SE-outli B, a loca not t disp are	New Impact. The proposed Project is located within Project sits on soils that are considered to have a ructural damage caused by volumetric changes in the A, p. 7). The Project will follow the project desired in the geotechnical investigations to ensure the nd SE-C). No septic tanks are proposed as part ted on expansive soil creating substantial direct or have soils incapable of adequately supporting use osal systems where sewers are not available for the proposed. Therefore, no new or substantially increated beyond those analyzed by the prior CEQA doc	medium expland sign and continuous is risk is lessof the Project risk of septic tare disposal of reased imparts.	pansion pote e soil is cons instruction re s than signific ect. Thus, the s to life or propersion or alterna f waste water	ntial and the idered mode commendate cant. (SE-Ane Project in operty and itive wastern because ne	e risk lerate ations A, SE- is not does water either
Mitiga	ation:	All mitigation measures related to this issue t documents remain in effect as they are not affect			•	CEQA
<u>Monit</u>	oring:	Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.
19.		I Erosion and Blowsand from project either on f site Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?				\boxtimes
Sourc	ce(s):	EIR396, ORD 742				
Findi	ngs o	f Fact:				
a)	with	396 Conclusion: Less Than Significant. EIR396 o in a Blowsand Hazard Zone as defined in the GF 396-A8 determined there to be no impacts beyond	P (EIR396, _I	p. V-57). EIF	R396-A1 thi	
	No New Impact. The proposed Project lies within the same area as previously analyzed. The County adopted Ordinance 742 (ORD 742) relating to the control of fugitive dust and the corresponding PM-10 emissions in the Coachella Valley in 1994. In 2004, significant enforcement regulations were added to ORD 742. The proposed Project will be subject to this Ordinance. Potential impacts related to wind erosion and blowsand can be reduced to less than significant levels through the implementation of Ordinance 742 and from adherence to construction dust control mitigation measures identified in the Air Quality section above (Mitigation Measure C6-1). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.					
Mitiga	ation:	None required.				
Monit	oring:	None required.				
GRE		OUSE GAS EMISSIONS Would the project:				
20.	Gree a)	nhouse Gas Emissions Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?				

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				\boxtimes

Source(s): COR CAP, EIR396, EIR396-A2, WEBB-C

Findings of Fact:

a-b) EIR396 Conclusion: Not analyzed due to lack of such questions in EIR396. EIR396-A2 used information from EIR396 to answer this threshold, stating it would have a significant impact and be mitigated by mitigation measures already present in EIR396: C6-2 through C6-11, C9-1, C9-2, D2-8 through D2-13, D2-15, D2-16, and D7-9 (EIR396-A2, pp. 66-69). EIR396-A2 also proposed new Mitigation Measures MM GHG 1 through MM GHG 7 in order to reduce impacts to less than significant. Mitigation Measure MM GHG 1 replaced Mitigation Measures C9-1 and D7-9 (EIR396-A2, p. 74-77). EIR396-A1 through EIR396-A8 determined that with mitigation there were no impacts beyond what was analyzed in EIR396.

Less than Significant Impact with Mitigation. A Greenhouse Gas (GHG) Analysis was not performed at that time EIR396 was certified as none was required. However, all the information necessary to evaluate GHG emissions generated by the Project was available in EIR396, and was subsequently utilized in GHG report prepared for EIR396-A2, as described above.

The proposed Project will not alter the present or planned land use of this area, and impacts from GHG emissions from the proposed land uses, short-term, long-term and cumulative, are similar or less than those examined previously in EIR396. Moreover, the Project will comply with the County of Riverside CAP, updated in July 2018, which sets County-wide GHG emissions targets consistent with state reduction goals in Assembly Bill (AB) 32. The CAP provides guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the County of Riverside. The CAP includes measures developed in order to reduce GHG emissions from new development by 2020. (COR CAP, Appendix F, p. 1)

Mitigation of GHG emissions impacts during the development review process of projects provides a cost effective way of implementing the GHG reduction strategies for reducing community-wide emissions associated with new development. (COR CAP, Appendix F, p. 1).

The County's development review process is streamlined by 1) applying an emissions level that is determined to be less than significant for small projects, and 2) utilizing Screening Tables to mitigate project GHG emissions. Projects have the option of preparing a project-specific technical analysis to quantify and mitigate GHG emissions in lieu of the utilizing the Screening Tables. A review standard of 3,000 MT (metric tons) CO₂E (carbon dioxide equivalents) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions (COR CAP, Appendix F, p. 1).

Projects that exceed the 3,000 MTCO₂E per year are required to either achieve a minimum 100 points per the Screening Tables or prepare a project-specific technical analysis to quantify and mitigate project emissions. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions (COR CAP, Appendix F, p. 7).

Due to the Project's size, its GHG emissions are presumed to exceed to the 3,000 MTCO2e per year threshold and as such the Screening Table approach has been utilized to demonstrate consistency with the County CAP. The Project's GHG Screening Table, prepared by Albert A.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

Webb Associates dated June 2019 (WEBB-C), has been included in this addendum. Mitigation measure **MM GHG-8**, provided below, requires that the Project implement measures totaling a minimum of 100 points from the Screening Tables.

MM GHG-8: Prior to issuance of building permits, the Project applicant shall provide documentation to the County of Riverside Building and Safety Department demonstrating that the following measures or any other combination thereof are incorporated from the County's 2018 Greenhouse Gas Emissions Screening Tables, shown in Appendix F of the Riverside County Climate Action Plan, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.

Because the Project will implement at least 100 points from the Screening Tables (WEBB-C), the Project is consistent with the CAP and its GHG impacts are less than significant. Additionally, because the proposed Project will not measurably increase GHG emissions beyond those previously evaluated and will meet the AB32 reduction target per its consistency with the County CAP, it will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG. Therefore, with implementation of this mitigation, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the Mitigation Monitoring Report.

HAZ	HAZARDS AND HAZARDOUS MATERIALS Would the project:					
21.	Hazards and Hazardous Materials					
	a)	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?				
	b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?				\boxtimes
	c)	Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?				\boxtimes
	d)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?				\boxtimes
	e)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?				\boxtimes

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

Source(s): EIR396, SE-D

Findings of Fact:

a, b, d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 found that, while planned residential land uses on the project site had little potential for storage or use of toxic substances, proposed industrial, business, and commercial uses could potentially store, handle, or generate toxic substances in the future. Buffers between these uses and residential uses will protect future residents from exposure to toxic substances, and none of the commercial or industrial land uses are proposed within one-quarter mile of any existing school site. The project will also comply with all laws and regulations relating to hazardous materials. Complying with Mitigation Measures C11-1 through C11-3 will reduce impacts to less than significant (EIR396, pp. V-169 – V-170). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The Project is less than one-quarter mile away from three school sites: Desert Mirage High School, Toro Canyon Middle School, and Las Palmitas Elementary School. However, the Project is unlikely to emit hazardous emissions, materials, substances, or waste that effect the schools because the Project is residential and open spaces land uses, which have little potential for the use or storage of toxic substances, and will not include business, commercial, or industrial uses, which have a greater potential for toxic substances.

A Phase I Environmental Site Assessment was prepared by Sladden Engineering September 7, 2018 (SE-D) to evaluate areas of potential environmental concern that may be present as a result of past hazardous materials use, handling or storage on or near the Project. The environmental site assessment found no evidence of site conditions that would indicate or cause an existing release, a part release, or threat of a future release of hazardous substances or petroleum products into structures, the ground, groundwater or surface water on the Project site (SE-D, p. 2, 8-9). As stated in prior CEQA documents, the Project will comply will all laws and regulations related to the storage, transport, and use of hazardous materials. The separation of land uses and existing control regulations reduces impacts to less than significant levels. Mitigation measures C11-1 through C11-3 and C11-5 remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

- c) EIR396 Conclusion: Not specifically addressed because EIR396 determined that the project does not involve possible interference with an emergency response plan or emergency evacuation plan (EIR396, Appendix A, p. 7).
 - **No New Impact.** The proposed Project lies within the same area analyzed so will not impair the implementation of, or physically interfere with, an emergency response plan and/or emergency evacuation plan as access to emergency vehicles will be allowed at all times and the design of roads and driveways will be designed to meet County standards for safety and access. Thus, the proposed Project does not result in impacts to an adopted emergency response plan or an emergency evacuation plan. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- e) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 found that prior agricultural operations at the project site may mean hazardous materials could be present in site soils. Mitigation Measures C11-5 reduce the impact to less than significant (EIR396, pp. V-170

Potentially Significant New Impact	Less than Significant New Impact with	Less Than Significant New	No New Impact
Шрасс	Mitigation Incorporated	Impact	

 V-172). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The environmental site assessment found five sites of potential environmental concerns within 1 mile of the Project, but determined upon further analysis that none of these sites pose a significant environmental impact on the Project (SE-D, pp. 4-6). No new areas will be affected or result in exposure to hazardous materials. Mitigation measures C11-3 and C11-5 remain in effect for the proposed Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

22.	Airp a)	Ports Result in an inconsistency with an Airport Master Plan?	\boxtimes	
	b)	Require review by the Airport Land Use Commission?	\boxtimes	
	c)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	\boxtimes	
	d)	For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?	\boxtimes	

Source(s): BASH, EIR396, RCALUC

Findings of Fact:

a-d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 states that the development of the project is consistent with the Thermal (Jacqueline Cochran) Airport Master Plan development, and supports the development goals of the airport by improving circulation in the area. Portions of the project are within five safety zones of the airport, and the project's land uses would be compatible with the requirements for these zones. Mitigation Measures D12-1 and D12-2 would reduce impacts to less than significant (EIR396, pp. V-362 – V-365). In addition, Mitigation Measure D12-5 will ensure the project complies with the airport's building height guidelines (EIR396, pp. V-366 – V-367). Mitigation Measure D12-2 has been revised in EIR396-A2 to include the name change of the airport from "Thermal Airport" to "Jacqueline Cochran Regional Airport" (EIR396-A2, p. 84). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. The Project site lies within the Jacqueline Cochran Regional Airport Land Use Compatibility Plan; specifically Compatibility Zones D and E, with a small area in the northwest corner touching Compatibility Zone C

(RCALUC, Compatibility Map) as reflected in **Figure 3**. The area touching Compatibility Zone C lies within road right-of-way whereby only roadway improvements will be made; no vertical development will take place. Mitigation measures D12-1, D12-2, and D12-5 remain in effect for the proposed Project to ensure impacts remain less than significant.

Additionally, Riverside County Airport Land Use Commission (ALUC) requested an evaluation of the Project to determine any potential hazards to aviation caused by wildlife that may be attracted to the Project site. In response, a Wildlife Hazard Site Visit and Management Plan Review was completed for the Project site by BASH Incorporated, dated March 2019 (BASH).

A total of 111 species of birds and 13 species of mammals, or their sign, were observed during the two day site visit which is only a fraction of the over 400 bird species and dozens of mammal species recorded and documented within the Coachella Valley. Current habitat conditions at the Project site are such that very few birds or other wildlife species were observed. The vast majority of species were found in the surrounding areas where more suitable habitat occurs, which may indicate presence in the vicinity, including migratory birds that pass through and overwinter in the Coachella Valley. Special consideration was given to observations on lakes, ponds, canals, and other water sources in the area, including the adjacent property to the west, as these might all indicate the potential to attract birds and other wildlife to the Thermal Beach Club lagoon when constructed.

The convoluted shoreline and dense emergent vegetation of the approximately 20 acre lake just to the west of the Project site, makes this impoundment particularly attractive to birds. However, a relatively small numbers of birds, with coots being most numerous, were observed.

The most significant water feature in the entire Coachella Valley is the Salton Sea. It is the major attraction and determines the migratory route for birds each fall and spring and holds many thousands of wintering birds each year. The presence of the Thermal Beach Club development will have no impact on these large-scale movement patterns. During the site visit it was noted that several very large flocks of gulls (primarily Ring-billed Gulls) would leave the Sea and forage in the agricultural fields and seek fresh water in the nearby area. None of these flocks were specifically noted near the Thermal Beach Club site as most remained two or more miles to the south. Hence, there may be potential of birds flocking to the site due to the presence of a new freshwater lake. However, there are dispersal methods as noted in the mitigation below that may be used to encourage these birds to move on from the site.

The proposed Project changes the orientation of the lake as previously approved which eliminates the convoluted shoreline, eliminates the shoreline vegetation, and implements a high-tech water treatment regime. The change in orientation will have no effect whatsoever on its potential attractiveness to wildlife. However, all the other measures (i.e. lack of vegetation, water treatment), in and of themselves will act as a deterrent to wildlife making the facility much less attractive than the adjacent property lake or of many of those in the surrounding area. Also important is the fact that there are numerous other water features in the surrounding area, as birds deterred or dispersed from the project site will have ample alternative sites in which to relocate.

The proposed Project will incorporate the following measures as part of the project through a Wildlife Mitigation Plan to minimize any potential impacts from geese or other wildlife as follows:

Reservoir

Will be treated to reduce and or eliminate weeds and all organic matter that attracts birds.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

- Floating fountains will be installed in reservoir to maintain water movement to prevent stagnation as this allows for growth of organic material.
- Landscaping surrounding the lagoon will be maintained to discourage nesting.

Crystal Lagoon/Surf Lagoon

- Lagoon utilizes water cleaning technology which eliminates all organic matter.
- The crystal lagoon by its nature will not attract water fowl.
- Surf Generation equipment will be generating waves from 1 to 7 feet in height.
- Multiple people will be surfing and enjoying water based activities throughout the day.
- The wave and watersports activities, in combination with the Crystal Lagoon, will create an environment that is unfriendly to birds/water fowl.

Landscape Maintenance

- Landscaping throughout the entire property will be installed and maintained in a manner that will not allow nesting to start or provide food for migratory birds.
- Thermal Beach Club will be responsible for managing all landscaping, including all common area and the front and back yard landscaping of all residential units.

Bird Mitigation / Goose Depredation Methods

Bird Mitigation and Goose Depredation programs will follow all licensing requirements of the U.S. Fish & Wildlife Services and the California Department of Fish and Game. The program will utilize multiple methods of non-lethal abatement such as:

- Specially trained birds of prey Hawks and Falcons
- Specially trained dogs which are used in conjunction with the hawks and falcons to condition the Geese that the property is a hostile environment not suitable for nesting.
- Remote controlled devices such as boats are used to encourage the geese to seek water elsewhere.
- Use of Parabolic Speakers for bird harassment.
- Laser Conditioning shows a goose that every time they see a laser it means that a predator is on its way to the goose. The laser is pointed at the ground near the bird and the dog is released to chase the goose. Once the geese know this happens, the laser is extremely effective.
- Removal of nests will be by permit and within the legal limits of such permit.
- A no feeding policy strictly enforced within the community.
- Dedicated staff members employed and trained in bird mitigation tactics.
- Minimum of 5 staff cleaning crystal lagoon 8 hours per day, 7 days per week

In addition to the health and safety benefits of bird abatement, the residents of TBC will have the unique opportunity participate in educational programs relating to the use of Hawks and Falcons in the bird mitigation program where educational events and demonstrations may be provided to residents to enrichen the experience of the TBC residents and their children.

Mitigation Impact Incorporated

Implementation of mitigation measure **MM HAZ-1** will ensure impacts remain less than significant:

MM HAZ-1: The project developers shall implement a Bird Mitigation/Management Plan utilizing industry standard best management practices to identify both passive and active measures to reduce potential risks to operating aircraft from wildlife.

Further, the proposed Project is not located within the vicinity of a private airstrip or helipad. The proposed Project was reviewed by the ALUC on June 13, 2019, July 11, 2019, and October 10, 2019, where the Project was determined to be consistent with the Jacqueline Cochran Regional Airport Master Plan subject to ALUC's conditions; and all of ALUC's conditions have been incorporated into the project and its conditions. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project and as added.

<u>Monitoring</u>: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

HYDROLOGY AND WATER QUALITY Would the project:									
23.	Wat	ater Quality Impacts							
	a)	Violate any water quality standards or waste							
		discharge requirements or otherwise substantially		Ш		\boxtimes			
		degrade surface or ground water quality?							
	b)	Substantially decrease groundwater supplies or							
		interfere substantially with groundwater recharge							
		such that the project may impede sustainable				\bowtie			
		groundwater management of the basin?							
	c)	Substantially alter the existing drainage pattern of							
		the site or area, including through the alteration of							
		the course of a stream or river or through the			Ш	\bowtie			
		addition of impervious surfaces?							
	d)	Result in substantial erosion or siltation on-site or							
		off-site?							
	e)	Substantially increase the rate or amount of							
		surface runoff in a manner which would result in				\boxtimes			
		flooding on-site or off-site?	_	<u> </u>	_				
	f)	Create or contribute runoff water which would							
		exceed the capacity of existing or planned							
		stormwater drainage systems or provide	Ш	Ш	Ш	\bowtie			
		substantial additional sources of polluted runoff?							
	g)	Impede or redirect flood flows?				\boxtimes			
	h)	In flood hazard, tsunami, or seiche zones, risk the							
		release of pollutants due to project inundation?				\boxtimes			
	i)	Conflict with or obstruct implementation of a water							
		quality control plan or sustainable groundwater	П			\bowtie			
		management plan?			_				

Source(s): CVWD, CVWD-A, CVWMP, EIR396, FEI-A, FEI-B, FEMA, FEMA FZ, FEMA LOMR, RCIT, SE-A

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Residential, commercial, office and industrial land uses associated with the project may impact beneficial uses of surface drainage waters, including the Coachella Valley Stormwater Channel, through an increase in nonpoint source pollution. The project incorporates several features that would reduce the impacts of urban nonpoint source pollution, including a catch basin and storm drain system. Urban storm runoff from the project would have reduced levels of pollutants due to detention in lakes and ponds. The project would result in the elimination of agricultural sources of pollution to surface and ground waters in the project vicinity. Implementation of Mitigation Measures C7-3 through C7-5 would reduce impacts to less than significant (EIR396, pp. V-136 – V-138). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. Water quality standards may be affected by the Project discharging sediment or other materials during construction as activities associated with the construction of the proposed Project would include grading and site preparation, which may have the potential to release pollutants (e.g., oil from construction equipment) and silt off-site which could impact water quality. However, the developer will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) pursuant to the statewide General Construction Permit (NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ, adopted September 2, 2009 and effective as of July 2, 2010) issued by the State Water Resources Control Board (SWRCB) for construction projects. Compliance with the SWPPP in combination with existing regulations will result in a less than significant impact with regard to violation of water quality standards. A project-specific Preliminary Water Quality Management Plan and Preliminary Hydrology Report were prepared by Feiro Engineering dated April 10, 2019 (FEI-A and FEI-B, respectively).

Development of the Project site will add impervious surfaces associated with parking, residential structures, village area, and private roads. During Project operation, the Project has the potential to introduce potential sources of water pollution from vehicles, trash, debris, and pesticides. The project prepared a project-specific WQMP as required to treat post-construction stormwater runoff. The Project site is divided into two drainage areas: Drainage Management Area (DMA) 1 and DMA2. Drainage will be collected via catch basins and storm drain pipes which will direct flow to a proposed interim retention basin which will permit storm water percolation into the soil and into the proposed 16-inch tile drain that will connect to the existing 16-inch tile drain pipe. The bottom of this basin will contain at least two feet of sand to function as a san filter to treat stormwater prior to entering the tile drains. As required per Riverside County, the proposed interim retention basin will retain the incremental increased drainage while two emergency overflows will permit the rest of the storm water in these two DMA's to flow out of the property. The irrigation reservoir will collect and reuse stormwater for the northern portion of the project site. (FEI-A, pp. 1-3, 1-4).

The existing site drains by sheet flow onto the vacant lot immediately to the south (which is also part of The Kohl Ranch). The ultimate discharge point to public property is in the southeast corner of the adjacent southerly property where two 30-inch reinforced concrete pipes (RCP) convey the drainage across Avenue 66 to an existing drainage channel. Further, the site is bounded on the north by an evacuation channel. At the northeast corner of the site, at the intersection of Polk and Avenue 64, a weir and future drainage pump station are proposed. These facilities are part of the regional drainage system and control the runoff from Martinez

Canyon, the mouth of which is approximately 5 miles to the southwest. Part of the regional system exists, part will be constructed as part of this Project, and part will be constructed by other developments within Kohl Ranch. The system is currently (and will ultimately be) maintained by CVWD. No stormwater from the developed Project is intended to comingle with this regional drainage, except possibly in the event of an emergency. (FEI-B, p. 3).

The proposed Project incorporates source control and treatment control best management practices (BMPs) to address storm water runoff. Thus, through BMPs, in addition to compliance with existing regulations, the proposed Project will not violate water quality standards or waste discharge requirements. With implementation of Mitigation Measures C7-3 through C7-5, the proposed Project would not result in impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project could impact groundwater supplies in the vicinity, as the groundwater table in the lower Coachella Valley has already being depleted. Mitigation Measures D2-1 through D2-16 ensure impacts will be less than significant (EIR396, pp. V-299 – V-302). EIR396-A2 determined that Mitigation Measures D2-2 and D2-3 are no longer applicable to the project due to an agreement with the CVWD (EIR396-A2, p. 101). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed.

CVWD is the water provider for the site and relies primarily on groundwater for potable water supplies. For non-potable water supplies, CVWD uses recycled water and imported Colorado River water (CVWD, pp. ES-6 – ES-7). CVWD's 2015 Urban Water Management Plan indicated it has sufficient supply to meet customer demand based on existing demand and projected demand based on land use projections from jurisdictions within its service area (CVWD, pp. 1-2-1-3, 3-11 – 3-12). Development of the Project site was accounted for in CVWD's planning efforts.

The original intent of the drainage within SP303 (Kohl Ranch) was to infiltrate or reuse stormwater; although reuse is still a design intent, infiltration is no longer a viable option. Groundwater replenishment in this area over the last 10 years has resulted in a rise of groundwater throughout the east Coachella Valley. Much or most of Kohl Ranch now has groundwater within 10-15 of the surface which prohibits the use of infiltration basins as these need 10 feet of soil between bottom of basin and groundwater. (FEI-B, p. 1-3).

However, development of the Project will not negatively impact sustainable groundwater management of the basin as groundwater is so abundant that additional groundwater replenishment is prohibited. On January 25, 2018, CVWD confirmed that the existing Water Supply Assessment from the prior CEQA documents is applicable to this Project, and no additional assessment is needed. The existing Water Supply Assessment determined there is sufficient water supply to serve the Project site and thus will not deplete current groundwater supplies or impact ground water recharge efforts (CVWD-A). Mitigation measures from the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Avenue 64 and Avenue 66 convey stormwater flows, eventually collecting in the Coachella Valley Stormwater Channel (Whitewater River). Mitigation Measure C5-8 ensures impacts to drainage patterns will be less

than significant (EIR396, pp. V-102 – V-104). In addition, EIR396-A2 includes drainage development standards to be incorporated into project drainage design (EIR396-A2, pp. 88-89).

No New Impact. The proposed Project lies within the same area as previously analyzed. While the project will add impervious surfaces, it will not alter the existing drainage pattern of the site, stream or river. The Project's drainage is designed to reflect existing pre-development conditions. The Project site will be designed to handle 3-hour, 6-hour and 24-hour duration, 100-year frequency storms. If the Project site is subjected to an event greater than the design storm, or in case of emergency, the retention basin will be designed to overflow to the east into the earthen trap channel. If, during review of the final Hydrology and Water Quality Management Plan (WQMP), it is determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2000 linear feet to the evacuation channel on 64th Avenue. This will mostly be determined by the flowrate CVWD allows into the tile drain system (FEI-A, p. 5). All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

- d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Development and construction of the project could potentially create short-term downstream impacts related to erosion and sedimentation, as well as rainfall impacts and sheet erosion. Mitigation Measures C1-6 and C7-1 through C7-4 would reduce these potential impacts to less than significant (EIR396, pp. V-59 V-60).
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed and is still subject to the NPDES permit requirements which includes preparation and implementation of a SWPPP for the prevention of runoff during construction. Erosion, siltation and other possible pollutants associated with long-term implementation of the Project are addressed as part of the project-specific Preliminary WQMP and grading permit process. The Project is required to be in compliance with the NPDES general construction permit which requires that a SWPPP with Best Management Practices (BMPs) be prepared prior to the commencement of construction activities and incorporate water quality design features to address potential erosion and siltation impacts. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the prior CEQA documents.
- e-f) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The proposed development would substantially alter the project site by replacing primarily agricultural uses with roadways, walkways, parking and buildings. Because the majority of the project site is undeveloped land, these impervious surfaces would reduce the infiltration of rainfall and increase stormwater runoff volumes. In order to approximate existing historical runoff conditions, the difference between the on-site developed and undeveloped runoff flows would be controlled by use of on-site retention basins. Mitigation Measures C5-1 through C5-8 would reduce impacts to less than significant (EIR396, pp. V-101 V-104). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and will add impervious surfaces which may substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site. Further, due to the increased impervious surfaces, there is potential the Project may create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

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The existing site drains by sheet flow onto the vacant lot immediately to the south (also part of the overall Kohl Ranch site). The ultimate discharge point to public property is in the southeast corner of the adjacent property to the south where two 30-inch reinforced concrete pipes (RCP) convey the drainage across Avenue 66 to an existing drainage channel at the intersection of Polk Street and Avenue 66. An evacuation channel is also located on the northern boundary along Avenue 64. At the intersection of Polk and Avenue 64, a weir and future drainage pump station are proposed. These facilities are part of the regional drainage system and control the runoff from Martinez Canyon, the mouth of which is approximately five miles to the southwest. Part of the regional system exists, part will be constructed as part of this project, and part will be constructed by other developments within Kohl Ranch. The system is currently and will ultimately be maintained by CVWD. No stormwater from the proposed Project site is intended to comingle with this regional drainage, except in the event of an emergency. The evacuation channel carries the runoff from Martinez Canyon and directs it easterly across Polk Street. East of Polk Street, the channel is narrow and can only contain a portion of the flow. The weir is intended to accept additional flows, above the capacity of the channel east of Polk Street, and direct the flows southerly into the earth trap channel. The trap channel is essentially level (at both top and bottom of the channel) from Avenue 64 to Avenue 66 and once full, will release the flow easterly, spreading out across Polk Street which will function as a weir. The intent is to spread and return flows to the predevelopment condition. In the event that the earthen trap is unable to infiltrate the stormwater remaining after significant events, a drainage pump will meter the flow back into the evacuation channel to flow easterly to the Salton Sea. (FEI-B, pp. 3-4).

The site, as identified in Threshold 23a above, is divided into two drainage areas: DMA1 and DMA2. The irrigation reservoir and surf bays will "self-retain" meaning that all stormwater falling on to them and their shores will remain in the lakes. Drainage for DMA1 and DMA2 will be collected via catch basins and storm drain pipes that will direct the flow to the proposed interim retention basin. The high groundwater at the site will prevent percolation into the native soils so the stormwater will filter through a sand bed filter into a proposed 16-inch tile drain that will connect to an existing 16-inch tile drain pipe that is maintained by CVWD. This tile drain system flows to the Salton Sea. CVWD may require this flow be metered such that a maximum flowrate into the pipe would be allowed. In such case, the flow would be controlled by pipe size from the basin to the existing 16-inch tile drain. (FEI-B, p. 4).

There is potential that run-on to the Project site may occur from the residential development located to the west (the partially constructed TTM 33487, also known as "Quintana"). TTM 33487 was designed for all stormwater to be retained in a large onsite lake that has already been constructed. In the event of a storm greater than the design storm, or in case of emergency, this lake may overflow at its most easterly point onto the adjacent proposed "Spine Road" and onto the Project site. The Project will be designed to accept this potential overflow and route it through the Project, above ground, and into the proposed retention basin (FEI-B, pp. 4-5).

Should an event greater than the design storm occur or in the event of an emergency, the interim retention basin will be designed to overflow to the east into the earthen trap channel along Polk Street. If, determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2,000 linear feet to the evacuation channel located along Avenue. This will be determined by the flowrate that CVWD allows into the tile drain system (FEI-A, p. 5).

The Project site will be designed to handle 3-hour, 6-hour, and 24-hour duration, 100-year frequency storm events. The total incremental increase of stormwater runoff between pre and

No New Impact

post-development conditions is 10.23 acre-feet (AF). However, the proposed basin volume is designed for 15.5 AF. In the event of a storm greater than the design storm or in an emergency, the basin would overflow at an elevation of 277 feet above mean sea level (AMSL) into the earthen trap channel along Polk Street. The lowest proposed pad elevation is 283.2 which would provide six feet of freeboard. All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Regional flows g) approaching and passing through the project site occur in a west to east pattern. Development would require the collection of flood flows along the western boundary and conveyance of those flows through the project to ensure the protection of the developed properties from a 100-year flood. In addition, the storm flows would have to be redispersed along the eastern boundary to approximate the existing flow conditions, in order to avoid adversely impacting the downstream properties. Mitigation Measures C5-2 through C5-8 would reduce impacts to less than significant (EIR396, pp. V-102 – V-104). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The Project would construct residential structures which may have the potential to impede or redirect flows. However, the Project's drainage is designed to reflect existing pre-development conditions. The Project site will be designed to handle 3-hour, 6-hour and 24-hour duration, 100year frequency storms. If the Project site is subjected to an event greater than the design storm, or in case of emergency, the retention basin will be designed to overflow to the east into the earthen trap channel. If, during review of the final Hydrology and Water Quality Management Plan (WQMP), it is determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2,000 linear feet to the evacuation channel on Avenue 64. This will be determined by the flowrate that CVWD allows into the tile drain system (FEI-A, p. 5). All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

h) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The property has not been mapped by the Federal Emergency Management Agency (FEMA). The area is designated as Flood Zone D, an area of undetermined but possible flood hazards. Per discussions with CVWD Flood Control Engineers, the project site is not subject to concentrated flood hazard due to protection from the Eastside Levee, and would not be conditioned by the District to perform FEMA mapping. Therefore, the project site is only subject to sheet flows generated from the tributary area between the Eastside Levee and the project site. According to the GP, the project site is not located within a 100-year floodplain, dam inundation area, or area drainage plan. As stated in threshold 26.d, the difference between the on-site developed and undeveloped runoff flows would be controlled by use of on-site retention basins. There will also be dispersal basins along the eastern boundary of the project to avoid adverse impacts to downstream properties. Flood-related hazards would be mitigated via Mitigation Measures C5-2 through C5-8, to reduce impacts to less than significant (EIR396, pp. V-100 – V-104).

Tsunami and seiche zone hazards were not analyzed due to lack of such a question in EIR396. However, these issues were analyzed in the geotechnical report prepared for EIR396. According to the Earth Systems Geotechnical Report (1993), based on the Project site's geologic location

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and topography, the probability of secondary seismic geologic hazards that may result from an earthquake (including tsunamis and seiches) is negligible (EIR396's Geotechnical Report, p. 7). Therefore, no potential impacts from such hazards will affect the project. EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The Project lies within the same area as previously analyzed. As defined by FEMA, the Project site is located within an area of 1 percent annual chance flood with average depth less than one foot (FEMA); a 1 chance flood is also referred to as the base flood or a 100-year flood (FEMA FZ). The Project site is also partially in an area of reduced flood risk due to a levee; however, FEMA does not specify the amount of protection from flood risk in this area (FEMA LOMR); in order to be conservation, it is assumed that there is no significant reduced flood risk. . However, the Project site will be designed to handle 3-hour, 6-hour and 24-hour duration, 100-year frequency storms. Should the Project site be subjected to an event greater than the design storm, or in case of emergency, the interim retention basin located south of the site will be designed to overflow to the east into the earthen trap channel. If, during review of the final Hydrology and Water Quality Management Plan (WQMP), it is determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2000 linear feet to the evacuation channel on 64th Avenue. This will mostly be determined by the flowrate CVWD allows into the tile drain system (FEI-A, p. 5). The Project site is not located near the Pacific Ocean so is not subject to tsunami and has a low risk of seiche hazard (SE-A, p. 7). All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

i) EIR396 Conclusion: Not specifically analyzed because this threshold was not applicable at the time of EIR396. However, adequate information is provided in EIR396 to make an impact determination. The project is located within the regulatory boundaries of the Water Quality Control Plan for the Colorado River Basin, which covers water quality issues for the project vicinity, including surface water and groundwater (EIR396, pp. V-131, V-133 – V-134). In order to reduce water quality impacts from the project to a less than significant level, mitigation measures C7-3 through C7-5 are incorporated (EIR396, pp. V-136 – V-138). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The Project lies within the same area as previously analyzed. The Project is located within the CVWD jurisdiction. The CVWD outlines its water quality and groundwater management issues and goals in its Coachella Valley Water Management Plan Update (CVWMP). The CVWMP states that its goal is for groundwater recharge to increase (CVWMP, pp. 2-4 - 2-5, 6-32 - 6-35). The CVWMP also identified water quality as a significant issue, particularly for concerns like salinity and water pollutants such as metals and arsenic (CVWMP, pp. 6-35 – 6-39). A site specific Preliminary Water Quality Management Plan dated April 10, 2019 was prepared by Feiro Engineering Inc. (FEI-B, Appendix E). It contains Project-specific recommendations for compliance with water-quality standards, waste discharge requirements, and BMPs for maintaining water quality (FEI-B, pp. I-20 – I-25), which address CVWMP's water quality concerns. The Project is required to be in compliance with the NPDES general construction permit which requires that a SWPPP be prepared prior to construction activities and implemented during construction activities. The SWPPP will BMPs that achieve Best Control Technology (BCT) and Best Available Technology (BAT) performance standards. Regarding groundwater recharge, FEI-B states that the original intent of the drainage within SP303 was to infiltrate or reuse stormwater; although reuse is still a design intent, infiltration is

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no longer a viable option. Groundwater replenishment in this area over the last 10 years has resulted in a rise of groundwater throughout the east Coachella Valley. Much or most of SP00303S3 now has groundwater within 10-15 of the surface. This prohibits the use of infiltration basins which need 10 feet of soil between bottom of basin and groundwater. The Substantial Conformance application, submitted as part of this project, will describe this and update the wording of SP00303S3 WQMP (FEI-B, p. 1-3). Development of the Project will not negatively effect sustainable groundwater management of the basin as groundwater is so abundant that additional groundwater replenishment is prohibited. The Project will also not conflict with or obstruct implementation of a water quality control plan, per the Project's Preliminary Water Quality Management Plan and compliance with the NPDES general construction permit. All mitigation measures from the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

LAN	LAND USE/PLANNING Would the project:						
24.	Lan	d Use					
	a)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?					
	b)	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?				\boxtimes	

Source(s): EIR396 Findings of Fact:

a) EIR396 Conclusion: Significant and Unavoidable. Land uses already present on the project site at the time of EIR396's certification were primarily agricultural uses and vacant land, with limited residential uses along the project periphery and Avenue 61 (EIR396, pp. V-47 – V-50). Development of the project will change the existing land use from agricultural land uses and vacant land to a mixed used residential, commercial, industrial, open space and recreational development resulting in a significant unavoidable impact. Mitigation and monitoring measures for land use compatibility were established for the potential of land use conflicts between agricultural and proposed urban uses in EIR396 to reduce impacts to less than significant. Other impacts resulting from loss to agricultural land uses were found to be significant and unavoidable (EIR396, pp. V-74 – V-79). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

The Thermal Airport (now referred to as the Jacqueline Cochran Regional Airport) is located immediately north of the project site. The Torres-Martinez Indian Reservation also lies adjacent to the southern portion of the project site. The Project will be compatible with all of the existing and surrounding land uses. Each of the six land use concepts presented in SP303 were analyzed in EIR396 for consistency with the policies of the Eastern Coachella Valley Plan. All concepts were found to have less than significant impacts assuming that edge treatment, buffering and streetscapes in the SP303 Design Guidelines are incorporated into the project

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(EIR396, pp. V-41 – V-44, V-47 – V-52). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as was previously analyzed. Development of the Project proposes development of 326 lots for residential development consisting of 131 medium density dwelling units and 195 high density dwelling units which will include single family home, duplex units and four-plex units; one lot for an irrigation reservoir; one lot for a private lagoon with wave making capabilities and future village area consisting of up to 34,400 square feet of development. SP00303S3 entails minor modifications to The Kohl Ranch Specific Plan to allow for a re-configuration of planning areas J-1 through J-8, L-1, L-2, and L-3 to allow for development of the Project. Each planning areas will maintain an acreage variance within 16 to 30 percent and changes to target dwelling unit within each planning area will be no more than 10 percent to maintain consistence with processing of a Substantial Conformance. No land use designation changes are proposed as part of the Project; the Project does not contain any land uses that have not already been allowed for and considered in SP303A4 and analyzed in the prior CEQA documents. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA document.

b) EIR396 Conclusion: Not specifically addressed in EIR396 because EA36750 determined that the Project did not disrupt or divide the physical arrangement of an established community (including a low-income or minority community. EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is located within an undeveloped area with no established community and lies within the same area as previously analyzed. Thus, the Project will not disrupt or divide an established community (including a low-income or minority community). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. <u>Monitoring</u>: None required.

MIN	ERA	RESOURCES Would the project:		
25.	Min	eral Resources		
	a)	Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?		
	b)	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?		\boxtimes
	c)	Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?		

Source(s): EIR396, GP

Findings of Fact:

a-c) EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the project was not located within a mineral resource zone (MRZ) (EIR396, Appendix A, p.

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8). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and does not lie within an MRZ. It falls within an unstudied area (GP, Figure OS-6). The proposed Project will not result in the loss of availability of a known mineral resource in an area classified or designated by the State that would be of value to the region or the residents of the State. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. <u>Monitoring</u>: None required.

NOI	NOISE Would the project result in:							
26.	Airp	oort Noise						
	a)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?						
	b)	For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?				\boxtimes		

Source(s): DBF, EIR396, Project Description, RCALUC

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project lies south of and adjacent to the Jacqueline Cochran Regional Airport (formerly referred to as the Thermal Airport), a general aviation airport that serves business and leisure aircraft. Although the airport does not have an Air Traffic Control Tower to keep operational statistics, it is estimated that 85 percent of these operations occurred during the daytime, with 15 percent in the evening and 5 percent at night. This results in 60 community noise equivalent level (CNEL) noise contours that extend 6,000 feet north of the higher use runway and 9,000 feet to the south onto the project. The 65 CNEL contours extend 6,500 feet to the south onto the project, but the 70 and 75 CNEL contours remain on the airport property. The lower use runway (12-30) has 60 CNEL contours which extend 6,000 feet to the south. The 65 and 70 CNEL contours for this runway are within the airport boundaries (EIR396, pp. V-144 – V-146).

The proposed land uses on site could be impacted by noise emanating from Jacqueline Cochran Regional Airport and area roadways. Within the airport's 65 CNEL contour, lies Open Space, Air Park/Mixed Use, and Heavy Industrial land use designations. According to the Land Use Guidelines for Noise Compatibility for airport uses, these land uses are satisfactory with little noise impact and require no special noise insulation for new construction. Within the airport's 60 CNEL contour is proposed Open Space, Air Park/Mixed Use, Office, Heavy Industrial, Light Industrial, Residential Low and Residential High uses. With the exception of residential, the other land use categories would be considered compatible. Residential uses are generally discouraged within the 60 CNEL contour. New residential construction should be undertaken

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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only after an analysis of noise reduction requirements is made and noise insulation included in the design. Given the location of these residential uses, the analysis will also need to address the combined impact of motor vehicle noise from adjacent roadways. The area within the 70 and 75 CNEL contours on site are designated for Open Space uses which should not be impacted by aircraft noise. However, recreational uses should be limited to those that do not involve concentrations of people. Mitigation Measure C8-4 and C8-5 reduce potential impacts to less than significant (EIR396, pp. V-159 – V-161). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. A Noise Analysis Report was prepared by dBF Associates, Inc. on June 13, 2019 (DBF). The analysis concluded that the existing and future (year 2022) noise level from the Jacqueline Cochran Regional Airport is less than 60 a-weighted decibels (dBA) CNEL at the Project site (DBF, p. 17). Per the GP, exterior noise levels up to 60 dBA CNEL are considered Normally Acceptable at Residential-Low Density (which is what the Project site is considered) (DBF, p. 10). Therefore, DBF concludes that impacts from airport noise are less than significant (DBF, p. 17). Additionally, the Project site is located outside of any CNEL noise contour for aircraft and does not conflict with any General Plan policies related to airports. Since the Project is located in Compatibility Zones C and D as identified in the Project Description, avigation easements will be required as part of the sale of any unit (RCALUC). Avigation easements notify property owners that the unit is located within the vicinity of an airport and as such, the property may be subject to annoyances and inconveniences associated with airport operations. Thus, the proposed Project does not result in impacts from airport-related noise beyond those previously analyzed and no further analysis is necessary. Furthermore, the project does not lie within the vicinity of a private airstrip. All mitigation measures from the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

27.	Nois a)	Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?		
	b)	Generation of excessive ground-borne vibration or ground-borne noise levels?		\boxtimes

Source(s): DBF, EIR396

Findings of Fact:

a) EIR396 Conclusion: Significant and Unavoidable. Permanent noise increases related to the project identified in Table V-30 of EIR396 range up to 7.0 A-weighted decibels (dBA) along existing links (roadway segments). Twelve of the analyzed links would experience noise increases of 3.0 decibels or greater. This change in noise level is considered "audible" to the human ear and therefore has the potential to create significant impacts. Additionally, there is an

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No New Impact

increase in noise greater than 1.0 dBA but less than 3.0 dBA along twenty-seven roadway links. These noise increases are considered "potentially audible" (EIR396, pp. V-156 – V-159). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Temporary short-term acoustic impacts are those associated with construction activities necessary to implement the proposed land uses on site. The noise levels would be higher than the ambient noise levels in the project vicinity today, but would subside once construction is completed. Two types of noise impacts should be considered during the construction phase. First, the transport of workers and equipment to the construction site would incrementally increase noise levels along site access roadways. The increase should not exceed 1.0 dBA when averaged over a 24-hour period, and should therefore be inaudible to adjacent noise receptors. The second is related to noise generated by the construction operations on site. Construction activities are carried out in discrete steps, each of which has its own mix of equipment, and consequently its own noise characteristics. These sequential phases would change the character of the noise levels surrounding the construction site as work progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow noise ranges to be categorized by work phase. Mitigation Measures C8-1 through C8-3 would reduce short-term noise impacts to less than significant (EIR396, pp. V-150 – V-151).EIR396-A2 added Mitigation Measures MM Noise 1 through 2 to help further mitigated impacts to the project-adjacent school sites and nearby residences (EIR396-A2, pp. 120-121). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

The proposed uses are generally compatible with the surrounding environment since they were developed with recognition of the noise contours surrounding Jacqueline Cochran Regional Airport. Special noise concerns exist with the more sensitive residential and school uses that are proposed in proximity to motor vehicle noise, and the requirement to meet the state interior noise standards for multifamily dwellings (EIR396, p. V-159). Within the airport's 65 CNEL contour lies Open Space, Air Park/Mixed Use and Heavy Industrial land use designations. According to the Land Use Guidelines for Noise Compatibility for airport uses, these land uses are satisfactory with little noise impact and require no special noise insulation for new construction. Within the airport's 60 CNEL contour is proposed Open Space, Air Park/Mixed Use, Office, Heavy Industrial, Light Industrial, Residential Low and Residential High uses. With the exception of residential, the other land use categories would be considered compatible. Residential uses are generally discouraged within the 60 CNEL contour. New residential construction should be undertaken only after an analysis of noise reduction requirements are made and noise insulation included in the design. Given the location of these residential uses. the analysis will also need to address the combined impact of motor vehicle noise from adjacent roadways. The area within the 70 and 75 CNEL contours on site are designated for Open Space uses which should not be impacted by aircraft noise. However, recreational uses should be limited to those that do not involve concentrations of people (EIR396, p. V-159).

Sensitive land uses are proposed within the project including residences and possibly schools under the Public Facilities designation. Residential uses proposed adjacent to Avenue 62, Avenue 66, Tyler Street and Polk Street may be subject to noise levels in excess of 65 CNEL before mitigation. Additionally, future noise levels generated along on-site roadways, residences and schools adjacent to A Street, B Street, and C Street may also be impacted by noise in excess of 65 CNEL prior to mitigation (EIR396, p. V-160).

Potentially Significant New Impact Less than Significant New Impact with Mitigation Incorporated Less Than Significant New Impact

No New Impact

These areas would be considered "conditionally acceptable" according to the County of Riverside standards, indicating that noise studies are required to ensure appropriate sound attenuation is incorporated into project design. Since noise barriers can reduce sound by up to 12 dBA, sound walls should be sufficient to reduce motor vehicle noise to acceptable levels for residential and school uses. However, it is more likely that a combination of techniques including site design and setbacks is required to ensure a compatible noise environment. With mitigation, an exterior environment of 65 dBA CNEL could be achieved. This would ensure that the 45 dBA interior noise standard for multifamily uses is met, since typical building construction practices result in a 20-25 dBA exterior-to interior reduction. Mitigation Measures C8-4 and C8-5 will ensure impacts are less than significant, and Mitigation Measures D12-3 and D12-4 will ensure project development is compliant with the Jacqueline Cochran Regional Airport's noise guidelines (EIR396, pp. V-160 – V-161, V-365 – V-366). EIR396-A2 added Mitigation Measures MM Noise 3 through 9 to further mitigated impacts (EIR396-A2, pp. 124-125). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. A Noise Analysis Report was prepared by dBF Associates, Inc, on June 13, 2019 (DBF). DBF outlined the applicable standards for noise level impacts. Per the GP, exterior noise levels up to 60 dBA CNEL are considered Normally Acceptable at Residential-Low Density (which is what the Project site is considered); exterior noise levels up to 70 dBA CNEL are considered Conditionally Acceptable. Exterior noise levels up to 75 dBA CNEL are considered Normally Acceptable at Industrial, Manufacturing, Utilities and Agriculture land uses. These standards are codified in Riverside County Code Section 9.52.040 and 9.52.020. Normally Acceptable means that the specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Conditionally Acceptable means new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included; conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice (DBF, pp. 10-12).

DBF concluded that roadway noise levels at the Project site would range from below 60 dBA CNEL to approximately 66 dBA CNEL, which means noise levels would by Conditionally Acceptable. As discussed in Threshold 26a and 26b above, airport noise (from the Jacqueline Cochran Regional Airport, the closest airport to the Project site) would generate noise less than 60 dBA CNEL on the Project site, meaning this noise level is Normally Acceptable (DBF, p. 17)

Construction of the Project would generate a short-term temporary increase in noise in the Project area. The primary noise from Project construction would be from site grading, which would require the use of heavy equipment. No blasting would be necessary. This Project would implement conventional construction techniques and equipment. Standard equipment such as scrapers, graders, backhoes, loaders, tractors, cranes, and miscellaneous trucks would be used for construction of the Project. To reduce potential noise impacts, construction activity and delivery of construction materials and equipment is limited to daytime hours (between 7:00 a.m. and 7:00 p.m.), Monday through Saturday (DBF, p. 19). The Project would be required to comply with this ordinance ensuring impacts from construction noise are less than significant.

The Project would have the following operational noise sources: residential HVAC systems, mechanical systems to operate the wave machine, and bird harassment devices. Noise from the Project's HVAC systems would be less than 45 dBA at all occupied property. All water cleaning and surf system mechanical equipment would be located in underground enclosed chambers; above-ground noise would not be audible. Noise from mechanical equipment would

Potentially Less than Less No Significant Significant Than New New **New Impact** Significant Impact **Impact** with New Mitigation **Impact** Incorporated

be less than 45 dBA at all occupied property. The bird harassment systems are handheld directional speaker devices, and would be used during daytime only. Noise from occasional use of bird harassment systems is not expected to exceed 55 dBA at any occupied property. These operational noise levels are below the 60 dBA CNEL limit per the GP, and thus operational noise impacts are less than significant (DBF, p. 20).

The Project would also generate traffic (and traffic noise) on roadways in the Project area. Land uses along Project area roadways include agricultural land and residences. The GP considers noise levels up to 70 dBA CNEL to be Conditionally Acceptable at residences, and noise levels up to 80 dBA CNEL to be Conditionally Acceptable at agricultural uses. Since sound level variations of less than 3 dba are not considered detectable by people, impacts from traffic noise would only be considered significant if Project traffic would increase the noise level by 3 dBA CNEL or more to over 70 dBA CNEL at an outdoor use area of a residence, or to over 80 dBA CNEL at agricultural land. Based on the analysis in DBF, the addition of Project traffic would increase noise levels by up to approximately 17 dBA CNEL, but the resultant noise levels would not exceed approximately 61 dBA CNEL. The impact of project-generated traffic noise would be less than significant (DBF, pp. 21-23).

Thus, the proposed Project's potential impacts generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies are no different from those previously analyzed and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Not Analyzed. This question was not included in EIR396. EIR396-A2 identified that ground-born vibration and ground-borne noise is usually only potentially significant if a sensitive receptor is located adjacent to a large source of such vibration such as a railroad track (EIR396-A2, p. 125). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. A Noise Analysis Report was prepared by dBF Associates, Inc, on June 13, 2019 (DBF). DBF found that impacts related to vibration from Project operation and construction would be less than significant. Operational vibrations are generated by vehicular traffic and mechanical equipment operation. Vehicular traffic vibrations are so minor that they are considered barely perceptible. All mechanical equipment would be located over 25 feet from vibration-sensitive structures, and will be installed with using vibration-dampening resilient isolators to ensure that vibration levels are lower than applicable Caltrans thresholds (DBF, p. 24). Construction-related vibration are temporary and scattered over the site as construction phases are implemented. The proposed Project will not incorporate the use of pile-driving. The highest construction-related vibration levels would occur during Project grading. Based on the construction equipment that will be used for the Project site, vibrations would be considered barely perceptible and less than significant (DBF, p. 25).

There are no railroad tracks adjacent to the Project site. Additionally, groundborne vibration and groundborne noise are not associated with any of the uses proposed by the proposed Project. As the proposed Project occurs within the same footprint as previously analyzed, it will not result in an increase of ground-borne vibration or ground-borne noise levels. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

		Potentially	Less than	Less	No
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Mitigation:	All mitigation measures related to this issue t documents remain in effect as they are not affect				CEQA
Monitoring:	Monitoring for all mitigation measures remain as i	identified ir	n the prior CE	QA docum	ents.
PALEON	OLOGICAL RESOURCES:				
28. Pale	ontological Resources				
a)	Directly or indirectly destroy a unique paleonto-		\boxtimes		
	logical resource, site, or unique geologic feature?				
<u> </u>			•	·-	

Source(s): AE-B, EIR396

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project site has been heavily disturbed, and recovery of paleontological resources within 7 feet of the surface is unlikely. Mitigation Measures C12-4 through C12-7 will reduce impacts of any potential future construction excavation on the project site to less than significant (EIR396, pp. V-183 – V-184). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less than Significant New Impact with Mitigation Incorporated. The proposed Project area lies within the same area as previously analyzed. A Paleontological Technical Memorandum was completed for the Project site by Applied Earthworks dated September 18, 2018 (AE-B, Appendix B). The analysis of paleontological resources contained within AE-B refers to the "project area" which is approximately 250 acres of land containing and surrounding the Project site (AE-B, p. 1).

AE-B conducted a record search of paleontological resources in the vicinity of the project area. AE-B found that there were no known paleontological fossil localities within the project area. The nearest known localities exist northwest of the project area, on both sides of Madison Street north of Avenue 58, which is approximately 6.5 miles away from the Project site. While there are no known paleontological resources located in the project area, the project area has a high paleontological sensitivity rating per the GP's Paleontological Sensitivity Map. As a result, mitigation measures as described below are intended to mitigate potentially significant impacts to paleontological resources if they are present. The inclusion of these mitigation measures will reduce potentially significant impacts if paleontological resources are present to less than significant (AE-B, pp. 4-6). Paleontological monitoring of the site will still be required to ensure impacts to paleontological resources during ground disturbing activities remain less than significant. To ensure impacts remain less than significant, Mitigation measures C12-4, C12-5, C12-6, and C12-7-A remain in effect. Mitigation measures C12-5, C12-6, and C12-7 will be revised as follows to ensure impacts remain less than significant:

Mitigation Measure C12-5 – Initially, full-time monitoring shall be conducted during all earth moving activities that extend below 5 feet within native sediments in Sections 4 and 9 (T.7S, R.8E). Full-time monitoring shall not be required for areas of artificial fill or ground disturbing activities that do not yield observable sediments, such as augering if the diameter of the auger is very small (less than 12 inches or 0.3 meter). In this case, matrix sampling of the spoils piles for small-fraction fossils shall be conducted at the discretion of the Project Paleontologist. Otherwise, Wet screening for small vertebrates shall will—be conducted in the appropriate sediments and a representative sample of fossils shall be collected. Recent (Holocene) alluvial materials or sands have a low paleontologic sensitivity and will not require monitoring. If fossils are found, monitoring

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Less than Significant New Impact with Mitigation Incorporated Less Than Significant New Impact No New Impact

requirements <u>shall will</u> be increased accordingly; if no fossils are encountered, monitoring efforts <u>shall will</u> be reduced in these sediments. If an adequate sample is collected from the sensitive sediments, the Paleontologist may reduce or eliminate monitoring requirements.

Part-time monitoring may occur when ground disturbances impact artificial fill underlying the Project Area. The frequency and duration of part-time monitoring shall be determined by the Riverside County Project Paleontologist and shall be dependent on the nature and extent of on-site excavations. The number of qualified paleontological monitors on site shall be increased or decreased at the discretion of the Riverside County Qualified Project Paleontologist to ensure adequate and complete coverage of all construction impacts to paleontologically sensitive units.

The frequency of monitoring may be reduced at the discretion of the Riverside County Qualified Project Paleontologist in accordance with SVP guidelines (2010), if, after 50 percent of the grading is completed in a specific area or stratigraphic unit, no fossil resources of any kind are encountered. Paleontological monitors shall remain on call should construction personnel observe fossil resources. Once all ground-disturbing activities have been completed in native sediments within the Project Area, monitoring shall cease.

Mitigation Measure C12-6 — Specimens collected shall be prepared in a properly equipped paleontology laboratory (to a point of identification_and curation) which shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to a regionally-accredited museum repository, such as the NHMLAC in Los Angeles, for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the landowner, identified and curated into a suitable repository that has a retrievable storage system, such as the San Bernardino County Museum.

Mitigation Measure C12-7 – A final report summarizing findings shall be prepared at the end of earth moving activities, and shall include a summary of the field methods, laboratory methods (if any), an overview of the geology and paleontology of the construction site, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. If the monitoring efforts produce fossils, this report shall be sent to the Lead Agency, signifying the end of mitigation. Another copy shall accompany the fossils, along with field logs and photographs, to the designated repository.

Implementation of mitigation measure **MM PALEO-1** will further ensure impacts remain less than significant:

MM PALEO-1: Prior to the start of construction within a given development site within the Project Area, all field personnel shall be briefed regarding the types of fossils that could be found and the procedures to follow should paleontological resources be encountered. Training shall 1) provide a description of the fossil resources that may be encountered; 2) outline steps to follow in the event that a fossil discovery is made; and 3) provide contact information for the Qualified Paleontologist and on-site monitor(s). The training shall be developed by the Riverside County Qualified Paleontologist and may be conducted concurrently with other environmental training (e.g., biological

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awareness training, cultural and natural resources awareness training, safety training, etc.).

Therefore, with the implementation of mitigation already in effect and as revised, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as revised and added.

<u>Monitoring</u>: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

POF	POPULATION AND HOUSING Would the project:								
29.	Hο ι a)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?							
	b)	Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?				\boxtimes			
	c)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?				\boxtimes			

Source(s): EIR396

Findings of Fact:

- a-b) EIR396 Conclusion: No Impact. EIR396determined that the project will not displace existing housing that would necessitate the construction of replacement housing elsewhere, would not create a demand for additional housing, and would not alter the location, distribution or growth rate of the human population (EIR396, Appendix A, p. 5). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project is within the same area as previously analyzed and contains no existing housing. Thus, it would not displace any housing or people, as none are present on the Project site. The Project includes residential development and will not change any land uses nor increase the overall intensity of land uses beyond what was analyzed in the prior CEQA documents. No use that would create a demand for affordable housing are proposed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- c) EIR396 Conclusion: Less Than Significant. Per EIR396, development of the project will be representative of approximately 4.3 percent of the housing growth expected by 2015 and 7.5 percent of the population growth expected by 2010 for the Coachella Valley region (EIR, p.V-386). The project will induce substantial population growth in an area that is relatively uninhabited. The project lies within the Coachella Valley Enterprise Zone, which considers the maximum growth permitted within the zone and the creation of jobs that would result from that growth. The project supports County planning policies through availability of road improvements and infrastructure that would occur within this enterprise zone. Development of the project will

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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result in growth inducement in the enterprise zone. However, because this is consistent with County policy, any growth resulting from development of a specific plan is considered less than significant (EIR396, p. 446). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is within the same area as previously analyzed. The proposed Project will not change or increase the intensity of land uses or the number of designated dwelling units within SP303A4. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: None required. Monitoring: None required.

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

30. Fire Services

Sources(s): EIR396, RCFD

Findings of Fact:

30) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project site is located within the jurisdiction of the Riverside County Fire Department (RCFD). Three stations will provide service for the project. The project would result in substantial demands on RCFD to provide acceptable levels of service. Mitigation Measures D3-1 through D3-7 will reduce this impact to less than significant (EIR396, pp. V-315 - V-319). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and all mitigation remains in effect. The fire risks associated with the proposed Project and its associated uses remain as they were previously analyzed. The closest fire stations remain the same as analyzed in the prior CEQA documents (RCFD). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA

documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

Sheriff Services

Source(s): EIR396, RCSD

Findings of Fact:

31) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the jurisdiction of the Riverside County Sheriff's Department (RCSD). The Indio Station, located approximately eight miles from the project, is the closest provider to the project. The project would result in substantial demands on the Sheriff Department to provide acceptable levels of service. Implementation of Mitigation Measures D4-1 through D4-5 (with the

Potentially Less than Less No Significant Significant Than New New **New Impact** Significant Impact **Impact** with New Mitigation **Impact** Incorporated

modifications to D4-2 as described in the Final EIR) would make impacts to sheriff services less than significant (EIR396, pp. V-319 – V-322, VI-27). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area; however, there is currently a closer RCSD station than the Indio Station that serves the Project area: The Thermal Station, located at 86625 Airport Blvd, Thermal CA 92274, approximately 4.0 miles north of the Project site (RCSD). However, all mitigation from the prior CEQA documents remains applicable and in effect. The proposed Project includes the same types of allowable uses as previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA

documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

32.	Schools		\boxtimes

Source(s): EIR396, RCIT

Findings of Fact:

32) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the boundaries of the Coachella Valley Unified School District (CVUSD). Development of the project would result in an increase of school age children in the area. Potential impacts to CVUSD will be reduced to a less than significant impact with Mitigation Measure D5-1 (EIR396, pp. V-323, V-325 – V-327). Since EIR396 was certified, the area in the southwest corner of the project that was designated for Public Facilties is owned by CVUSD and now houses the Las Palmitas Elementary School. Toro Canyon Middle School, and Desert Mirage High School (EIR396-A2, pp. 130-131). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, still within the CVUSD (RCIT). All mitigation remains in effect. The Project does not propose any changes to approved allowable uses that would increase the overall future intensity of the site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

33. Libraries

Source(s): EIR396 **Findings of Fact:**

EIR396 Conclusion: Significant and Unavoidable. The project would be served by the Riverside 33) City and County Public Library System (RCCPLS). The closest two branches are located in Coachella and Mecca. The project would adversely impact existing library services. The increase in population to be serviced would require an increase in funding to RCCPLS in order to maintain the current level of service, but the current level of services is substantially

		Significant New Impact	Significant New Impact with Mitigation Incorporated	Than Significant New Impact	No New Impact	
(El	dequate. Even with Mitigation Measure D11-1, imp R396, pp. V-356, V-358 – V-360). EIR396-A1 throu pacts beyond what was analyzed in EIR396.					
doe inte imp	New Impact. The proposed Project lies within the es not propose any changes to approved allowable censity of the site. All mitigation remains in effect. The pacts beyond what was previously analyzed. There pacts result from the proposed Project beyond those	uses that wo ne proposed refore, no ne	uld increase Project does w or substa	the overall to not result in ntially incre	future in any eased	
<u>Mitigation</u> :	All mitigation measures related to this issue documents remain in effect as they are not affect			•	CEQA	
<u>Monitoring</u>	: Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.	
34. Hea	Ith Services				\boxtimes	
Source(s):	EIR396					
Findings (of Fact:					
Qu The wit der inc adv wo det	ated in Indio and Rancho Mirage. There are also to inta to provide urgent care and general medical serse project would result in the increased need for medical that the GP, Riverside County will coordinate with heamand. EIR396 also concluded that the size of the rease commensurate with the increase in popularyerse impacts as a consequence of the increase in uld be less than significant (EIR396, pp. V-354 — termined there to be no impacts beyond what was a consequence.	vices to the ladical services alth service plant in the although tion in the although the services and the services and services are services and se	residents of the sand facilities roviders to accommunity farea; thereby or health serves R396-A1 throughly the same R396-A1 throughly the same results and the same results are same results are same results and the same results are same results are same results and the same results are same resul	he develop s. In accord ccommodat is anticipat resulting rices so im ough EIR3	ment. dance te this ted to in no apacts 96-A8	
doe inte pre	No New Impact. The proposed Project lies within the same area as previously analyzed and does not propose any changes to approved allowable uses that would increase the overall future intensity of the site. The proposed Project does not result in any impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.					
Mitigation:	None required.					
Monitoring	: None required.					
RECREA	TION Would the project:					
	ks and Recreation					
a)	Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	· 🗆			\boxtimes	
b)	Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				\boxtimes	

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact		
	c)	Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?						
Sour	ce(s):	COR EDA, EIR396						
Find	ings c	of Fact:						
a-b)	faci Dist of R in p star inco will neig proj Mea V-3 A2 (EII	R396 Conclusion: Less Than Significant with Mitigate lities are under the jurisdiction of the Riverside Contrict (RPOSD) and the Coachella Valley Recreation of the Riverside utilizes the development standard of three and an	ounty Regionand Parks In acres developments of the control of the control of the control of the control of the Deservant of t	onal Parks a District (CVRI oped local pa s. The CVRF elopment of t site. The projec open space. at Lake Cal nificant (EIRS hanges made rt Recreation	and Open-SPD). The Corkland per PD also use the project viect as proper will incorp Additionally huilla. Mitig 1996, pp. Verwithin Ellin District (Space county 1,000 es this would posed porate y, the gation 327 – R396-DRD)		
	and ana sub	New Impact. The proposed Project lies within the side does not increase the intensity of the site or changelyzed in the prior CEQA document. All mitigation estantially increased impacts result from the proposed CEQA documents.	e the land ι remains in	use from what effect. There	it was previ	iously ew or		
c)	Rive (not dev	2396 Conclusion: Less Than Significant. The project erside Park and Open Space District and the Coach w the Desert Recreation District), which will requ relopment of project (EIR396, pp. V-327 – V-328). Eli re to be no impacts beyond what was analyzed in E	ella Valley uire payme R396-A1 th	Parks and Re nt of approp	ecreation D oriate fees	istrict upon		
	No New Impact. The proposed Project lies within the same area as previously analyzed and is located within the Thermal #125 Street Lighting County Service Area, a special district formed for the purposes of providing street lighting to the Project and within the jurisdiction of the Desert Recreation District (COR EDA). The Project does not change the land uses or land use intensity from what was analyzed in the prior CEQA documents, and thus the Project still meets Quimby requirements as determined in the prior CEQA documents. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.							
<u>Mitiga</u>	ation:	All mitigation measures related to this issue to documents remain in effect as they are not affected.				CEQA		
Moni	toring:	Monitoring for all mitigation measures remain as i	dentified in	the prior CE	QA docum	ents.		

36.

Recreational Trails

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
a)	Include the construction or expansion of a trail system?				
Source(s):	•				

Source(s): EIR396

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The GP identified regional trails along Avenue 60 and Avenue 66. Class I Bike Paths located adjacent to these trails were also identified on the Eastern Coachella Valley Plan Regional Trails Map. Future acquisitions for trail linkages were deemed necessary to meet increased demand and Mitigation Measures D6-3 and D6-5 were provided in EIR396 to reduce this impact to less than significant (EIR396, pp. V-327 – V-333). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and all mitigation remains in effect. The Project will be required to comply with trail improvements as dedications as identified in the approved SP303A4. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

<u>Monitoring</u>: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

		ORTATION Would the project:		
37.	Traı a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?		\boxtimes
	b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?		\boxtimes
	c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?		\boxtimes
	d)	Cause an effect upon, or a need for new or altered maintenance of roads?		\boxtimes
	e)	Cause an effect upon circulation during the project's construction?		\boxtimes
	f)	Result in inadequate emergency access or access to nearby uses?		\boxtimes

Source(s): EIR396, WEBB-D

Findings of Fact:

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impac
Impact	with	New	•
	Mitigation	Impact	
	Incorporated	-	

a-b) EIR396 Conclusion: Less than Significant with Mitigation Incorporated. The GP lists four objectives related to circulation: 1) monitor land use and economic trends so that Riverside County Transportation Department can propose modifications to the Circulation Plan; 2) maintain the existing transportation network, while providing for expansion and improvement based on travel demand and the development of alternative travel modes; 3) encourage the use of road improvement financing mechanisms which equitably distribute the cost of road improvements; and 4) provide bike routes and related bicycle facilities which will form a network in connecting the various communities of Riverside County and forming an overall bikeway system of the State of California (EIR396, p. V-220).

Study area intersections are projected to achieve Level of Service (LOS) "C" or better during peak hours for GP Year 2010 Buildout conditions with improvements. LOS "D" is allowable in urban areas only at intersections of any combination of Major Streets, Arterials, Expressways, or conventional State Highways within one mile of a freeway interchange and also freeway intersections (EIR396, p. V-252).

The project has been designed to use a network of local streets for neighborhood traffic, and nearby highways (including Avenue 60, Avenue 62, Avenue 66, Harrison Street and Polk Street) for through traffic. Cross-sections and ultimate alignments would be designed to meet Riverside County Transportation Department requirements (EIR396, p. V-252). The project development is projected to generate a total of approximately 110,000 trip-ends per day (EIR396, pp. V-221 - V-222).

Access locations along GP highways have been recommended to minimize conflicting turning movements along routes serving through traffic and to provide safe intersections. To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to State Route 86S (SR-86S), a portion of the commercial parking areas should be designated for Park-N-Ride use on weekdays between 6:00 a.m. and 6:00 p.m. (EIR396, p. V-252).

The GP's Bicycle Routes Plan depicts that the project is in the vicinity of GP Class I and Class II bikeway facilities, and potential bus turn-out locations and design features have been recommended. The commercial portion of the project should provide on-site bike racks to encourage the use of bicycles as an alternative means of transportation and encourage site plans that are easily accessible to bicycles (EIR396, pp. V-252 – V-255).

EIR396 determined that Mitigation Measures D1-1 through D1-53 would reduce the impacts to less than significant (EIR396 pp. V-229, V-232, V-239 – V-240, V-247 – V-248, V-255 – V-258, V-271 – V-272). EIR396-A2 revised Mitigation Measures D1-21, D1-24, D1-26, D1-27, D1-38, and D1-39; added new Mitigation Measures Trans MM 1 and Trans MM 2; and eliminated Mitigation Measures D1-1, D1-3 through D1-9, D1-12 through D1-15, D1-25, D1-28 through D1-37, and D1-40 through D1-53 no longer apply to the project due to roadway reconfiguration within the project and/or land use concepts 2 through 6 being eliminated from consideration (EIR396-A2 pp. 144 and 151).

Therefore, applicable mitigation measures for the prior CEQA documents are: MM Trans 1 and MM Trans 2 (added by EIR396-A2); D1-2, D1-10, D1-11, D1-16 through D1-24, D1-26, D1-27, D1-38, and D1-39 (with D1-21, D1-24, D1-26, D1-27, D1-38, and D1-39 being modified in EIR396-A2). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to SR-86S, a portion of the commercial parking areas should be designated for Park-N-Ride use

Potentially Less than Less No Significant Significant Than New New New Impact Significant Impact **Impact** with New Mitigation **Impact** Incorporated

on weekdays between 6:00 a.m. and 6:00 p.m. The GP's Bicycle Routes plan depicts that the project is in the vicinity of GP Class I and Class II bikeway facilities. Potential bus turn-out locations and design features have been recommended. The SunLine Transit Agency (STA) is the regional public transportation operator in the Coachella Valley and serves the project area, Lines 90 and 91 being the closest bus route to the project site, Mitigation Measures D1-20 through D1-23 reduce impacts to less than significant (EIR396, pp. V-220, V-252 – V-255). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project occupies the same area as previously analyzed and does not increase the land use intensity. A Traffic Impact Analysis dated May 2019 was prepared by Albert A. Webb Associates (WEBB-D) to analyze traffic resulting from the development of the Project. The Project will generate approximately 1,131 daily trips (WEBB-D, p. 4-3), which is within the 110,000 daily trips daily trips analyzed and anticipated for buildout of SP303 under EIR396 (EIR396, pp. V-221 - V-222). Thus, the anticipated traffic from the proposed Project site has already been considered within EIR396.

The Project is proposed to be constructed in three phases across the approximately 117 acres as follows (WEBB-D, p. 2-2):

- Phase 1 32 residential homes
- Phase 2 160 residential homes (192 total residential homes)
- Phase 3 134 residential homes (326 total residential homes)

Access to the Project site will be provided via two driveways. Driveway 1 will provide access from Polk Street on the eastern side of the Project site while Driveway 2 will provide access from the proposed "Spine Road" on the western side of the Project site. Both driveways will be constructed as part of Phase 1 development (WEBB-D, p. 2-2).

The determination of a significant traffic impact is based on whether the proposed Project causes an intersection to degrade to an unacceptable level of service (LOS) from an acceptable level of service or causes further delay for an already failing intersection. The Project lies within the Western Coachella Valley Area Plan. The Riverside County General Plan Element identifies that LOS D is an acceptable level of service within this area plan. Additionally, the determination of significant intersection impacts is based on the County of Riverside *Traffic Impact Analysis Guidelines Section 9.0 CEQA Compliance and Documentation*, with modifications to accommodate the varying acceptable LOS standards within different jurisdictions (WEBB-D, p. 3-10). A significant impact occurs:

- When existing traffic conditions (Analysis Scenario 1) exceed the General Plan target LOS.
- When project traffic, when added to existing traffic (Analysis Scenario 2), will deteriorate the LOS to below the target LOS, and impacts cannot be mitigated through project conditions of approval.
- When cumulative traffic (Analysis Scenario 3) exceeds the target LOS, and impacts cannot be mitigated through the TUMF network (or other funding mechanism), project conditions of approval, or other implementation mechanisms.

There are no signalized intersections in the Project study area. For unsignalized intersections, impacts are considered significant if either Section A or both Section B and Section C occur as identified below (WEBB-D, p. 3-10):

Section A

Potentially Less than No Less Significant Significant Than New New Impact New Significant Impact **Impact** with New Mitigation **Impact** Incorporated

The addition of project related traffic causes the intersection to move from an acceptable LOS to an unacceptable LOS.

OR

Section B

The project contributes additional traffic to an intersection that is already projected to operate at an unacceptable LOS with background traffic.

AND

Section C

One or both of the following conditions are met:

- The project adds ten (10) or more trips to any approach.
- The intersection meets the peak hour traffic signal warrant after the addition of project traffic.

Once a significant impact has been determined at an unsignalized intersection, mitigation shall be provided as follows:

- For scenarios involving project traffic but not Cumulative Project Traffic, the LOS shall be mitigated to either an acceptable LOS for case a) above or to pre-project LOS and delay for case b) above.
- For scenarios that include Cumulative Project Traffic study intersections shall be mitigated to an acceptable LOS.

The following scenarios were evaluated for potential traffic impacts:

- Year 2019 Existing Conditions (E)
- Year 2020 Existing Plus Project Conditions (E+P) Phase 1
- Year 2022 Existing Plus Project Conditions (E+P) Phase 2
- Year 2024 Existing Plus Project Conditions (E+P) Phase 3
- Year 2020 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 1
- Year 2022 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 2
- Year 2024 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 3
- Year 2020 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 1
- Year 2022 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 2
- Year 2024 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 3

Е

The Existing Conditions (E) includes intersection LOS for the existing roadway system and the existing AM, PM, and Sunday peak hour intersection volumes. All intersections are operating at an acceptable level of service under existing (2019) conditions. (WEBB-D, p. 3-10).

E+P

The Existing plus Project Conditions includes existing traffic and Phase 1 (2020), Phase 2 (2022), and Phase 3 (2024) Project traffic. All study intersections are expected to operate at an acceptable level of service (WEBB-D, p. 5-1).

Potentially Less than Less No Significant Significant Than New New New Impact Significant Impact Impact with New Mitigation **Impact** Incorporated

E+A+P

The Existing plus Ambient plus Project Conditions includes existing traffic, ambient growth traffic (2 percent per year) and Project traffic. Given a 2 percent per year ambient growth traffic, Phase 1 (2020), Phase 2 (2022), and Phase 3 (2024) Project scenarios would have an ambient growth traffic of 2 percent, 6 percent, and 10 percent, respectively. All study intersections are expected to operate at an acceptable level of service (WEBB-D, p. 5-13).

E+A+C+P

The Existing plus Ambient plus Cumulative plus Project Conditions includes E+A+P traffic, plus traffic from other nearby developments. All study intersections are expected to operate at an acceptable level of service (WEBB-D, p. 5-25).

No direct traffic impacts will be generated by implementation of the Project. Further, the Project will implement the following project design features (PDFs) to improve Project access and safety for the proposed Project (WEBB-D, p. 6-1):

Roadway and Safety (All Phases)

- Construct full width improvements on all internal roadways.
- Signing/striping modifications on adjacent roadways should be implemented in conjunction with detailed construction plans.
- Construct half width improvements to westerly side of Polk Street along the Project boundary.
- Sight distance at Project driveways will be reviewed with respect to County of Riverside sight distance standards at the time of preparation of final grading, landscape, site development, and street improvement plans.
- Implement on-site traffic calming measures in internal roadways as needed.

Intersections (All Phases)

- Construct full width improvements at Spine Road.
- Construct the intersection of Polk Street (NS) and Driveway 1 (EW) to include the following geometrics with a stop control:
 - Northbound: One lane shared by through and left-turn movement.
 - Southbound: One lane shared by through and right-turn movement.
 - Eastbound: One lane shared by left-turn and right-turn movements.
 - Westbound: Not Applicable.
- Construct the intersection of the proposed Spine Road (NS) and Driveway 2 (EW) to include the following geometrics with a stop control:
 - Northbound: One lane shared by through and right-turn movement.
 - Southbound: One lane shared by through and left-turn movement.
 - Eastbound: Not Applicable.
 - Westbound: One lane shared by left-turn and right-turn movements.

Although no direct impacts have been identified, the Project will be subject to appropriate transportation and development fees toward the County of Riverside funding programs listed below (WEBB-D, p. 6-1):

- Transportation Uniform Mitigation Fee (TUMF), current at time of construction.
- County of Riverside Development Impact Fee (DIF), current at time of construction.

Potentially	Less than	Less
Significant	Significant	Than
New	New Impact	Significant
Impact	with	New
	Mitigation	Impact
	Incorporated	

No

New Impact

Senate Bill 743 (SB743) was passed by the California State Legislature and signed into law by Governor Brown in 2013. SB743 required the Office of Planning and Research and the California Natural Resources Agency to develop alternative methods of measuring transportation impacts under the California Environmental Quality Act (CEQA). In December 2018, the California Natural Resources Agency finalized updates to the CEQA Guidelines, which included SB743. Section 15064.3 of the 2019 CEQA Guidelines provide that transportation impacts of projects are, in general, best measured by evaluating the project's vehicle miles traveled (VMT). Automobile delay (often called Level of Service) will no longer be considered to be an environmental impact under CEQA. Automobile delay can, however, still be used by agencies to determine local operational impacts. The provisions of this section are not mandatory until July 1, 2020; however, local agencies may choose to opt in before that date. At the time of preparation of this report, the County of Riverside has not updated their procedures to analyze VMT; thus, this Project is not currently subject to section 15064.3 of the 2019 CEQA Guidelines. The traffic impact study follows current guidelines with regards to state and local requirements.

There are no roadways within the study area identified as part of the County of Riverside's Congestion Management Program so the Project will not conflict with an applicable congestion management program. The project area is currently served by the SunLine Transit Agency with the nearest bus stop located at the intersection of Polk Street and Avenue 66. The proposed Project will comply with Riverside County General Plan roadways and meets Riverside County General Plan objectives by providing for bike routes and bicycle related facilities. Because the proposed Project occupies the same area as previously analyzed in the prior CEQA documents, it will be required to comply with all relevant policies, plans, and programs relating to transportation/traffic, and is thus consistent with roadway, transit, bikeway, and pedestrian facility policies. All mitigation measures from in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

- c) EIR396 Conclusion: No Impact. EIR396 determined the project would not substantially increase hazards due to design features or incompatible uses (EIR396, Appendix A, p. 4). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed and will not result in an increase in traffic hazards due to design or incompatible uses. Design features such as roadway curve radii, sight distances, and passing lanes will be designed to meet County standards. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.
- d) EIR396 Conclusion: Threshold did not previously exist, however one of the GP's objectives related to circulation at the time of EIR396 included encouraging the use of road improvement financing mechanisms which equitably distribute the cost of road improvements (EIR396, p. V-220). The project was able to show that development of the Kohl Ranch Specific Plan was projected to generate a recurring fiscal surplus to the County so as not to create a significant impact (EIR396, pp. V-392 V-393). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project occupies the same area as previously analyzed in the prior CEQA documents. The proposed Project will still be required to pay development impact fees towards roadway infrastructure maintenance and improvement. Roadway maintenance will also be paid for by taxes on future residents of the Project. Therefore, no new or substantially

		Potentially Less th Significant Significa New New Imp Impact with Mitigati Incorpora	ant TI pact Sign N on Im	ess han ificant lew pact	No New Impact
		reased impacts result from the Project beyond those previously analyze	ed in the p	prior C	EQA
e)	requ pote traff imp	R396 Conclusion: Less Than Significant with Mitigation Incorporated. Aquired to clean dust from project site access routes would generate entential interference with local traffic. Lane closures or detours of ambie ffic delays or additional vehicle miles traveled. Mitigation Measure C6-pact to less than significant (EIR396, pp. V-115 – V-116). EIR396-A1 termined there to be no impacts beyond what was analyzed in EIR396.	missions, ent traffic -4 would	as we may c reduce	ell as ause e this
	prio state daily tem CEO	New Impact. The proposed Project occupies the same area as previous CEQA documents. During the construction of the Project, construction atted in EIR396, including the storage of construction equipment and tirely vendor, and haul trips outside of peak hours. Construction traffic inporary, and not create a need for new infrastructure. All mitigation measures are a company of the project beyond those previously analyzed in the prior CEQA documents.	n traffic w ning of da will be i asures fro eased im	vill occo aily wo ntermit om the	ur as orker, ttent, prior
f)	loca Thre the D3- will Dev prov Cou (EIF	R396 Conclusion: Less Than Significant with Mitigation Incorporated rated within the jurisdiction of the RCFD for fire services and the RCSD ree fire stations will provide service for the project. For sheriff services a closest provider to the project, located approximately eight miles away. R-3 and D3-4 (related to fire services) and Mitigation Measure D4-4 (related reduce impacts to less than significant (EIR396, pp. V-315 – V-322). Evelopment Guidelines included in the Kohl Ranch Specific Plan (at less that permit adequate emergency vehicle access ounty ordinances, standard conditions of approval, and permits related to IR396-A2, pp. 155-156). EIR396-A1 through EIR396-A8 determined the yond what was analyzed in EIR396.	o for sher the Indi Mitigation of to sher In addition ast as of s in accord o emerge	iff serving Station Meastiff serving the SP30 rdance ncy ac	vices. ion is sures vices) e Site 03A2) e with ccess
	chai prev eme Proj app	New Impact. The proposed Project lies within the same area as prevanges to the Circulation Plan are proposed and as such, any existing deviously approved will be realized as adopted. Development of the nergency access by improving roads surrounding the site. Emergency accepted site will be developed in accordance to County ordinances, staproval, and permits related to emergency access. Therefore, no receased impacts result from the Project beyond those analyzed by the price	or planned Project was eccess through andard contents	d roadvill impoughou ondition ubstan	ways prove ut the ns of ntially
<u>Mitiga</u>	tion:	All mitigation measures related to this issue that were identified documents remain in effect as they are not affected by the proposed		rior C	EQA
Monito	oring:	2: Monitoring for all mitigation measures remain as identified in the prior	r CEQA d	locume	ents.
38.	Bike a)	e Trails Include the construction or expansion of a bike system or bike lanes?	[\boxtimes
Source	e(s):	: EIR396			

Findings of Fact:

EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The GP identifies four a) objectives related to circulation. The fourth objective pertains to bike trails which is to provide bike routes and related bicycle facilities which will form a network in connecting the various

Potentially Significant New Impact		Less Than Significant New Impact	No New Impact
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communities of Riverside County and forming a continuous link in the overall bikeway system of the State of California. The project is located within Class I and II bikeway facility areas, as designated by the GP. Harrison Street (old SR-86) and the Whitewater Channel are proposed for Class I facilities. Jackson Street and Avenue 66 are proposed for Class II facilities. Design of the project will not alter these designations. Mitigation Measure D1-22 will reduce impacts to less than significant (EIR396, pp. V-220, V-252, and V-255). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and will not interfere with the Specific Plan development that will improve bike trails by improving roads surrounding the site. The proposed Project complies with County General Plan roadways and meets Riverside County General Plan objectives by providing for bike routes and bicycle related facilities pursuant to current plans for trails developed for the General Plan update by the Regional Parks and Open Space District. Bike trails along Polk Street will be developed in accordance with the Specific Plan, County ordinances, and standard conditions of approval. All mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

<u>Monitoring</u>: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

TRIBAL CULTURAL RESOURCES Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

that	is:			
39.	Trib	al Cultural Resources		
	a)	Listed or eligible for listing in the California Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?	\boxtimes	
	b)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)		

Source(s): AE-A, EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Not Analyzed. However, impacts to tribal resources were addressed in EIR396 under the Archaeological thresholds in which impacts were found to be Less Than Significant with Mitigation Incorporated (EIR396, pp. V-179 – V-182). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially Less than Less No Significant Significant Than New New New Impact Significant Impact **Impact** with New Mitigation **Impact** Incorporated

Less than Significant Impact with Mitigation. The Project lies within the same area a previously analyzed. A Cultural Resource Assessment was prepared for the Project by Applied Earthworks dated October 2018 (AE-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer as depicted in Figure 2 above to determine the potential for tribal cultural resources.

As part of AE-A, Applied Earthworks contacted the Native American Heritage Commission (NAHC) on August 23, 2018 for a review of the Sacred Land File (SLF) to determine if any known Native American cultural properties are present within or adjacent to the Project area. The NAHC responded on August 27, 2018, stating that the SLF search was complete with negative results, and the NAHC further requested that Applied Earthworks contact Native American individuals and organizations to elicit information regarding cultural resource issues related to the proposed Project.

In response, Applied Earthworks sent a letter describing the Project and asking these individuals and organizations (after removing redundancies) for their input on September 10, 2018; a second attempt was made on September 24, 2018. The following individuals/organizations were contacted:

- Patricia Garcia-Plotkin, Director/Tribal Historic Preservation Officer for the Agua Caliente Band of Cahuilla Indians (ACBCI)
- Amanda Vance, Chairperson of the Augustine Band of Cahuilla Mission Indians
- Judy Stapp, Director of Cultural Affairs for the Cabazon Band of Mission Indians
- Joseph Ontiveros, Cultural Resource Department for the Soboba Band of Luiseño Indians
- Michael Mirelez, Cultural Resource Coordinator for the Torres-Martinez Desert Cahuilla Indians
- Anthony Madrigal, Tribal Historic Preservation Officer for the Twenty-Nine Palms Band of Mission Indians
- Executive Secretary, Quechan Tribe of the Fort Yuma Indian Reservation

As of September 24, 2018, two responses had been received. The Cabazon Band of Mission Indians stated the Project is outside of the Tribe's current reservation boundaries. The Tribe has no specific archival information indicating the Project area may be a sacred/religious site or other site of Native American traditional cultural value. The ACBCI noted the Project is not within the boundaries of their reservation. However, it is within the boundaries of the Tribe's Traditional Use Area. The ACBCI deferred to the Torres-Martinez Desert Cahuilla Indians; however, Applied Earthworks had not yet received any separate response from the Torres-Martinez Tribe by the time AE-A was written (AE-A, p. 18). Since no tribal cultural resources have been identified in the Project area, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents. To further ensure impacts remain less than significant, implementation of mitigation measure will provide for Tribal Monitoring.

MM TCR-1: During ground disturbing activities, a Tribal Monitor shall be retained for full-time monitoring where native soils are being disturbed.

Further, the Project will be required comply with Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5(e), and Public Resources Code Section 5097.98, which mandate

Potentially Less than Significant Significant New New Impact Impact with Mitigation Incorporate	t Significant Impact New Impact
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the process to be followed in the unlikely event of an accidental discovery of human remains believed to be Native American which includes notification to the Native American Heritage Commission and to most likely descendants. Therefore, with implementation of mitigation, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

<u>Monitoring</u>: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

UTILITIES AND SERVICE SYSTEMS Would the project:								
40.	Wat	ter						
	a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?						
	b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?				\boxtimes		

Source(s): CVWD-A, EIR396, RCIT

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the service boundary of the CVWD. There are no existing domestic water distribution facilities within the project boundary. EIR396 concluded that project would have a significant impact necessitating the construction of new water treatment facilities or expansion of existing facilities and increase the demand on water supplies maintained by CVWD. However, Mitigation Measures D2-1 through D2-16 were identified to reduce impacts to less than significant (EIR396, pp. V-293 and V-299 – V-302). EIR396-A2 found that Mitigation Measures D2-4 and D2-5 were not applicable to this particular threshold, and Mitigation Measures D2-2 and D2-3 eliminated completely, due to construction of new facilities and agreements with CVWD (EIR396-A2, pp. 160-162). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

The project will substantially alter the current drainage of the project site by replacing primarily agricultural uses with roadways, walkways, parking, buildings and residential neighborhoods. Because the majority of the project site is undeveloped land, the impervious surfaces proposed will reduce infiltration of rainfall and increase stormwater runoff volumes. Implementation of the project would result in the construction of new stormwater facilities or expansion of existing facilities. Mitigation Measures C5-2 through C5-8 will reduce impacts to stormwater drainage to less than significant (EIR396, pp. V-102 – V-104). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, and is still within the service boundary of the CVWD (RCIT). On January 25, 2018, CVWD confirmed that the existing Water Supply Assessment from the prior CEQA documents is applicable to this Project, and no additional assessment is needed. The existing Water Supply Assessment

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated	•	

determined there is sufficient water supply to serve the Project site, and that there is no change in circumstances or conditions which substantially affect the ability of the water supplier to provide sufficient supply of water to the Project (CVWD-A). The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the water, wastewater treatment, and storm water drainage system needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

41.	Sew a)	Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, whereby the construction or relocation would		\boxtimes
		cause significant environmental effects?		
	b)	Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		\boxtimes

Source(s): EIR396, RCIT

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the service boundary of the CVWD. There are no existing domestic water distribution facilities within the project boundary. EIR396 concluded that project would have a significant impact necessitating the construction of new water treatment facilities or expansion of existing facilities and increase the demand on water supplies maintained by CVWD. However, Mitigation Measures D2-1 through D2-16 were identified to reduce impacts to less than significant (EIR396, pp. V-293 and V-299 – V-302). EIR396-A2 found that Mitigation Measures D2-4 and D2-5 were not applicable to this particular threshold, and Mitigation Measures D2-2 and D2-3 eliminated completely, due to construction of new facilities and agreements with CVWD (EIR396-A2, pp. 160-162). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, and is still within the service boundary of the CVWD (RCIT). The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the wastewater treatment facilities needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. No septic tanks are proposed as part of the Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the service boundary of the CVWD. EIR396 concluded that project would have a

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	·
	Mitigation	Impact	
	Incorporated	•	

significant impact necessitating the construction of new wastewater treatment facilities or expansion of existing facilities and would result in an increase on capacity and conveyance facilities. However, Mitigation Measures D2-17 through D2-23 were identified to reduce impacts to less than significant (EIR396, pp. V-295 and V-302 - V-304). EIR396-A2 revised Mitigation Measure D2-19, and specified that there had been sewer facilities located within the project boundary: a sewer line serving the existing school site; and a 12-inch sewer force main running north to Avenue 62 and east to the existing Wastewater Reclamation Plant No. 4 located between Avenue 62 on the north, Avenue 64 on the south, adjacent to the Whitewater River on the east and approximately 600 feet east of Fillmore Street on the west. The plant has a design capacity of approximately 5.0 million gallons per day (MGD) and is estimated to currently be operating at half capacity. The plant currently treats to a secondary treatment level using stabilization ponds for finishing. The ponds are used for flow stabilization by allowing the depth to increase during peak wet water events. Additionally, EIR396-A2 noted that there was now an existing agreement between CVWD and the project that provides for the installation of sewer services (EIR396-A2, p. 163). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, and is still within the service boundary of the CVWD (RCIT). The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Hence, the need for additional capacity is not anticipated and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

42.	Sol	id Waste		
	a)	Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?		\boxtimes
	b)	Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?		\boxtimes

Source(s): EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The Riverside County Waste Resources Management Division operates two landfills within the project vicinity. The Oasis Landfill and the Mecca II Landfill serve the Thermal area. Complying with federal, state, and local statutes and regulations, and implementing Mitigation Measures D8-1 through D8-5, would reduce impacts to solid waste disposal capacity to less than significant (EIR396, p. V-347 – V-348 and V-351 – V-352). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	•
·	Mitigation	Impact	
	Incorporated	·	

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the solid waste generated from the proposed Project will be consistent with that analyzed in the prior CEQA documents, and landfill capacity will be adequate to serve the Project site. All mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

43. Utilities

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?

a) Electricity?		\boxtimes
b) Natural gas?		\boxtimes
c) Communications systems?		\boxtimes
d) Street lighting?		\boxtimes
e) Maintenance of public facilities, including roads?		\boxtimes
f) Other governmental services?		\boxtimes

Source(s): EIR396 Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The Imperial Irrigation District (IID) provides electricity service to the existing facilities near the project site. Extensions will have to be made to service the structures proposed for the project. Mitigation Measures D7-5 through D7-10 ensure that the needed facilities are planned for and constructed, and will reduce impacts to the existing electricity system to a less than significant level (EIR396, pp. V-333 and V-335 – V-336). EIR396-A2 replaced Mitigation Measure D7-9 with Mitigation Measure MM GHG 1 (EIR396-A2, p. 74). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the electricity needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Southern California Gas Company provides natural gas service to existing facilities near the project site. Extensions will have to be made to service the structures proposed for the project. Implementation of the project would result in a significant increase in demand for natural gas services. Mitigation Measures D7-1 through D7-4 will reduce these impacts to less than significant (EIR396, pp. V-333 – V-335). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

intensity. Thus, the natural gas needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

- c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. General Telephone (GTE) and Country Cable Television could provide communication services (telephone and cable television, respectively) from existing facilities to the project site without requiring off-site facilities. Mitigation Measures D7-11 through D7-14 would ensure impacts from the increased demand for communication services would be less than significant (EIR396, pp. V-333 V-334 and V-336 V-337). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the natural gas needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project would require the construction of street lighting. Street lighting has potential impacts to aesthetics and airports. Mitigation Measures C13-2 through C13-10 would reduce these impacts to less than significant (EIR396, pp. V-191 V-193). EIR396-A2 revised Mitigation Measure C13-6 to recognize Thermal Airport's name change to Jacqueline Cochran Regional Airport (EIR396-A2, p. 169). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. All mitigation remains in effect; with Mitigation Measures C13-2 through C13-10, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- e) EIR396 Conclusion: Threshold did not previously exist, however one of the GP's objectives related to circulation at the time of EIR396 included encouraging the use of road improvement financing mechanisms which equitably distribute the cost of road improvements (EIR396, p. V-220). The project was able to show that development of the Kohl Ranch Specific Plan was projected to generate a recurring fiscal surplus to the County so as not to create a significant impact (EIR396, pp. V-392 V-393). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the project will not result in a need for new or altered maintenance of road improvements previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by EIR396.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated	-	

f) *EIR396 Conclusion: Not analyzed. However, no other governmental services were anticipated so the project would not result in significant impacts.*

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, no other governmental services are anticipated. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

WILDFIRE If located in or near a State Responsibility Area ("SRA"), lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief, would the project:

the project:						
44.	Wild a)	dfire Impacts Substantially impair an adopted emergency				\square
	u,	response plan or emergency evacuation plan?			Ш	
	b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				\boxtimes
	c)	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				\boxtimes
	d)	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				\boxtimes
	e)	Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				\boxtimes

Source(s): CALFIRE, EIR396, GP, RCIT

Findings of Fact:

a-e) EIR396 Conclusion: No Impact. EIR396 determined that the project was not in a hazardous fire area (EIR396, Appendix A, p. 7). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The California Department of Forestry and Fire Protection (Cal Fire) identifies areas of Very High Fire Hazard Severity Zones (VHFHSZ) within local responsibility areas (LRA) and State Responsibility Areas (SRA). Mapping of the VHFHSZ is based on data and models of potential fuels over a 30- to 50-year time horizon and their associated expected fire behavior and expected burn probabilities which quantifies the likelihood and nature of vegetation fire

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

exposure (including firebrands) to buildings. The Project site is not located in or near a SRA or LRA (CALFIRE), and thus also not in a VHFHSZ. Additionally, according to Figure S-11 in the GP, and confirmed by Riverside County's Map Viewer (RCIT) the proposed Project is not located within an area considered to be very high, high, or moderate fire hazard. The proposed Project's potential impacts regarding susceptibility to wildfires are very low; it is not located in or near a SRA, lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. Monitoring: None required.

MAN	NDATORY FINDINGS OF SIGNIFICANCE Does the Pro	ject:		
45.	Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?			

Source(s): Above Checklist, EIR396

Findings of Fact:

EIR396 Conclusion: Less Than Significant with Mitigation Incorporated with Respect to Biological Resources, Less Than Significant With Mitigation Incorporated with Respect to Cultural Resources. EIR396 states that the Salton Sea is an important resource for migratory birds and represents the most important biological resource in the Coachella Valley. The GP designates most of the Valley for continued agricultural use and focuses most development within the Coachella Valley Enterprise Zone, which surrounds the Thermal (now Jacqueline Cochran Regional) Airport. Given the limited impact on natural habitat expected under the County's growth policies, the implementation of the project is not considered cumulatively significant (EIR396, p. V-406). Mitigation Measures applicable to biological resources are C3-1 (EIR396, p. V-92) and C3-2 (from EIR396-A2, p. 171).

With respect to major periods of California History or prehistory, EIR396 concluded that the project site and vicinity contain known archaeological, historical and paleontological resources. While cumulative development anticipated in the area raises the potential for a loss of such resources, Mitigation Measures C12-1 through C12-3 would render this impact less than significant (EIR396, pp. V-182 and V-406). EIR396-A2 revised Mitigation Measure C12-2 and added C12-8 to ensure impacts are less than significant (EIR396-A2, p. 171). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. Implementation of the proposed Project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

the major periods of California history or prehistory. In addition to mitigation measures from the prior CEQA documents, which remain in effect, incorporation of Mitigation Measure MM-BIO-1 for impacts to biological resources (DUDEK-A, pp. 13-14), MM-CR-1 and revised mitigation measures C12-5, C12-6, and C12-7 for impacts to cultural resources (AE-A, p. 27), and MM PALEO-1 for impacts to paleontological resources (AE-B, pp. 4-6), will ensure impacts are less than significant. The proposed Project does not result in any impacts beyond what was previously analyzed. Thus, with implementation of mitigation measure revised or updated mitigation measures impacts are less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

46. Have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?				
	46.	cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects		\boxtimes

Source(s): Above Checklist, EIR396

Findings of Fact:

46) EIR396 Conclusion: Less Than Significant, or Less Than Significant with Mitigation Incorporated for all thresholds except Soils and Agriculture, Air Quality, Noise, and Libraries; which were found to be Significant and Unavoidable (EIR396, p. V-408).

With respect to soils and agriculture, EIR396 concluded there are no Williamson Act lands within the project boundary. However, lands under Williamson Act contracts are located immediately adjacent to the eastern border of the project site and throughout the project vicinity. The cumulative loss of farmland from area wide urbanization of farmland is a significant, unavoidable environmental impact. (EIR396, pp. V-408 – V-409).

With respect to air quality, EIR396 concluded that short-term air quality impacts are assumed to be significant, since on-site grading is likely to exceed threshold levels (177 acres over a three-month period). The long-term emissions associated with the project under Concept 1 are anticipated to be 11,555 pounds of CO, 646 pounds of reactive organic gases, 1,353 pounds of NOx and 343 pounds of particulate matter on a daily basis. Air pollutant emissions of this magnitude exceed the criteria for significance suggested by SCAQMD. Regional project impacts are considered significant and impact of this project and additional development in the region is considered cumulatively significant. Localized CO levels were evaluated in the project vicinity under year 2010 cumulative conditions. The increase in CO from cumulative traffic would not be significant, because the 1-hour and 8-hour standards would not be exceeded at any receptor location (EIR396, pp. V-409 – V-410).

With respect to noise, EIR396 concluded that the noise increase generated by project-related traffic and cumulative development levels would expose certain existing residential units to noise levels exceeding the 65 CNEL standard. This impact is considered cumulatively significant (EIR396, p. V-410).

With respect to libraries, EIR396 concluded that implementation of the project would adversely impact existing library services. The increase in population to be serviced would require an increase in funding to RCCPLS in order to maintain the current level of service, but the current

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
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	Incorporated		

level of services is substantially inadequate. This impact is considered significant (EIR396, pp. V-410 – V-411). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The Project does not have impacts which are individually limited, but cumulatively considerable beyond what was previously analyzed in the prior CEQA documents. As the proposed Project does not result in any impacts beyond what was previously analyzed, all mitigation measures remain in effect and remain appropriate and feasible to the proposed Project. As impacts of the proposed Project are not beyond those previously analyzed, the Project would not contribute to cumulative impacts. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

47.	Have environmental effects that will cause substantial				\square
	adverse effects on human beings, either directly or	Ш	Ш	Ш	
	indirectly?				

Source(s): Above Checklist, EIR396

Findings of Fact:

47) EIR396 Conclusion: Not specifically addressed in EIR396 because EA36750 determined the SP303 does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly (EIR396, Appendix A, p. 10). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. The proposed Project does not result in any impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any:

- Environmental Assessment No. 36750, Notice of Preparation October 14, 1994
- Environmental Impact Report 396 (SCH No. 1194112032) certified November 16, 1999
- Environmental Impact Report 396-Addendum No. 1 adopted January 28, 2003
- Environmental Impact Report 396-Addendum No. 2 adopted June 7, 2011
- Environmental Impact Report 396-Addendum No. 3 adopted April 1, 2014
- Environmental Impact Report 396-Addendum No. 4 adopted May 19, 2015
- Environmental Impact Report 396-Addendum No. 5 adopted March 24, 2015.
- Environmental Impact Report 396-Addendum No. 6 adopted July 31, 2017.
- Environmental Impact Report 396-Addendum No. 7 adopted March 19, 2018
- Environmental Impact Report 396-Addendum No. 8 adopted November 6, 2018

Location Where Earlier Analyses, if used, are available for review:

Location: County of Riverside Planning Department

4080 Lemon Street, 12th Floor Riverside, CA 92502-1409

VII. AUTHORITIES CITED

Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

VIII. REFERENCES

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COR GP County of Riverside, County of Riverside General Plan, dated December 8, 2015. (Available at http://planning.rctlma.org/ZoningInformation/GeneralPlan.aspx, accessed December 5, 2018).

COR EDA County of Riverside Economic Development Agency, CSA 125. (Available at https://rivcoccsd.org/csa/, accessed May 17, 2019).

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IX. ACRONYMS

AcronymDefinitionA-1-10Light AgricultureA-2-10Heavy AgricultureABAssembly Bill

ACBCI Agua Caliente Band of Cahuilla Indians
ACOE United States Army Corps of Engineers

ALUC Riverside County Airport Land Use Commission

AQMP Air Quality Management Plan
BAT Best Available Technology
BCT Best Control Technology
BMP Best Management Practice

BTU British thermal unit

CalEEMod California Emissions Estimator Model

Cal Fire California Department of Forestry and Fire Protection

CAP Climate Action Plan

CBC California Building Standards Code CEQA California Environmental Quality Act

CD Community Development

CDFG California Department of Fish and Game CDFW California Department of Fish and Wildlife

CD:HDR Community Development: High Density Residential
CD:MDR Community Development: Medium Density Residential
CD:MHDR Community Development: Medium High Density Residential

CD: PF Community Development: Public Facilities

Cf Cubic feet

CHRIS California Historical Resource Information System

CNEL Community Noise Equivalent Level

CO Carbon Monoxide

CO₂E Carbon Dioxide Equivalents

CR Commercial Retail

CRHR California Register of Historic Resources

CVMSHCP Coachella Valley Multiple Species Habitat Conservation Plan

CVRPD Coachella Valley Recreation and Parks District

CVUSD Coachella Valley Unified School District

CVWD Coachella Valley Water District

CVWMP Coachella Valley Water Management Plan

CY Cubic yards

CZ07852 Change of Zone No. 07852 CZ07952 Change of Zone No. 07952

dBA A-weighted Decibels
DIF Development Impact Fee
DMA1 Drainage management area 1
DMA2 Drainage management area 2
DRD Desert Recreation District
EA Environmental Assessment

ECVAP Eastern Coachella Valley Area Plan

EIC Eastern Information Center
EIR Environmental Impact Report

EIR396 Environmental Impact Report No. 396

EIR396-A1 Environmental Impact Report No. 396, Addendum No. 1 EIR396-A2 Environmental Impact Report No. 396, Addendum No. 2

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EIR396-A3 Environmental Impact Report No. 396, Addendum No. 3
EIR396-A4 Environmental Impact Report No. 396, Addendum No. 4
EIR396-A5 Environmental Impact Report No. 396, Addendum No. 5
EIR396-A6 Environmental Impact Report No. 396, Addendum No. 6
EIR396-A7 Environmental Impact Report No. 396, Addendum No. 7
EIR396-A8 Environmental Impact Report No. 396, Addendum No. 8
EIR396-A9 Environmental Impact Report No. 396, Addendum No. 9

FEMA Federal Emergency Management Agency

GHG Greenhouse gas

GP Riverside County General Plan

GTE General Telephone

HSC California Health and Safety Code
HVAC Heating, ventilation, and air conditioning

IID Imperial Irrigation District kBTU kilo-british thermal unit

kWh kilowatt hour LOS Level of Service

LRA Local Responsibility Area LST Local Significance Threshold

MGD Million gallons per day MRZ Mineral Resource Zone

MT Metric Tons

NAAQS National Ambient Air Quality Standards
NAHC Native American Heritage Commission

NE06 Noise Exemption No. 06 NOP Notice of Preparation

NO_X Nitrogen Oxide

NPDES National Pollutant Discharge Elimination System

NRHP National Register of Historic Places

OHWM Ordinary High Water Mark
OS:OS Open Space: Open Space

OS:OS-C Open Space: Open Space-Conservation

OS:OS-Lake Open Space: Open Space/Lake

PDF Project Design Feature

PM-2.5 Particulate matter 2.5 micrometers or less in diameter PM-10 Particulate matter 10 micrometers or less in diameter PM36293M1 Minor Changes to Tentative Parcel Map No. 3629

PM36735 Tentative Parcel Map No. 36735

PPT180037 Plot Plan No. 180037

PP24690R1 Plot Plan No. 24690, Revised Permit No. 1 PP24690R2 Plot Plan No. 24690, Revised Permit No. 2

PP24690SC2 Plot Plan No. 24690, Substantial Conformance No. 2

PP25677 Plot Plan No. 25677
PP26120 Plot Plan No. 26120
PP26121 Plot Plan No. 26121
PVC Polyvinyl chloride

RCCPLS Riverside City and County Public Library System

RCFD Riverside County Fire Department RCSD Riverside County Sheriff's Department

RPOSD Riverside County Regional Parks and Open-Space District

RWQCB Regional Water Quality Control Board

SB Senate Bill

SCAQMD South Coast Air Quality Management District

SEDAB Southeast Desert Air Basin

 $\begin{array}{lll} \text{SLF} & \text{Sacred Land File} \\ \text{SO}_2 & \text{Sulfur dioxide} \\ \text{SP} & \text{Specific Plan} \end{array}$

SP00303S3 Specific Plan No. 303, Amendment No. 4, Substantial Conformance No. 3

SP303 Specific Plan No. 303

SP303A1 Specific Plan No. 303, Amendment No. 1 SP303A2 Specific Plan No. 303, Amendment No. 2 SP303A3 Specific Plan No. 303, Amendment No. 3 SP303A4 Specific Plan No. 303, Amendment No. 4

SR-86S State Route 86S

SRA State Responsibility Area STA SunLine Transit Agency

SWPPP Stormwater Pollution Prevention Plan
TR36851 Tentative Tract Map No. 36851
TTM37269 Tentative Tract Map No. 37269
TUMF Transportation Uniform Mitigation Fee

VHDR Very High Density Residential VOC Volatile organic compound

VHFHSZ Very High Fire Hazard Severity Zone

W-2 Controlled Development Area
WQMP Water Quality Management Plan

Mitigation Monitoring Plan

Mitigation Monitoring Plan				
Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
Landform & Topography/Slopes and E	rosion			
Adverse impacts associated with on-site grading.				
C1-1 Grading activities shall be in conformance with the overall Conceptual Grading Plan, the Uniform Building Code, Chapter 70, and Riverside County Ordinance No. 457.	Less than significant	Riverside County Building & Safety Department	Prior to issuance of grading permit.	
C1-2 Prior to development within any area of the Specific Plan, an overall Conceptual Grading Plan for the portion in process shall be submitted for Planning Department approval.	Less than significant	Riverside County Planning Department	Prior to issuance of grading permit.	
C1-3 Unless otherwise approved by the Riverside County, Building and Safety Department, all cut and fill slopes shall be constructed at inclinations of no steeper than two (2) horizontal feet to one (1) vertical foot.	Less than significant	Riverside County, Building & Safety Department	Review and approval of grading plans.	
C1-4 A grading permit shall be obtained from the Riverside County, as required by the County Grading Ordinance, prior to grading.	Less than significant	Riverside County Building & Safety Department	Prior to grading.	
C1-5 Erosion control practices shall be implemented during grading activities.	Less than significant	Riverside County, Building & Safety Department	Review and approval of erosion control plan.	
C1-6 All projects proposing construction activities including: clearing, grading, or excavation that results in the disturbance of at least five acres total land area, or activity which is part of a larger common plan of development of five (5) acres or greater, shall obtain the appropriate NPDES construction permit and pay the appropriate fees. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program.	Less than significant	Riverside County Building & Safety Department	Following review and approval of conceptual grading plans prior to issuance of grading permit.	
C1-7 It is important that the grading plans are submitted to Coachella Valley Water District for utility clearance prior to issuance of a grading permit by Riverside County Building and Safety Department. This is to ensure that existing CVWD and USBR facilities are protected or properly modified to accommodate this development. The	Less than significant	CVWD and Riverside County Building and Safety Department	Prior to issuance of grading permit.	

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
existence of some of these facilities, together with their relative importance, may require that the developer's grading plans be revised from those presented in the specific plan.			
Refer to mitigation measure C6-1 regarding SCAQMD Rule storm runoff control measures in EIR 396 – Section V.C.7.	403 in EIR 396 – Section V.C.	6., Air Quality. Refer to mitigat	tion measures C7-1 and C7-2 regarding
Adverse effect of wind erosion.			
Refer to mitigation measure C6-1 in EIR 396 – Section V.C.6., Air Quality, regarding fugitive dust control measures.	Less than significant	Refer to Measure C1-6.	Refer to Measure C6-1.
Potential for increased erosion.			
See mitigation measure C1-6 above regarding grading activities, and mitigation measures for Water Quality (C7-1 through C7-3).	Less than significant	Refer to Measure C6-1.	Refer to Measure C6-1.
Soils & Agriculture			
Loss of prime agricultural land.			
No mitigation measures are proposed.	Significant and unavoidable.	None required.	Not applicable.
Potential for land use conflict between agriculture and prope	osed urban uses.		
C2-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.	Less than significant	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
C2-2 The project shall be subject to Riverside County's right-to-farm ordinance, Ordinance No. 625, which protects farmers' rights with respect to urban encroachment. Per Section 6 of Ordinance No. 625, buyers of homes shall be noticed for any land division that lies partly or wholly within, or within 300 feet of any land zoned primarily for agricultural purposes.	Less than significant	Riverside County Planning Department	Review and approval of tentative tract maps.
C2-3 In addition to notice required by Ordinance No. 625, notice shall be provided to future homeowners within the	Less than significant	Riverside County Planning Department	Prior to issuance of certificate of occupancy.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage		
Specific Plan area of the potential impacts associated with surrounding agricultural use.					
Decline in economic viability of agricultural lands in the project vicinity.					
No mitigation measures are proposed.	Significant and unavoidable	None required.	Not applicable.		
Increased conversion of agricultural land due to cumulative	impacts of development.				
Refer to mitigation measure C2-2 regarding Riverside County's right-to-farm ordinance, Ordinance No. 625, which protects farmers' rights with respect to urban encroachment.	Significant and unavoidable	See above.	See above.		
Biology					
Loss of wildlife habitat and associated plant and animal spe	cies.				
None required.	Less than significant	None required.	Not applicable.		
Direct impact to sensitive species.					
C3-1 (Revised) - Pre-construction Surveys for nesting burrowing owls shall be conducted in the early spring that precedes the time when clearing or grading is anticipated. If potential nest sites are discovered, they shall be plugged or fenced to discourage nesting within the project impact zone when construction crews are onsite.completed in accordance with the Staff Report on Burrowing Owl Mitigation, with the first survey no less than 14 days prior to initiation of project-related activities, and the second within 24 hours of project-related activities. If an active burrowing owl burrow is detected within 500 feet of the project site, avoidance and minimization measures shall be implemented in accordance with the California Department of Fish and Game 2012 guidelines, including implementation on a non-disturbance buffer and monitoring of the nest to ensure activities are not adversely affecting the nest. If the project will occur within this zone, then work must occur outside the nesting season, or until it can be shown that they have finished nesting, and then passive relocation may occur. The proposed process must be documented in a burrowing owl relocation plan and	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.		

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
submitted to the Coachella Valley Association of Governments at least 30 days in advance of the proposed activity.				
C3-2 – Prior to grading permits, CVMSHCP fees shall be paid to Riverside County pursuant to County procedures.	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.	
MM-BIO-1 (Added): To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, should ground disturbance and/or vegetation clearance activities be scheduled to occur during the avian nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist within the project footprint and a 300-foot buffer around the project footprint. Surveys shall be conducted within 3 days prior to initiation of activity and shall be conducted between dawn and noon. If an active nest is detected during the nesting bird survey, avoidance buffers shall be implemented as determined by a qualified biologist. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. All nests shall be monitored as determined by the qualified biologist until nestlings have fledged and dispersed or it is confirmed that the nest has been unsuccessful or abandoned.	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.	
Long-term impacts to regionally significant biological resour	rces.			
None required.	Less than significant	None required.	Not applicable.	
Geology & Seismicity				
Liquefaction potential.				
C4-1 Additional site specific investigations addressing liquefaction potential shall be conducted for implementing projects once the locations and nature of structures are known. If potentially liquefiable soils are encountered during site specific investigations, proper site preparation and building design shall be required to conform to the	Less than significant	Riverside County Planning Department	Review and approval of detailed soil and geotechnical reports prior to tentative tract map/plot plan/use permit approval.	

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
applicable earthquake standards set forth in the Uniform Building Code and City of Riverside Municipal Code Title 16 in order to_minimize liquefaction related problems.			
Groundshaking.			
C4-2 Structures constructed on-site shall be designed in consideration of the seismic design requirements of the Uniform Building Code and the seismic setting of the site.	Less than significant	Riverside County Building & Safety Department	Review and approval of building plans, prior to issuance of building permits.
Hazards and Hazardous Materials			
The following mitigation measure is to be implemented for t	he Thermal Beach Club:		
Airports.			
MM HAZ-1 (Added): The Thermal Beach Club project developers shall implement a Bird Mitigation/Management Plan utilizing industry standard best management practices to identify both passive and active measures to reduce potential risks to operating aircraft from wildlife.	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.
Hydrology, Flooding & Drainage			
Potential reduction of groundwater recharge.			
C5-1 Detention basins shall be required on-site to control storm runoff, in accordance with Specific Plan recommendations.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of grading and drainage plans prior to approval of tentative tract map/plot plan/use permit.
Increased demand on water resources.			
Refer to mitigation measures for increased demand on water resources in EIR 396 – Section V.D.2., Water and Sewer (D2-1 through D2-14).	Less than significant	Refer to Section V.D.2.	Refer to Section V.D.2.
Increased stormwater runoff from the project site.			
C5-2 The project drainage system shall control storm flows such that runoff volumes leaving the site shall approximate existing conditions.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of grading and drainage plans prior to tentative tract map/plot plan/use permit approval.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C5-3 Drainage facilities associated with the project shall be designed in accordance with the Riverside County Flood Control District Hydrology Manual and Standards, and CVWD Standards. On-site runoff shall be intercepted and conveyed through the development by means of a conventional catch basin and storm drain system, in accordance with CVWD standards.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of drainage plans prior to tentative tract map/plot plan/use permit approval.
C5-4 A collector storm drain system to facilitate flows generated on-site shall be designed to utilize street flow carrying capacity and flows into catch basins and inlets when the quantity exceeds the top of curb.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of drainage plans prior to tentative tract map/plot plan/use permit approval.
C5-5 Protection from the 100-year flood shall be provided to all building pads in the Kohl Ranch, as the recommended Flood Control Plan is implemented.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of drainage plans prior to tentative tract map/plot plan/use permit approvals.
C5-6 Maintenance and upgrading of storm drain facilities shall be implemented as outlined in applicable regional facilities plans.	Less than significant	Riverside County Building and Safety Department and CVWD	Prior to issuance of building permits.
C5-7 Pursuant to requirements of the State Water Resources Control Board, a state-wide general National Pollution Discharge Elimination System (NPDES) construction permit will apply to all construction activities. Construction activity includes: cleaning, grading, or excavation that results in the disturbance of at least five acres of total land area, or activity which is part of a larger common plan of development of five acres or greater. Therefore, as mitigation for this specific plan, the developer or builder shall obtain the appropriate NPDES construction permit prior to commencing grading activities. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program.	Less than significant	Riverside County Building and Safety Department and Regional Water Quality Control Board	Prior to issuance of grading permit.
C5-8 The hydrology and drainage design shall take into account the existing stormwater, irrigation and drainage facilities which cross Kohl Ranch. The developer's engineer shall work with CVWD to develop an acceptable grading and drainage plan.	Less than significant	Riverside County Building and Safety Department and CVWD	Review and approval of grading and drainage plans prior to tentative tract map/plot plan/use permit.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Air Quality	•	•	•
Fugitive Dust			
Short-term air quality impacts.			
C6-1 The project shall be required by law to comply with regional and local rules and ordinances which will assist in reducing the short-term air pollutant emissions. For example, the SCAQMD's Fugitive Dust Rule 403 and Riverside County's Dust Control Ordinance require implementation of extensive fugitive dust control measures such as watering on site, revegetation, use of soil stabilizers and submittal of a wind erosion plan in some instances.	Significant	Riverside County Building and Safety Department and SCAQMD	Review and approval of grading plans.
In addition, the following mitigation measures are provided mitigation effectiveness is indicated (e.g., 50 percent) as pro-			onstruction phase. Where available, the
Construction Equipment Exhaust			
C6-2 Construction operations shall comply with all applicable control measures identified in the "State Implementation Plan in the Coachella Valley: 1994 BACM Revision," March 1994.	Significant	Riverside County Building & Safety Department	During grading and construction.
C6-3 Construction equipment shall be selected considering emission factors and energy efficiency. All equipment shall be properly tuned and maintained.	Significant	Riverside County Building & Safety Department	During grading and construction.
On-Road Sources			
C6-4 Construction activities shall be timed so as to not interfere with peak hour traffic and shall minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.	Significant	Riverside County Building & Safety Department	During grading and construction.
C6-5 Ridesharing and transit incentives for the construction crew shall be supported and encouraged.	Significant	Riverside County Building & Safety Department and SCAQMD	During grading and construction.
Long-term regional air quality impacts.			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Regional air pollutant emissions associated with the project are considered significant. To reduce the level of regional impact the following mitigation measures are provided.	Significant	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
C6-6 The project shall utilize a mix of services on-site to provide amenities for employees and residents that would reduce off-site vehicle trips. Consideration shall be given to postal services, banking, a food facility (restaurant/grocery store) and a ridesharing service to local commercial areas.	Significant	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
C6-7 Local transit agencies shall be contacted to determine bus routing adjacent to the site that can be accommodated in design and for on-site provision of bus shelters and turnout lanes.	Significant	Riverside County Planning and Transportation Departments	Review and approval of tentative tract map/plot plan/use permit.
C6-8 The use of energy-efficient street lighting and on-site lighting in parking and walking areas (e.g., low pressure sodium, metal halide, clean lucalox and high pressure sodium) shall be used on-site to reduce emissions at the power plant serving the site.	Significant	Riverside County Building & Safety Department	Review and approval of tentative tract map/plot plan/use permit.
Prior to issuance of building permits.			
C6-9 Low-polluting and high-efficiency appliances shall be installed wherever possible. Solar energy shall be evaluated for heating any swimming pools or water heaters on-site.	Significant	Riverside County Building & Safety Department	Prior to issuance of building permits.
C6-10 Transportation Demand Management (TDM) utilized on-site shall support a reduction in mobile emissions as employees/residents convert from single occupant vehicle (SOV) use to other modes of transportation. TDM could include:			
 creating employee carpools; preferential carpool parking; designing appropriate bicycling and walking paths; reduced costs for transit passes; flexible work hours for transit riding, carpooling, walking and bicycling employees; and 	Significant	Riverside County Planning Department	Prior to approval of plot plan and/or use permit.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
 implementing a parking fee on-site to discourage single occupant vehicles (SOVs). 			
Microscale projections.			
None required.	Less than significant	None required.	Not applicable.
Air Quality Management Plan Conformity.			
C6-11 To assist in jobs/housing balance for the subregion, the Kohl Ranch Specific Plan includes a mix of land uses including residential, business, commercial, industrial, open space and public facilities. Both working and living opportunities have been made available within the thirteen project neighborhoods. An emphasis has been placed on developing employment concentrations near medium to high density residential areas creating areas of local activity. No additional mitigation is available to further reduce the project's regional emissions.	Significant	Riverside County Planning Department	Approval of Final Specific Plan.
The following mitigation measure is to be implemented for to	he Thermal Beach Club:		
MM AQ 1 (Added): Where physically and economically feasible, electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce associated construction emissions. Feasibility shall be determined by the Department of Building and Safety's Grading Division prior to issuance of grading permits.	Less than significant	Riverside County Department of Building and Safety	Prior to issuance of grading permits
MM AQ 2 (Added): To reduce potential fugitive dust emissions associated with the unpaved portions of the soil import haul road on Polk Street south of 62nd Avenue, the Project shall pave Polk Street prior to any soil hauling activities. The construction specifications shall be reviewed by the County's Building and Safety Department for compliance with this mitigation measure prior to issuance of grading permit.	Less than significant	Riverside County Department of Building and Safety	Prior to issuance of grading permits
MM AQ 3 (Added): To reduce NO _X emissions associated with off-road construction equipment during grading, heavy-duty construction equipment greater than 75 horsepower (i.e., scrapers, graders, and excavators) shall be certified to meet or exceed United States	Less than significant	Riverside County Department of Building and Safety	Prior to issuance of grading permits

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
Environmental Protection Agency (USEPA) Tier 3 standards. Proof of compliance shall be reviewed by the Department of Building and Safety's Grading Division prior to issuance of a grading permit. An exemption from this requirements may be granted by Riverside County in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Riverside County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.				
Water Quality				
Short-term potential for increased erosion.				
C7-1 Private developments constructed in the project area shall be required to provide adequate site drainage during construction.	Less than significant	Riverside County Building & Safety Department, CVWD, and RWQCB	Review and approval of erosion control plan.	
C7-2 Temporary culverts, ditches, dams, catch basins, and settling ponds shall be installed in construction areas to maintain existing drainage flows and collect excess water and sediment coming from construction sites. Refer to mitigation measures C1-1 through C1-6 in EIR 396 – Section V.C.1., Landform & Topography/Slopes &	Less than significant	Riverside County Building & Safety Department and CVWD	Review and approval of erosion control plan.	
Erosion, regarding grading requirements.				
Degradation of water quality from nonpoint pollution.	I			
C7-3 All development shall be subject to NPDES regulations enforced by the RWQCB.	Less than significant	Riverside County Planning Department, CVWD & RWQCB	Ongoing.	
C7-4 All discharges to surface waters and groundwater shall comply with the goals of the most current applicable Water Quality Control Plan for the Colorado River Basin.	Less than significant	RWQCB	Ongoing.	
Water quality impact from interim agricultural use.				

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C7-5 Interim agricultural operations shall be required to comply with the applicable permit requirements in the application of pesticides.	Less than significant	Riverside County Planning Department and Riverside County Health Department.	Ongoing.
Noise			
Short-term construction impacts.			
C8-1 Construction activities within 800 feet of existing sensitive receptors shall take place only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction activities that occur within one mile of a sensitive receptor but not closer than 800 feet shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday. Construction under either of these two scenarios shall not be allowed on Federal holidays. Construction activities where there are no sensitive receptors within a one-mile radius shall not be time-restricted.	Less than significant	Riverside County Building & Safety Department	Inspections during construction.
C8-2 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.	Less than significant	Riverside County Building & Safety Department	Inspections during construction.
C8-3 Stationary equipment shall be placed such that emitted noise is directed away from any existing sensitive noise receivers.	Less than significant	Riverside County Building & Safety Department	Inspections during construction.
Long-term off-site airport and traffic impacts.			
C8-4 Residential uses proposed within the 60 CNEL contour of the airport shall require a noise analysis by a qualified acoustical consultant to ensure the standards are met. This analysis shall address the combined impact of airport activities and motor vehicle noise from adjacent roadways.	Less than significant	Riverside County Health Department and Planning Department	Review and approval of final acoustic reports prior to approval of tentative tract map or other residential projects.
C8-5 Residential and school uses proposed within the 60 CNEL contour of Avenue 62, Avenue 66, Tyler Street, Polk Street, A Street, B Street, and C Street shall require a noise analysis by a qualified acoustical consultant to ensure the noise standards are met.	Less than significant	Riverside County Health Department and Riverside County Planning Department	Review and approval of final acoustical reports prior to approval of tentative tract map or other residential projects.
Energy Resources			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage			
Increased energy use.	Increased energy use.					
To reduce both criteria pollutant and Greenhouse Gas emis	ssions from Project operation, t	he following mitigation measur	es will be implemented:			
C9-1 was replaced by Mitigation Measure GHG 1 below, as part of EIR 396, Addendum No. 2.	n/a	n/a	n/a			
C9-2 Electric vehicle recharging facilities shall be permitted in all commercial developments.	Less than significant	Riverside County Planning Department	Approval of Final Specific Plan.			
MM GHG 1 In order to reduce energy consumption from the proposed Project development, construction of all homes and businesses shall exceed the 2008 California Energy Code - Title 24, Part 6 energy efficiency standards by 15%. GHG 1 replaces Mitigation Measures D7-9 and C9-1.	Less than significant	Riverside County Planning Department	Prior to building permits			
MM GHG 2 To reduce vehicle miles traveled, the Kohl Ranch Specific Plan will provide a transit center, including a bus stop opportunity and park—n-ride lot to facilitate carpooling and/or use of public transportation within some of the zones of the Project site which are restricted by airport flight paths/noise and with easy bus access.	Less than significant	Riverside County Planning Department	Prior to occupancy			
MM GHG 3 To encourage carpooling and vanpools the Kohl Ranch Specific Plan will designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing in all commercial areas.	Less than significant	Riverside County Planning Department	Prior to occupancy			
MM GHG 4 Public information shall be provided to residents about opportunities to utilize public transportation and bicycles. This will be implemented through signage and information posted. Proof of compliance will be required prior to issuance of the building permit for each of the above facilities.	Less than significant	Riverside County Planning Department	Prior to occupancy			
MM GHG 5 Separate recycling and waste receptacles will be provided at each house and at commercial sites. Proof of compliance (e.g. contract with waste hauler) will be required prior to final inspection of each residence. Signage and information regarding the recycling bins and acceptable recyclable materials shall be posted at commercial sites. Proof of compliance will be required by	Less than significant	Riverside County Planning Department	Prior to occupancy			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
the Department of Building and Safety prior to the Plot Plan Final Inspection of all commercial facilities.				
MM GHG 6 Install light colored "cool" roofs and cool pavements whenever possible.	Less than significant	Riverside County Planning Department	During Construction	
MM GHG 7 Preserve existing trees on-site through the use in place or relocation of palms currently growing onsite.	Less than significant	Riverside County Planning Department	During Construction	
The following mitigation measure is to be implemented for t	he Thermal Beach Club:			
MM GHG-8 (Added): Prior to issuance of building permits, the Project applicant shall provide documentation to the County of Riverside Building and Safety Department demonstrating that the following measures or any other combination thereof are incorporated from the County's 2018 Greenhouse Gas Emissions Screening Tables, shown in Appendix F of the Riverside County Climate Action Plan, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.	Less than significant	Riverside County Building and Safety Department	Prior to building permits	
Open Space & Conservation				
Loss of undeveloped open space.				
C10-1 All open space areas within the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Zoning, Community Structure Development Standards, Neighborhood and Planning Area Land Use and Development Standards, and Design Guidelines of the Kohl Ranch Specific Plan.	Less than significant.	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.	
Toxic Substances				
Generation of hazardous wastes.				
C11-1 Users of hazardous materials shall comply with applicable federal, state and local regulations requiring elimination and reduction of waste at the source by prevention of leakage, segregation of hazardous waste,	Less than significant.	Riverside County Health Department and CVWD.	Ongoing.	

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
and other means. Industrial operations shall utilize methods such as recovery, reuse and recycling of wastes to minimize the amount of hazardous substances disposed of.			
C11-2 Future industrial uses shall be reviewed to identify the specific wastes which may be generated for storage and disposal of potentially hazardous substances.	Less than significant.	Riverside County Health Department and Planning Department.	Review and approval of plot plan and/or use permit.
C11-3 Hazardous materials that may be produced on-site shall require transport by a licensed hauler to a designated facility. Haulers of hazardous materials, as well as disposal facilities, shall be licensed by the U.S. Environmental Protection Agency.	Less than significant.	Riverside County Health Department.	Ongoing.
C11-5 Interim agricultural operations shall adhere to all appropriate permit requirements related to the handling, storage and transport of hazardous materials.	Less than significant.	Riverside County Health Department.	Ongoing.
Cultural Resources			
Disturbance of important archaeological resources.			
C12-1 Avoidance of CA-RIV-5510/H is preferred. This site is located in Planning Area M-4. If it is determined at the development stage avoidance of CA-RIV-5510/H is not feasible, this archaeological site shall be subjected to a program of additional historic research and test excavation to determine its importance, prior to earthmoving on the site.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.
C12-2 (Revised) Avoidance of CA-RIV-5511H is preferred. This site is located in the vicinity of Planning Area C-4, C-5 and C-8. If it is determined at the development stage that avoidance of CA-RIV-5511H is not feasible, this archaeological site shall be subjected to a program of additional historic research and test excavation to determine its importance, prior to earthmoving on the site.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/ use permit.
C12-3 The approximately 160 acres of the Kohl Ranch site that were not examined during field reconnaissance (Blocks 25, 33, 34 and 35) shall be examined by a	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
qualified archaeologist after plowing but before commencement of grading (see EIR 396 – Figure V-30).				
C12-8 Should any cultural and/or archaeological resources be accidentally discovered during Project construction, construction activities in the vicinity of the resource shall immediately halt and be moved to other parts of the Project site. A Riverside County qualified archaeologist shall be retained by the County or their designee to determine the significance of the resource. If the find is determined to be a historical or unique archaeological resource, as defined in Section 15064.5 of the California Code of Regulations (<i>State CEQA Guidelines</i>), avoidance or other appropriate measures, as recommended by the archaeologist, shall be implemented. Any artifacts collected or recovered shall be cleaned, identified, catalogued, analyzed, and prepared for curation at an appropriate repository with permanent retrievable storage to allow for additional research in the future. Site records or site record updates (as appropriate) shall be prepared and submitted to the Eastern Information Center as a permanent record of the discovery	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.	
The following mitigation measure is to be implemented for to	he Thermal Beach Club:			
MM CR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.	Less than significant.	Riverside County Planning Department.	During grading activities	
Disturbance of important historic resources.				
None required.	Less than significant.	None required.	Not applicable.	
Paleontological Resources				
Disturbance of paleontological resources.				
C12-4 Within Sections 4 and 9 (T.7S, R.8E), a qualified paleontologist shall be retained to attend the pre-grade meeting, and supervise the paleontological monitoring during earth moving activities in these areas of the proposed project.	Less than significant.	Riverside County Planning Department.	Prior to and during grading activities.	

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C12-5 (Revised) Initially, full-time monitoring shall be conducted during all earth moving activities that extend below 5 feet within native sediments in Sections 4 and 9 (T.7S, R.8E). Full-time monitoring shall not be required for areas of artificial fill or ground disturbing activities that do not yield observable sediments, such as augering if the diameter of the auger is very small (less than 12 inches or 0.3 meter). In this case, matrix sampling of the spoils piles for small-fraction fossils shall be conducted at the discretion of the Project Paleontologist. Otherwise, Wet screening for small vertebrates shall will-be conducted in the appropriate sediments and a representative sample of fossils shall be collected. Recent (Holocene) alluvial materials or sands have a low paleontologic sensitivity and will not require monitoring. If fossils are found, monitoring requirements shall will be increased accordingly; if no fossils are encountered, monitoring efforts shall will be reduced in these sediments. If an adequate sample is collected from the sensitive sediments, the Paleontologist may reduce or eliminate monitoring requirements. Part-time monitoring may occur when ground disturbances impact artificial fill underlying the Project Area. The frequency and duration of part-time monitoring shall be determined by the Riverside County Project Paleontologist and shall be dependent on the nature and extent of on-site excavations. The number of qualified paleontological monitors on site shall be increased or decreased at the discretion of the Riverside County Qualified Project Paleontologist to ensure adequate and complete coverage of all construction impacts to paleontologically sensitive units. The frequency of monitoring may be reduced at the discretion of the Riverside County Qualified Project Paleontologist in accordance with SVP guidelines (2010), if, after 50 percent of the grading is completed in a specific area or stratigraphic unit, no fossil resources of any kind are encountered. Paleontological monito	Less than significant.	Riverside County Planning Department.	During grading activities.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
have been completed in native sediments within the Project Area, monitoring shall cease.				
C12-6 (Revised) Specimens collected shall be prepared in a properly equipped paleontology laboratory (to a point of identification and curation) which shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to a regionally-accredited museum repository, such as the NHMLAC in Los Angeles, for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the landowner, identified and curated into a suitable repository that has a retrievable storage system, such as the San Bernardino County Museum.	Less than significant.	Riverside County Planning Department.	During and/or following grading activities.	
C12-7 (Revised) A final report summarizing findings shall be prepared at the end of earth moving activities, and shall include a summary of the field methods, laboratory methods (if any), an overview of the geology and paleontology of the construction site, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations, an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. If the monitoring efforts produce fossils, this report shall be sent to the Lead Agency, signifying the end of mitigation. Another copy shall accompany the fossils, along with field logs and photographs, to the designated repository.	Less than significant	Riverside County Planning Department	After completion of field monitoring.	
The following mitigation measure is to be implemented for the Thermal Beach Club:				
MM PALEO-1 (Added): Prior to the start of construction within a given development site within the Project Area, all field personnel shall be briefed regarding the types of fossils that could be found and the procedures to follow should paleontological resources be encountered. Training shall 1) provide a description of the fossil resources that may be encountered; 2) outline steps to follow in the event that a fossil discovery is made; and 3)	Less than significant	Riverside County Planning Department	Prior to grading activities.	

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage	
provide contact information for the Qualified Paleontologist and on-site monitor(s). The training shall be developed by the Riverside County Qualified Paleontologist and may be conducted concurrently with other environmental training (e.g., biological awareness training, cultural and natural resources awareness training, safety training, etc.).				
Tribal Cultural Resources				
The following mitigation measure is to be implemented for t	he Thermal Beach Club:			
Resource to California Native American tribe.				
MM TCR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.	Less than significant.	Riverside County Planning Department.	During grading activities	
Aesthetics, Visual Analysis, Light & G	are			
Change to visual character of the site.				
C13-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.	
Creation of new source of light and glare.				
C13-2 Lighting shall conform to the Lighting Guidelines Section of the Kohl Ranch Specific Plan.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.	
The following mitigation measures are general lighting guid	elines contained in the Kohl Ra	nch Specific Plan.		
General Lighting Guidelines				
C13-3 Warm white lighting shall be encouraged. Bright colored or blinking lights shall not be encouraged except in theme restaurants and shops of commercial development areas.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.	
C13-4 Building or roof outline tube lighting shall be subject to Riverside County approval.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.	

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C13-5 Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-6 Careful consideration and coordination shall be given to avoid any potential conflicts with Jacqueline Cochran Regional Airport operations.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-7 Lighting shall be designed to minimize sky glow and effects on the Mt. Palomar Observatory and the nighttime desert sky.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-8 Fixtures and standards shall conform to state and local safety and illumination requirements. In particular, lighting shall conform to Riverside County Ordinance No. 655, which includes requirements related to the Mt. Palomar Observatory.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-9 Automatic timers on lighting shall be designed to maximize personal safety during nighttime use while saving energy.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
In addition to the lighting guidelines contained in the Specifi	c Plan, the following mitigation	measures are recommended.	
C13-10 The buildings shall use non-metallic, low reflective glass (30 percent or lower reflective factor) and building materials to keep daytime glare to a minimum.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
Compliance with General Plan Policies.			
C13-11 Future development projects shall be subject to the requirements of Section 7 of Ordinance No. 655, which includes the preparation of lighting plans and evidence of compliance.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-12 All new light fixtures installed shall be consistent with the guidelines in Section 5 (General Requirements), Section 6 (Requirements for Lamp Source and Shielding) and Section 8 (Prohibitions) of Ordinance No. 655.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
Circulation & Traffic			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
MM Trans 1 All roadways shall be constructed per the Riverside County Transportation Department standards and conditions of approval.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.
MM Trans 2 The intersection of Polk Street at Airport Boulevard shall convert the shared northbound turning lane into one northbound left-turn lane and one northbound right-turn lane.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.
Traffic generated			
D1-1 was eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
D1-2 Avenue 60 adjacent to the site shall be downsized and constructed at its ultimate part-width standard as an Industrial Collector (78 foot right-of-way) in conjunction with development.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map. Road segments to be improved concurrently with adjacent development area.
D1-3 to D1-10 were eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
Level of Service at General Plan Buildout without Project.			
None required.	Less than significant.	None required.	Not applicable.
Year 2010 Level of Service with Project and typical General	l Plan improvements.		
D1-11 To ensure that off-site roadway improvements (see EIR 396 – Table V-43) are provided in conjunction with each development phase, the following development monitoring requirements shall be followed throughout the study area: a. Traffic impact study reports shall be required with submittal of tentative tract maps or plot plans as required by Riverside County. b. The required format for each traffic impact study report shall be determined by Riverside County. The required format shall include evaluation of peak hour conditions at intersections significantly impacted by each phase of	Less than significant.	Riverside County Planning Department and Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
development. c. If an impacted intersection is estimated to exceed			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
County service level standards, then appropriate link and intersection improvements shall be required to be presented for County staff review.			
d. The improvements needed to maintain the County service level standards shall be required to be in place or funding assured prior to occupancy of the relevant development phase. Because off-site improvements are generally needed to serve area wide growth, the developer shall initiate efforts to establish an area wide fee program or funding district to implement General Plan roadway improvements prior to the issuance of building permits. Without a district or fee program in place, the proposed project would be responsible for providing the off-site improvements necessary for adequate circulation at each project phase.			
D1-12 to D1-15 were eliminated as part of EIR 396, Addendum No. 2	n/a	n/a	n/a
Compliance with General Plan Circulation policies.	1		
D1-18 The project shall contribute to the installation of traffic signals when warranted through the payment of traffic signal mitigation fees. The traffic signals shall be installed as warranted through the tract map or plot plan level traffic studies.	Less than significant.	Riverside County Transportation Department.	Payment of traffic mitigation fees at final tract map approval.
D1-19 The developer shall comply with the trip reduction ordinance of the Riverside County.	Less than significant.	Riverside County Transportation Department.	Ongoing.
Impact on alternative forms of transportation.			
D1-20 As development in the area occurs, the SunLine Transit Agency shall be requested to consider expanding service within the area.	Less than significant.	Riverside County Transportation Department.	Ongoing.
D1-21 To accommodate future bus service on key roadways, transit stops shall be anticipated at the far side of major intersections (see Initial Study EA42375, Figure 15 – Bus Turnout and Stop Locations). Sunline Transit Agency should review transit recommendations in the study area. EIR 396 – Figure V-54 shows the recommended bus turnout design features. Pedestrian access to the bus stops shall be provided.	Less than significant.	Planning Department and Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D1-22 The commercial portion of the project shall provide on-site bike racks to encourage the use of bicycles as an alternative means of transportation.	Less than significant.	Planning Department and Transportation Department.	Review and approval of plot plan and/or use permit approval.
D1-23 To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to SR-86S, a portion of the commercial parking areas shall be designated for Park-N-Ride use on weekdays between 6:00 a.m. and 6:00 p.m. Provision of adequate access to and from the project area.	Less than significant.	Planning Department and Transportation Department.	Review and approval of plot plan and/or use permit approval.
D1-24 Access to roadways shall be oriented to the appropriate locations shown on Initial Study EA42726, Figure 7 – Access Points. Precise access locations and the phasing of roadway improvements shall be determined at the plot plan, use permit or tentative tract map level, subject to approval by the Riverside County Transportation Department.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D1-25 was eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
Traffic Generated			
D1-26 Avenue 60 adjacent to the Planning Areas A-2, A-4, E-1 and E-2 shall be downsized and constructed at its ultimate part-width standard as an Industrial Collector (78 foot right-of-way) in conjunction with development. The southerly side of Avenue 60 adjacent to Planning Area B-1 shall be constructed at its ultimate part-width standard as an Arterial highway (128 foot right-of-way) in conjunction with development.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D1-27 Polk Street adjacent to the project site shall be constructed from the north project boundary to Avenue 66 at its ultimate half-section width as an Arterial highway (128 foot right-of-way) in conjunction with development. A Modified Arterial highway (113 foot right-of-way) shall be constructed at the Not-A-Part parcel located in Planning Area J-4 due to the existing sewage pump station.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D1-28 to D1-37 were eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
D1-38 Designate "E" Street between Avenue 64 and Avenue 66 as a Major highway (118 foot right-of-way) classification and realign to circulate north and south.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D1-39 Downgrade Avenue 60 between the northwest corner of Planning Area B-1 and Polk Street to an Industrial Collector and delete as an Arterial highway classification on the Riverside County General Plan Circulation Element to accommodate the planned extension of the runway at Jacqueline Cochran Regional Airport.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.
Water & Sewer	I	I	
Increased demand on water supplies			
D2-1 A detailed hydraulic analysis shall be performed by the developer in conjunction with the preparation of improvement plans for each phase of development.	Less than significant.	CVWD	Review and approval of tentative tract map/plot plan/use permit.
D2-2 to D2-3 were eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
D2-4 Reservoirs shall be provided in accordance with CVWD and ALUC standards, including the installation of aviary screening, where applicable.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-5 Transmission lines to the reservoirs shall be sized in accordance with CVWD requirements.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-6 Where possible, the existing tile drains shall be maintained to prevent high salt water from migrating to the underground basin.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-7 All water lines shall be designed and installed as required by CVWD.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D2-8 A dual water system shall be installed to service the larger landscaped areas. Where practical, smaller landscape areas requiring irrigation shall be provided with service from a separate irrigation line.	Less than significant.	CVWD and Riverside County Planning Department.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-9 The irrigation line shall utilize canal water or treated effluent to irrigate the larger landscape areas initially. Treated effluent shall be utilized when facilities are available, treatment is acceptable and the cost is practical.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-10 All project development shall comply with State and County regulations regarding water conservation and reclamation. All applicable sections of Title 20 and Title 24 of the California Code of Regulations shall be adhered to regarding water consumption and conservation.	Less than significant.	CVWD and RWQCB.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-11 Water conserving plumbing fixtures shall be used in all construction, including low or ultra-low flow toilets and reducing valves for showers and faucets.	Less than significant.	Riverside County Building & Safety Department.	Review and approval of improvement plans prior to issuance of building permit.
D2-12 Consistent with the requirements of County Ordinance No. 348, irrigation systems shall be used for common landscaped areas that minimize runoff and evaporation and maximize water availability to plant roots. Project landscaping plans that identify irrigation systems shall be submitted for review prior to the issuance of individual project building permits.	Less than significant.	Riverside County Building & Safety Department.	Review and approval of tentative tract map/plot plan/use permit and improvement plans.
D2-13 Consistent with the requirements of County Ordinance No. 348, native, drought-tolerant plants approved by the County shall be used in common landscaped areas. Additionally, mulch shall be utilized in common landscaped areas where soil conditions warrant to improve the soil's water storage capacity.	Less than significant.	Riverside County Building & Safety Department.	Review and approval of tentative tract map/plot plan/use permit and improvement plans.
D2-14 Subsequent tentative tract maps, conditional use permits and plot plans shall be approved by Riverside County based on adequate wells, reservoirs and transmission systems.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D2-15 The developer shall work with CVWD and participate in area-wide programs developed under the leadership of CVWD to address impacts to groundwater supplies.	Less than significant.	CVWD.	Ongoing.
D2-16 Development shall be consistent with the project Water Conservation Plan.	Less than significant.	CVWD and Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.
Increased demand on wastewater treatment capacity and c	onveyance facilities.		
D2-17 A detailed analysis shall be performed for pipe sizing, in conjunction with the preparation of improvement plans for each phase of development.	Less than significant.	CVWD and Riverside County Planning Department.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
D2-18 Infrastructure facilities shall be constructed in accordance with the requirements identified in the Specific Plan.	Less than significant.	Riverside County Planning Department and CVWD.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
D2-19 CVWD shall expand the existing treatment facility capacity to accommodate project wastewater, if necessary.	Less than significant.	CVWD.	Ongoing.
D2-20 Interim septic tank systems shall be subject to approval by the Riverside County Department of Environmental Health.	Less than significant.	Riverside County Department of Environmental Health.	Prior to issuance of occupancy permit.
D2-21 CVWD shall review and approve any interim connection to existing CVWD systems. CVWD shall review and approve sewage collection and transportation system designs where expanded facilities are proposed.	Less than significant.	CVWD.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
D2-22 Developer(s) shall pay all fees required by CVWD for sewage treatment services and facilities.	Less than significant.	CVWD.	At issuance of building permits.
D2-23 All sewage lines, pump stations and other required transmission facilities shall be installed as directed by CVWD.	Less than significant.	CVWD.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
Water conservation methods shall be implemented, as outlined above, to reduce wastewater generation and impacts to sewage transmission and treatment facilities (See mitigation measures D2-8 through D2-16).			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Fire Services		•	•
Increased demand for fire services.			
D3-1 The project shall conform with the requirements of the Public Facilities and Services Element of the RCCGP and the Riverside County Fire Protection Ordinance No. 546.	Less than significant.	Riverside County Fire Department and Riverside County Building & Safety Department.	Review and approval of tentative tract map/plot plan/use permit.
D3-2 The County Department of Building and Safety and the County Fire Department shall enforce fire standards in the review of building plans and during building inspection.	Less than significant.	Riverside County Fire Department and Riverside County Building & Safety Department.	Prior to building permit issuance and during construction.
D3-3 All project street widths, grades and turning/curve radii shall be designed to allow access by fire suppression vehicles.	Less than significant.	Riverside County Fire Department and Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D3-4 Residences and interior streets shall be clearly marked to facilitate easy identification by emergency personnel.	Less than significant.	Riverside County Fire Department and Riverside County Transportation Department.	Prior to issuance of occupancy permit.
D3-5 The developer shall demonstrate that sufficient on- site fire flow pressure exists, as determined by the Riverside County Fire Department.	Less than significant.	Riverside County Fire Department.	Prior to issuance of occupancy permit.
D3-6 Fire flow requirements shall be incorporated into the overall project design. A fire flow of 1,000 gpm at 20 psi for a two-hour duration shall be required for single family residential uses; 2,500 gpm for multi-family residential, light manufacturing and certain commercial uses; and 5,000 gpm for medium and heavy industrial uses, as well as larger commercial development.	Less than significant.	Riverside County Fire Department and Riverside County Planning Department.	Review and approval of water improvement plans prior to tentative tract map/plot plan/use permit approval.
D3-7 The Project applicant shall contribute appropriate fees in accordance with the fire unit impact fee, as well as plan check fees and all other impact fees in accordance with current County of Riverside regulations.	Less than significant.	Riverside County Fire Department and Riverside County Planning Department.	Prior to building permit issuance and during construction.
Sheriff Services			
Increased demand for police protection services.			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D4-1 The applicant shall cooperate with the Sheriff's Department to ensure that adequate protection, facilities and personnel are available.	Less than significant.	Riverside County Sheriff's Department.	Prior to issuance of building permits.
D4-2 The applicant shall contract with the SCVCSD to provide supplemental sheriff services in exchange for an additional parcel charge collected via the property tax system.	Less than significant.	SCVCSD and Building & Safety Department.	Prior to issuance of occupancy permit.
D4-3 Construction yard fencing and/or security personnel shall be provided during the construction phases to reduce the potential of theft and vandalism at the site.	Less than significant.	Riverside County Building & Safety Department.	During construction.
D4-4 Ample lighting shall be provided in all parking area entrances/exits and walkways, consistent with Riverside County Ordinance No. 655. Additionally, the applicant shall ensure that street addresses are highly visible to any responding emergency vehicles.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of occupancy permit.
D4-5 For the safety and security of future residents, the applicant or developer shall address the following design concepts within each planning area to assure the maximum measure of crime prevention: Circulation for pedestrian, vehicular and police patrol circulation Lighting Landscaping Visibility of doors and windows from the street and between buildings Fencing heights and materials Public and private spaces	Less than significant.	Riverside County Building & Safety Department and Riverside County Sheriff's Department.	Review and approval of building plans prior to issuance of building permit.
Schools			
Increased demand for school facilities.			
D5-1 The applicant shall be responsible for the payment of fees at the state statutory limit in effect at the time; or otherwise reach agreement with the school district for provision of school sites and/or payment of fees to effectively mitigate school impacts.	Less than significant.	Coachella Valley Unified School District.	Fees paid at issuance of building permits.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Parks & Recreation			
Increased demand for parks and recreational facilities.			
D6-1 The project shall dedicate appropriate acreage for developed local parkland, or shall provide fees in lieu of dedication, based on the requirements of the Desert Recreation District. Parkland or equivalent fees provided by the applicant shall be phased in conjunction with residential development so that appropriate acreage of local parkland is provided for each 1,000 persons within the new development.	Less than significant.	Desert Recreation District (DRD) and Riverside County Planning Department.	Prior to tentative tract map approval.
D6-2 The developer(s) shall work with the CVRPD and the Coachella Valley Unified School District to determine the types of facilities to be installed in parks and schools, if a joint-use program is undertaken.	Less than significant.	CVRPD and Unified School District.	Review and approval of improvement plans prior to issuance of first building permit for applicable tract.
D6-3 Recreation trails shall be improved and dedicated, as described in the Kohl Ranch Specific Plan.	Less than significant.	CVRPD and Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit prior to issuance of first building permit for applicable tract.
D6-4 The applicant shall pay mitigation fees for regional and natural parkland at the occupancy permit stage to the Building and Safety Department, in accordance with the provisions of Riverside County Ordinance No. 659.	Less than significant.	CVRPD and Riverside County Building & Safety Department.	Prior to issuance of occupancy permit.
D6-5 Future development projects shall comply with the Land Use Standards for parks and recreation facilities in the RCCGP.	Less than significant.	Riverside County Planning Department and CVRPD.	Ongoing.
Utilities			
Increased demand on natural gas supplies.			
D7-1 The developer shall finance the installation of gas lines in accordance with the requirements set forth by the Southern California Gas Company or other authorized service provider. This cost may be offset by credits for free footage allowances.	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D7-2 All gas services and facilities shall be constructed in accordance with Southern California Gas Company or other authorized service provider policies and extension rules on file with the California Public Utilities Commission (CPUC).	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.
D7-3 The developer shall ensure that existing facilities are adequate to accommodate the proposed new development.	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.
D7-4 Development plans shall be provided to the Southern California Gas Company or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to provide services to the project site.	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.
Increased demand on electricity.			
D7-5 The developer shall provide the electric power improvements required by IID or other authorized service provider.	Less than significant.	IID or other authorized service provider and Riverside County Planning Department.	Review and approval of improvement plans.
D7-6 All buildings shall be constructed in compliance with the insulation standards established by the California Uniform Building Code (UBC).	Less than significant.	Riverside County Building & Safety Department.	Review and approval of building plans prior to issuance of building permits.
D7-7 All electrical facilities shall be constructed in accordance with IID or other authorized service provider policies and extension rules on file with the California Public Utilities Commission (CPUC).	Less than significant.	IID or other authorized service provider and Riverside County Building & Safety Department.	Review and approval of building plans prior to issuance of building permits.
D7-8 Underground facilities shall be installed in accordance with District requirements, as outlined in "A Developer's Information Letter" (effective September 15, 1994). Easements, ten feet in width and adjacent to all streets, shall be required for the installation of underground power facilities.	Less than significant.	IID or other authorized service provider and Riverside County Planning Department.	Tentative tract map/plot plan approval.
D7-9 was replaced by Mitigation Measure GHG 1 located in the Energy Resources section of this mitigation table under EIR396, Addendum No. 2	n/a	n/a	n/a

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D7-10 The developer shall provide development plans to IID or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to service the project site.	Less than significant.	IID or other authorized service provider and Riverside County Planning Department.	Prior to approval of improvement plans.
Increased demand in telephone service.			
D7-11 All new telephone lines within the site shall be installed underground, as required by County Ordinance No. 460.	Less than significant.	GTE or other authorized service provider and Riverside County Planning Department.	Prior to issuance of occupancy permits.
D7-12 The developer shall provide development plans to GTE or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to service the project site.	Less than significant.	GTE or other authorized service provider and Riverside County Planning Department.	Prior to review and approval of improvement plans.
Increased demand on cable television service.			
D7-13 All cable television service lines shall be located underground, in accordance with the Riverside County Comprehensive General Plan.	Less than significant.	Cable TV franchisee.	Prior to issuance of occupancy permits.
D7-14 The developer shall coordinate the installation of cable television service lines with a cable television franchisee for the area prior to development.		Cable TV Franchisee.	Prior to issuance of occupancy permits.
Exposure to electric and magnetic fields (EMF).			
D7-15 The developer shall submit to the County supporting data on the generally accepted standards and guidelines for EMFs in effect at the time of project development and shall recommend appropriate distances from the 161 KV power line easement for development of residential and educational land uses. The County shall make a final determination regarding safe distances for siting these land uses.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/ use permit.
Solid Waste	•	•	•
Increased demand on solid waste facilities.			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D8-1 As development within the Kohl Ranch project site proceeds, the developer shall coordinate project solid waste disposal requirements with County agencies and area waste haulers, to ensure that adequate landfill capacity is available within reasonable distance of the project site.	Less than significant.	Riverside County Waste Resources Management District and local area waste haulers.	Prior to issuance of building permit.
D8-2 The project applicant shall coordinate with a certified waste hauler(s) to develop curbside collection of recyclable materials within the proposed project on a common schedule set forth in County Resolutions. The applicant shall coordinate with the permitted refuse hauler to identify which materials may be collected for recycling and on what schedule.	Less than significant.	Local area waste haulers.	Prior to issuance of occupancy permit.
D8-3 All future commercial, industrial and multi-family residential developments within the project site shall comply with AB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991. This law requires the provision of adequate areas for collecting and loading recyclable materials. Prior to building permit issuance, the applicant shall submit a site plan which includes the final design for the recyclable collection and storage area to the Riverside County Waste Resources Management District for review and approval. The storage area for recyclable materials shall comply with County standards.	Less than significant.	Riverside County Waste Resources Management District.	Prior to building permit issuance.
D8-4 Golf courses developed on the site shall minimize the generation of "green waste" and the amount of green waste sent to area landfills, through such measures as composting on-site.	Less than significant.	Riverside County Waste Resources Management District.	Ongoing.
D8-5 To minimize the generation of construction debris, grading operations shall incorporate existing rock and earth into fill areas to the extent possible under accepted geotechnical practices. In addition, construction wastes shall be diverted through recycling, composting, or using environmentally safe methods of land disposal, to the extent possible.	Less than significant.	Riverside County Building & Safety Department.	During grading operations.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Refer to mitigation measures C11-1 through C11-3 in Section V.C.11, Toxic Substances, regarding the storage, use and disposal of hazardous wastes.	Less than significant.	Refer to Measures C11-1 and C11-3.	Refer to Measures C11-1 and C11-3.
Health Services			
Increased demand for health services.			
None required.	Less than significant.	None required.	Not applicable.
Disaster Preparedness			
Diminished disaster preparedness.			
Mitigation measures related to seismic safety, slopes and erosion, and flooding are addressed in EIR 396 – Sections V.C.4., V.C.1., and V.C.5., respectively.	Less than significant.	Refer to other sections.	Refer to other sections.
Libraries			
Increased demand for library services.			
D11-1 The applicant shall coordinate with the County regarding whether a portion of the recurring fiscal surplus to the County could be used for library costs.	Significant.	Riverside County Library Department.	Prior to issuance of building permits.
Airports			
Compatibility with Jacqueline Cochran Regional Airport Mas	ster Plan.		
D12-1 Elements of the Specific Plan that relate to proposed airport uses shall be incorporated into individual development projects.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/ use permit.
Compatibility with Jacqueline Regional Airport Safety Zones.			
D12-2 Individual development projects shall adhere to land uses proposed in the Specific Plan to ensure consistency with the safety zone guidelines and requirements in the Thermal (Jacqueline Cochran Regional) Airport Comprehensive Land Use Plan (CLUP) (2005).	Less than significant.	Riverside County Planning Department and the Airport Land Use Commission.	Review and approval of tentative tract map/plot plan/ use permit.
Compatibility with Jacqueline Cochran Regional Airport Noise Guidelines.			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage		
D12-3 Specific mitigation measures (C8-4 and C8-5) are addressed in the noise analysis in EIR 396 – Section V.C.8.	Less than significant.	Refer to Measures C8-4 and C8-5.	Refer to Measures C8-4 and C8-5.		
D12-4 Development projects shall comply with the noise guidelines contained in the Comprehensive Land Use Plan (CLUP) for Jacqueline Cochran Regional Airport (2005).	Less than significant.	Riverside County Health Department, Riverside County Planning Department and the Airport Land Use Commission.	Review and approval of tentative tract map/plot plan/use permit.		
Compatibility with Jacqueline Cochran Regional Airport Hei	Compatibility with Jacqueline Cochran Regional Airport Height Guidelines.				
D12-5 Proposed development shall comply with the Jacqueline Cochran Regional Airport Height Guidelines identified in the Comprehensive Land Use Plan (CLUP) for Thermal Airport (2005).	Less than significant.	Riverside County Building & Safety Department, Riverside County Planning Department and the Airport Land Use Commission.	Review and approval of tentative tract map/plot plan/use permit.		

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PLANNING COMMISSION MINUTE ORDER SEPTEMBER 25, 2019

I. AGENDA ITEM 4.1

PLOT PLAN NO. 180037, TENTATIVE TRACT MAP NO. 37269, CHANGE OF ZONE NO. 1900027, and SPECIFIC PLAN NO. 303 (Kohl Ranch), SUBSTANTIAL CONFORMANCE NO. 3 – Intent to Consider Addendum No. 9 to Certified Environmental Impact Report No. 396 (EIR396) – CEQ180096 – Applicant: Kohl Ranch Company, LLC – Engineer/Representative: Albert A. Webb and Associates – Fourth Supervisorial District – Lower Coachella Valley District – Eastern Coachella Valley Area Plan – Location: Easterly of Tyler Street, northerly of Avenue 62, southerly of Avenue 60, and westerly of Polk Street – Gross Acreage: 2,177 acres – Zoning: Specific Plan No. 303 (SP303) Kohl Ranch.

II. PROJECT DESCRIPTION:

Plot Plan No. 180037 (PPT180037), for the construction of the Thermal Beach Club. The proposal includes the development and use of a 21 acre lagoon with wave making capability and 42,000 sq. ft. of private club house buildings (village area) that includes a spa, pool, deck, restaurant and bar. In addition, the application will request annual events. The events would consist of surfing demonstrations for Thermal Beach Club residents and their guest. Tentative Tract Map No. 37269 (TTM37269), a Schedule "A" subdivision of approximately 123 acres, within two (2) existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units. Change of Zone No. 190027, to reconfigure the boundaries of Kohl Ranch Specific Plan Planning Areas: J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1. L-2, and L-3. Specific Plan No. 303 (Kohl Ranch), Substantial Conformance No. 3 (SP00303S03), the Substantial conformance to adopted Specific Plan No. 303 to facilitate the Thermal Beach Club development within all or portions of Planning Neighborhoods "J" and "L". APN's: 751-070-034 and 751-070-033.

III. MEETING SUMMARY:

The following staff presented the subject proposal:

Project Planner: Jason Killebrew at (951) 955-0314 or email at jkillebr@rivco.org.

Spoke in favor:

Scott Hildebrandt, Applicant's Representative, Jennifer Jenkins, Interested Party,

Spoke in opposition:

Leslie Figueroa, Interested Party, Mary Belardo, Interested Party,

No one spoke in a neutral position.

IV. CONTROVERSIAL ISSUES:

None.

V. PLANNING COMMISSION ACTION:

Public Comments: Closed

Motion by Commissioner Sanchez, 2nd by Commissioner Taylor-Berger A vote of 3-0 (Commissioner Hake and Commissioner Shaffer Absent)

The Planning Commission Recommend the Following Actions to the Board of Supervisors:

CONSIDER Addendum No. 9 to Environmental Impact Report No. 396; and,

TENTATIVELY Approve Change of Zone No. 1900027; and,

APPROVE Substantial Conformance No. 3 to Specific Plan No. 303; and,

APPROVE Plot Plan No. 180037; and,

APPROVE Tentative Tract Map No. 37269, subject to the conditions of approval.



PLANNING COMMISSION HEARING REPORT OF ACTIONS **SEPTEMBER 25, 2019**

1.0 CONSENT CALENDAR

NONE

- GENERAL PLAN AMENDMENT INITIATION PROCEEDINGS 2.0 NONE
- **3.0** PUBLIC HEARINGS CONTINUED ITEMS:

NONE

- 4.0 PUBLIC HEARINGS – NEW ITEMS:
 - 4.1 PLOT PLAN NO. 180037, TENTATIVE TRACT MAP NO. 37269, CHANGE OF ZONE NO. 1900027, and SPECIFIC PLAN NO. 303 (Kohl Ranch), SUBSTANTIAL CONFORMANCE NO. 3 - Intent By a vote of 3-0 to Consider Addendum No. 9 to Certified Environmental Impact Report No. 396 (EIR396) - CEQ180096 - Applicant: Kohl Ranch Company, LLC - Engineer/Representative: Albert A. Webb and Associates - Fourth Supervisorial District - Lower Coachella Valley District – Eastern Coachella Valley Area Plan – Location: Easterly of Tyler Street, northerly of Avenue 62, southerly of Avenue 60, and westerly of Polk Street - Gross Acreage: 2,177 acres - Zoning: Specific Plan No. 303 (SP303) Kohl Ranch -REQUEST: Plot Plan No. 180037 (PPT180037), for the construction of the Thermal Beach Club. The proposal includes the development and use of a 21 acre lagoon with wave making capability and 42,000 sq. ft. of private club house buildings (village area) that includes a spa. pool, deck, restaurant and bar. In addition, the application will request annual events. The events would consist of surfing demonstrations for Thermal Beach Club residents and their quest. Tentative Tract Map No. 37269 (TTM37269), a Schedule "A" subdivision of approximately 123 acres, within two (2) existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units. Change of Zone No. 190027, to reconfigure the boundaries of Kohl Ranch Specific Plan Planning Areas: J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1. L-2, and L-3. Specific Plan No. 303 (Kohl Ranch), Substantial Conformance No. 3 (SP00303S03), the Substantial conformance to adopted Specific Plan No. 303 to facilitate the Thermal Beach Club development within all or portions of Planning Neighborhoods "J" and "L". APN's: 751-070-034 and 751-070-033. Project Planner: Jason Killebrew at (951) 955-0314 or email at jkillebr@rivco.org.

Planning Commission Action:

Public Comments: Closed

The Planning Commission Recommend the Following Actions to the Board of Supervisors:

CONSIDER Addendum No. 9 to Environmental Impact Report No. 396; and,

TENTATIVELY Approve Change of Zone No. 1900027; and,

APPROVE Substantial Conformance No. 3 to Specific Plan No. 303; and,

APPROVE Plot Plan No. 180037; and,

APPROVE Tentative Tract Map No. 37269, subject to the conditions of approval.

WORKSHOP 5.0

NONE

- 6.0 ORAL COMMUNICATION ON ANY MATTER NOT ON THE AGENDA
- 7.0 DIRECTOR'S REPORT
- 8.0 COMMISSIONER'S COMMENTS



COUNTY OF RIVERSIDE PLANNING DEPARTMENT STAFF REPORT

Agenda Item No.:

4.1

Planning Commission Hearing: September 25, 2019

PROPOSED PROJEC	T.	
Case Number(s):	SP303S03, PPT180037, TTM37269,	Applicant(s): Kohl Ranch Company, LLC
8	CZ1900027	Representative: Albert A. Webb Associates
EIR No.:	Addendum No.9 to EIR No. 396	Project Planner: Jason Killebrew
Area Plan:	Eastern Coachella Valley	Project APN(s):7751-070-033, -034
Zoning Area/District:	Lower Coachella Valley District	Charissa Leach, P.E.
Supervisorial District	: Fourth District	Assistant TLMA Director

PROJECT DESCRIPTION AND LOCATION

The requested entitlements below are considered the "Project." The Project is commonly referred to as the Thermal Beach Club (Beach Club or Project).

Change of Zone No. 1900027 (CZ1900027): To reconfigure the boundaries of Kohl Ranch Specific Plan Planning Areas: J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1. L-2, and L-3.

Specific Plan No. 303, Substantial Conformance No. 3 (SP303S03): Substantial conformance to adopted Specific Plan No. 303 (Kohl Ranch) to facilitate the proposed Thermal Beach Club development within all or portions of Planning Neighborhoods "J" and "L." The proposed Thermal Beach Club development includes multiple components consisting of a lagoon for surfing, 326 residential units, and a clubhouse village area.

Tentative Tract Map No. 37269 (TTM37269): Tentative Tract Map for a Schedule "A" subdivision of approximately 123 acres, within two existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units.

Plot Plan No. 180037 (PPT180037): Plot Plan for the construction of the Thermal Beach Club. To allow the construction of duplex and multiple family dwellings associated with TT37269. The proposal includes the development and use of an approximately 22-acre lagoon with wave making capability and up to 34,440 square feet of private club house buildings (village area) that includes a spa, pool, deck, restaurant and bar. In addition, the application will request annual events. The events would consist of surfing demonstrations for Thermal Beach Club residents and their guests.

The 34,440–square-foot clubhouse facility is located on an approximately 4.55-acre area, within Planning Area L-1 of the Kohl Ranch Specific Plan (SP303) and is comprised of the following:

- Building 1 16,000 square foot recreational center (Spa, Exercise Room, Lockers and Deck).
- Building 2 8,000 square foot pool and bar.

- Building 3 5,900 square foot of administrative offices, dining area, and kitchen.
- Building 4 4,500 square feet of clubhouse restaurant, bar, retail shop and kitchen.

The project is also proposing a total of 361 automobile parking spaces and 30 golf cart spaces to the clubhouse area.

The Project site is generally located north of Avenue 66, south of Avenue 64, east of Tyler Street and West of Polk Street in the community of Thermal.

PROJECT RECOMMENDATION

STAFF RECOMMENDATIONS:

THAT THE PLANNING COMMISSION RECOMMEND THAT THE BOARD OF SUPERVISORS TAKE THE FOLLOWING ACTIONS:

CONSIDER ADDENDUM NO. 9 TO ENVIRONMENTAL IMPACT REPORT NO. 396, based on the findings and conclusions provided in the initial study, attached hereto and the conclusion that all impacts were adequately analyzed pursuant to applicable legal standards in previously adopted Environmental Impact Report No. 396 and subsequent addenda, and, while some changes and/or additions are necessary, none of the conditions described in State CEQA Guidelines section 15162 exist; and

TENTATIVELY APPROVE CHANGE OF ZONE NO. 1900027, to reconfigure the boundaries for the Planning Areas in Neighborhood J and L of Kohl Ranch Specific Plan, in accordance with the Change of Zone Exhibit, and based on the findings and conclusions provided in this staff report, and pending final adoption of the zoning ordinance by the Board of Supervisors; and

<u>APPROVE</u> SUBSTANTIAL CONFORMANCE NO. 3 TO SPECIFIC PLAN NO. 303 to facilitate the development of the Thermal Beach Club, subject to the attached conditions of approval and advisory notification document, subject to final approval of Change of Zone No. 1900027, and based upon the findings and conclusions provided in this staff report; and

<u>APPROVE</u> PLOT PLAN NO. 180037, subject to the attached conditions of approval and advisory notification document, subject to final approval of Change of Zone No. 1900027, and based upon the findings and conclusions provided in this staff report; and

<u>APPROVE</u> TENTATIVE TRACT MAP NO. 37269 subject to the attached conditions of approval and advisory notification document, subject to final approval of Change of Zone No. 1900027, and based upon the findings and conclusions provided in this staff report.

PROJECT DATA	
Land Use and Zoning:	
Specific Plan:	Kohl Ranch SP No. 303, with the project proposed to amend only Planning Areas J-1 to J-8, L-1 to L-2
Specific Plan Land Use Designation(s):	Medium Density Residential, High Density Residential, Open Space – Lake, Open Space, all as reflected on the Land Use Plan for Specific Plan No. 303

Existing General Plan Foundation Component:	Community Development
Proposed General Plan Foundation Component:	N/A
Existing General Plan Land Use Designation(s):	Community Development: Community Development: Medium Density Residential (2-5 D.U./Acre); Community Development: Medium High Density Residential (5-8 D.U./Acre); Community Development: Very High Density Residential (CD: VHDR) (14-20 D.U./Ac.); and Open Space: Conservation (OS-C), all as reflected on the Land Use Plan for Specific Plan No. 303.
Proposed General Plan Land Use Designation:	N/A
Policy / Overlay Area:	N/A
Surrounding General Plan Land Use Designations	
North:	Open Space: Conservation (OS-C), Community Development: Medium Density Residential (CD:MDR) (2-5 D.U./Acre), as reflected on the Land Use Plan for Specific Plan No 303;
East:	Torres-Martinez Reservation
South:	Torres-Martinez Reservation
West:	Community Development: Community Development: Medium Density Residential (2-5 D.U./Acre); Community Development: Medium High Density Residential (5-8 D.U./Acre); Community Development: Very High Density Residential (CD: VHDR) (14-20 D.U./Ac.); Community Development: Commercial Retail (CD:CR), all as reflected on the Land Use Plan for Specific Plan No. 303; and Open Space: Conservation (OS-C).
Existing Zoning Classification:	Specific Plan (SP No. 303, Kohl Ranch), Planning Areas J-1 to J-8, L-1 to L-2 of SP No. 303A3
Proposed Zoning Classification:	N/A
Surrounding Zoning Classifications	
North:	Specific Plan (SP No. 303, Kohl Ranch), Planning Areas H-9 to H-10
East:	Light Agriculture, 10 Acre Minimum (A-1-10)
South:	Light Agriculture, 10 Acre Minimum (A-1-10)
	Specific Plan (SP No. 303, Kohl Ranch), Planning Areas M-6 to H-9, K-1 to K-3, I-8 to I-10
	V. II I
Existing Use:	vacant Land

File No(s). SP303S03, TTM37269, PPT180037, CZ1900027 Planning Commission (Desert): September 25, 2019 Page 4 of 26

Surrounding Uses	
North:	Vacant Land
South:	Vacant Land
East:	Vacant Land
West:	Vacant Land

Project Site Details:				
Item	Value	Min. /Max. Development Standard		
Project Site (Acres):	approximately 123 acres	N/A		
Existing Building Area (SQFT):	N/A	N/A		
Proposed Building Area (SQFT):	Village Area: Four buildings totaling approximately 34,400 square feet. Residential: 326 residential dwelling units ranging in size.	Various applicable standards, all of which are met, set forth in detail below.		
Building Height	42 feet Maximum (Clubhouse Building) 39 foot Maximum (Villas – Tallest Residential)	50 feet Maximum		
Proposed Minimum Lot Size:	4,000 square feet	4,000 square feet		

Project Site Details:				
ltem	Value	Min. /Max. Development Standard		
Proposed Density	Planning Area L-1 (HDR): 8.28 dwelling units per acre Planning Area J-1 (MDR): 4.8 dwelling units per acre	HDR: 8-14 dwelling units per acre MDR: 2-5 dwelling units per acre		
Total Proposed Number of Lots:	208 residential lots	N/A		
Map Schedule:	A			

Parking Requirements:

Type of Use	Building Area (in SF)	Parking Ratio (#Spaces/SF)	Spaces Required	Spaces Provided
Spa Area (Building 1)	7,000	1/200	35	
Exercise Area (Building 1)	4,000	1/200	20	
Locker Room (Building 1)	4,000	1/200	20	
Deck (Building 1)	1,000	1/250	4	
Pool (Building 2)	5,000	1/250	20	
Deck (Building 2)	2,000	1/250	8	

PPT180037 - Parking – Planning Area L-1:				
Type of Use	Building Area (in SF)	Parking Ratio (#Spaces/SF)	Spaces Required	Spaces Provided
Bar (Building 2)	1,000	1/45	23	
Administrative Office (Building 3)	1,000	1/200	5	
Dining Area/Ballroom (Building 3)	4,300	1/30	144	
Kitchen (Building 3)	600	1/45	14	
Retail (Building 4)	2,000	1/200	10	
Restaurant (Building 4)	1,300	1/45	29	
Bar (Building 4)	1,000	1/45	23	
Kitchen (Building 4)	200	1/45	5	
Total			360	361

Type of Use	Spaces Provided	Parking Ratio (Reduction)	Spaces Required	Spaces Provided
Golf Cart Parking	10 spaces	N/A	N/A	30
TOTAL SPACES (including Golf Cart):			391	

Residential Parking: The Thermal Beach Club has been designed to discourage the use of cars within the Project area, and encourages the use of walking, bicycling, and electric golf carts. Each of the 326 residences would provide two to four parking spaces within garages. Some residences would also have allowances for driveway parking. Minimum parking standards for number of stalls based on land use is set forth in Riverside County Ordinance No. 348. Ordinance No. 348, Section 18.12 requires single-family dwellings to provide a minimum of two spaces per dwelling unit, with at least one of the required parking spaces per unit located in a garage or carport.

The Clubhouse Village area would provide 361 parking spaces, which triggers the requirement for a minimum of nine electric vehicle (EV) charging stations. The Project has been conditioned to provide the minimum nine EV charging stations, and thus would comply with all applicable parking requirements.

Located Within:

No
Yes – Thermal #125 Lighting
Yes - Coachella Valley Parks District
No
No
No

Agricultural Preserve	No
Liquefaction Area:	Yes
Fault Zone:	No
Fire Zone:	No
Mount Palomar Observatory Lighting Zone:	Zone B
WRCMSHCP:	No
CVMSHCP Boundary:	Yes / not in a conservation area
Stephens Kangaroo Rat ("SKR") Fee Area:	No
Airport Influence Area ("AIA"):	Yes – Jacqueline Cochran Regional Airport

PROJECT LOCATION MAP

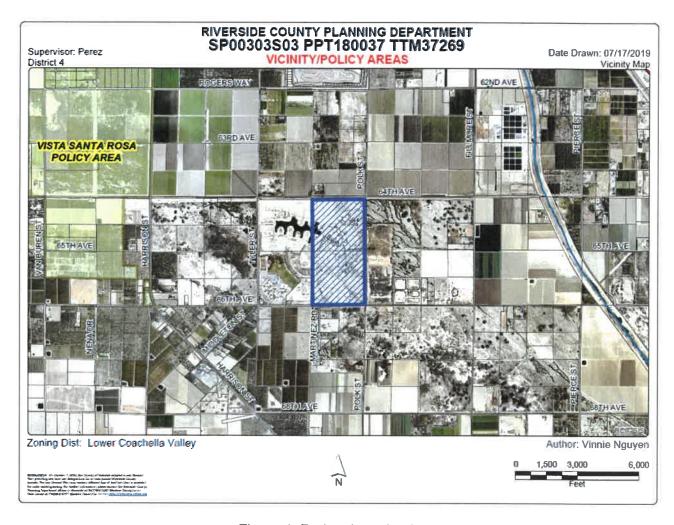


Figure 1: Project Location Map

PROJECT BACKGROUND AND ANALYSIS

Background:

Specific Plan/Project History

On November 16, 1999, the County of Riverside approved The Kohl Ranch Specific Plan No. 303 (SP303, or "the Specific Plan"), which was prepared pursuant to the authority granted to the County by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 655450 to 65457. SP303 included land uses which allow for development of approximately 7,161 single family residential dwelling units, as well as commercial and industrial land uses, and open space. In conjunction with its approval of SP303, the County of Riverside complied with CEQA by preparing and certifying Environmental Impact Report No. 396 (EIR396).

On January 28, 2003, SP303 was later modified under Amendment No. 1 (SP303A1) and EIR396, Addendum No. 1 (EIR396-A1) and adopted.

On April 7, 2010, the County of Riverside Planning Commission determined that a proposed race course was a land use that would be in substantial conformance with the Heavy Industrial and Open Space zones within the Specific Plan.

On June 7, 2011, the County of Riverside approved and adopted Amendment No. 2 (SP303A2) and EIR396, Addendum No. 2 (EIR396-A2), which was modified to include a racetrack land use. This approval also included related entitlement applications for the Thermal Club Motorsports Track including Plot Plan No. 24690, Tentative Parcel Map 36315, and Tentative Parcel Map 36293. The Applicant requested revisions to the motorsports track including design modifications and construction phasing.

On April 1, 2014, the County approved and adopted Plot Plan No. 24690 Revised Permit No. 1 (PP24690R1), Minor Change to Tentative Parcel Map 36293 (PM36293M1), and EIR 396, Addendum No. 3 (EIR396-A3). Plot Plan No. 24690 included approval of a public kart racing track for development in planning area A-6 of SP303A2.

In September 2014, an approximately one mile driving instruction track with an approximately 49,087 square foot skid pad was found to be substantially consistent with PP24690 (PP24690SC2). This track has been constructed.

On March 24, 2015, the County of Riverside approved the Kohl Ranch Specific Plan No. 303, Amendment No. 3 (SP303A3) Change of Zone (CZ07852), Noise Exemption (NE06), and EIR396, Addendum No. 5 (EIR396-A5) to create new planning areas within the Thermal Club boundaries and change land use designations to mixed and allow some overnight accommodations in the southern units around the track. The approved Noise Ordinance Exception (NE06) provides for a continuous event exception to the provisions of Ordinance No. 847 as outlined in Section 7 of the Ordinance to the uses within the boundaries of the Thermal Club because the track units contiguous to the track will be placed in an environment where noise is continually higher when racing and maintaining vehicles than is permitted by the Ordinance without such an exception. TR36851 created duplex units on certain lots within planning areas E-6 and was subsequently approved by the County July 21, 2015 and covered within EIR396-A5.

On July 31, 2017, the County of Riverside approved Plot Plan No. 26120 (PP26120) and Plot Plan No. 26121 (PP26121), and EIR396 Addendum No. 6 (EIR396-A6). PP26120 was approved for development of eight structures along Jasper Lane for warehouse and office use ranging in size from 13,600 squaree

feet to 20,300 square feet for a total square footage of 135,549 square feet. PP 26121 was approved for development of fifteen structures for warehouse and office uses along Ascot Drive with structures ranging in size from 19,400 square feet to 64,500 square feet for a total square footage of 361,800 square feet.

On March 19, 2018, the County of Riverside approved Plot Plan No. 24690 Revision No. 2 and EIR396 – Addendum No. 7 (EIR396-A7). PP24690R2 was approved for development of a Member's Club located on an approximately 5.4 acre parcel located in Planning Area E-6 of SP303A3 consisting of a 3,354 square foot recreational center with three tennis and game courts, a 2,280 square foot adult pool, 3,578 square foot kids pool, plus 1,647 square foot fitness center with 1,420 square foot locker room, and six hotel suite buildings totaling 23,040 square feet (2,320 square feet per building) housing 8 suites inside each building. PP24690R2 was also approved for development of a trackside garage with a viewing deck located in Planning Area E-2 of SP303A3. The trackside garage was approved as two-story 7,040 square feet with viewing deck on an approximately 140 acre parcel.

On November 6, 2018, the County of Riverside approved The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP303A4), Change of Zone No. 07952 (CZ07952), and EIR396, Addendum No. 8 (EIR396-A8). SP303A4 and CZ07952 were approved to allow for two new planning areas (E-2A and E-2B) within the existing planning area E-2 allowing for "Racetrack Recreational Units" as an allowable use within these two new planning areas. Racetrack Recreational Units were a newly defined use allowing for overnight occupancy.

On November 10, 2018, Tentative Tract Map No. 37269 (TTM37269) was submitted to the County for a Schedule "A" subdivision creating 210 residential lots for 326 dwelling units. The 307 acres encompass two existing parcels (APN: 751-070-33 and 751-070-034) in the southeastern portion of the Kohl Ranch Specific Plan, south of Avenue 64. Only approximately 123 acres of the 307 acres is proposed for development at this time. A lot line adjustment (LLA180034) is currently being processed so that all development would occur on APN: 751-070-034, where APN: 751-070-033 would remain vacant and not a part. It was determined during the initial review of TTM37269 that a Substantial Conformance would be required to further process the Project as proposed. On February 26, 2019, the applicant submitted Kohl Ranch Specific Plan No. 303, Substantial Conformance No. 3 (SP303S03), to the County. It was determined that a Change of Zone would be required to re-configure the Planning Area boundaries. On August 22, 2019, the applicant submitted a Change of Zone application (CZ1900027).

Substantial Conformance

Riverside County Ordinance No. 348, Article II, Section 2.11 (Determination of Project Conformance with adopted Specific Plan) requires whenever an application for an implementing Project varies from but is in substantial conformance with the adopted specific plan, a determination of substantial conformance is required prior to the approval of the implementing Project. A substantial conformance is defined as a non-substantial modification of a condition of approval, diagram, or text of the specific plan that does not change the basic design or improvements required is consistent with the original resolution adopting the specific plan, the conditions of approval, and the specific plan text. The modifications proposed with this Substantial Conformance include clarifications to the Planning Areas. The clarifications include identifying surfing as an intended recreational use since water skiing has been previously identified as an allowed use in the Kohl Ranch Specific Plan. In addition, the incorporation of the lagoon language in addition to lakes as an allowed use are also included with this substantial conformance. The inclusion of surfing and the lagoon language into the specific plan is considered similar and almost identical uses and intensities. These clarifications can be supported through the substantial conformance which does not increase the land use density or intensity in any phase or planning area beyond that allowed by the specific plan or the modification of the Project design which improves circulation, protects topographic features, minimizes

grading, improves drainage or improves infrastructure. No land use designation changes are proposed as part of the Project. The Project does not propose any uses or densities that are more intense than what was previously approved for the site. The Project does not contain any land uses that have not already been allowed for and considered in SP303A4 and analyzed in the prior CEQA documents

Change of Zone

Riverside County Ordinance No. 348, Section 20.2 provides the requirements for requesting the County to consider a change of zoning classification that has been applied to a property. The right to request consideration of zone change does not imply that the change will be approved. Applications of the change of zone shall be subject to CEQA and consistent with the Riverside County General Plan. In this case the change of zone proposes no changes to the uses or development standards associated with the site, which would remain regulated by the Kohl Ranch Specific Plan and Ordinance No. 348. The proposed change entails the reconfiguration of the Planning Areas in Neighborhoods "J" and "L", specifically planning areas J-1 through J-8, L-1, L-2, and L-3. This reconfiguration would not change the uses, intensity, or densities, and therefore, would be consistent with the adopted Kohl Ranch Specific Plan (SP303) and the County of Riverside General Plan.

Project Description

Project Location

The proposed Project involves development of approximately 123 acres of vacant land within the community of Thermal, and the Kohl Ranch Specific Plan. The Project site is bound by Avenue 64 to the north, Polk Street to the east, and proposed "Spine Road" to the west and located north of Avenue 66. The 123-acre site includes a residential development with a surfing lagoon, beach, and clubhouse village area.

• Surf Lagoon (Surf Bay)

An approximately 22-acre area is proposed for the development of the surfing lagoon that utilizes Crystal Lagoon surf technology (wave making), capable of producing six waves per second with maximum heights of seven feet. The proposed Project is intended to be a private residential development and clubhouse village. The Crystal Lagoon uses cleaning technology that results in the lagoon remaining clear and blue. The lagoon is located entirely in Planning Area J-2 within the Kohl Ranch Specific Plan. Planning Area J-2 provides for the development of 22.56 acres of open space to be developed as a lake. The lagoon and lake are synonymous. The lake is intended to be utilized for function and recreation with uses identified but not limited to: aesthetics, detention, recreation, water skiing, surfing, swimming, and other related water recreational activities. Surfing is an "other related water recreational activity" and, therefore, the change from a lake for water recreation activities to a surf lagoon would still be consistent with the Kohl Ranch Specific Plan (SP303).

Clubhouse Village

The clubhouse village area is located generally south of the lagoon on approximately 4.19 acres. The clubhouse village area proposes semi-private club facilities including four buildings totaling approximately 34,400 square feet. The clubhouse village area is located within Planning Area L-1, which list clubhouse facilities as a permitted use subject to the approval of a plot plan. The buildings would support the residential development surrounding the lagoon/surf bay and would include uses such as: spa, pool, gym, retail, kitchen, bars, and dining and office areas. Therefore, the clubhouse village area would be consistent with the Kohl Ranch Specific Plan.

Residential Development

The Project includes a request for a Schedule "A" subdivision of two parcels (APN: 751-070-034 and 751-070-033) into 210 residential lots under TTM37269. The 210 residential lots would support 326 dwelling units that consist of single family homes, duplex units and four plex units. The residential lots are located within Planning Areas L-1 and J-1.

O Planning Area J-1 currently provides for 37.52 acres of medium density residential (MDR) land uses with lot sizes of 6,000 square feet under conventional development and 5,000 square feet under cluster development. A target density of 130 dwelling units is planned for this Planning Area with a density range of 2-5 dwelling units per acre. Based on the target of 130 dwelling units, the density of this planning area would be approximately 3.5 dwelling units per acre which is consistent with the MDR density range of 2-5 dwelling units per acre.

Through this substantial conformance and change of zone request, Planning Area J-1 would be slightly modified providing 30.64 acres of medium density residential (MDR) land uses with lot sizes of 6,000 square feet under conventional development and 5,000 square feet under cluster development. A target density of 143 units is planned for this Planning Area with a density range of 2-5 dwelling units per acre. Based on the target of 143 dwelling units, the density of this planning area would be approximately 4.66 dwelling units per acre which is consistent with the MDR density range of 2-5 dwelling units per acre. Although the Planning Area targets 143 dwelling units, TTM37269 has proposed 131 single-family dwelling units that are located around the parameter of the lagoon and are referred to as the Custom Beach Estates, Newport Beach Estates, and Off Newport Estates, TTM37269 would predominately build out Planning Area J-1 resulting in a density of approximately 4.27 dwelling units per acre, and thus consistent with the MDR density range of 2-5 dwelling units per acre. The modification in the Planning Area J-1 diagramed boundaries, acreage adjustments with the planning area and total unit count would be considered nonsubstantial. The changes would provide approximately one additional unit than the current target of 130 units, and would not significantly adjust the acreage of the planning area. Since the unit count in this area remains within the density range identified for MDR, the Project would not increase the land use density or intensity of the J-1 Planning Area. Therefore, the implementing TTM37269, specific to the J-1 Planning Area could be supported through this substantial conformance and change of zone and remains consistent with the Kohl Ranch Specific Plan (SP303).

o Planning Area L-1 currently provides for the development of 106.2 acres of high density residential (HDR) land uses with minimum lot sizes of 4,000 square feet under conventional development and 2,000 square feet under cluster development. A target of 1,158 dwelling units is planned within a density range of 8-14 dwelling units per acre. Section 3.1 of SP303 provides a purpose and intent for the HDR designation to enhance the range of housing types provided within the Project area. The intent is to: 1) Achieve an affordable living environment for those working in the Project vicinity; 2) provide a more compact housing product within close proximity to commercial services and employment opportunities; 3) create pedestrian-orientated communities with common open space and recreation facilities; and 4) orient residential areas around community focal points such as churches and community centers. Based on the target of 1,158 dwelling units, the density of this planning area would be approximately 10.9 dwelling units per acre which is consistent with the HDR density range of 8-14 dwelling units per acre.

Through this substantial conformance and change of zone request, Planning Area L-1 would be slightly modified providing 120.46 acres of high density residential land uses with minimum lot sizes of 4,000 square feet under conventional development and 2,000 square feet under cluster development. A target density of 1,158 dwelling units is planned within a density range of 8-14 dwelling units per acre. Based on the target of 1,158 dwelling units, the density of this planning area would be approximately 9.61 dwelling units per acre which is consistent with the HDR density range of 8-14 dwelling units per acre. TM37269 has proposed 195 dwelling units that include single-family, duplex and four plex units on approximately 23.55 acres within Planning Area L-1. These units are referred to as the Bungalows and Villas on the TTM37269 exhibit, and are consistent with the intent and purpose of the HDR. The remaining approximately 96.91 acres of Planning Area L-1 is not included with this application and would remain as a vacant parcel (APN: 761-070-033). The proposed development in Planning Area L-1 of the 195 dwelling units on approximately 23.55 acres results in a density of approximately 8.28 units per acre which is consistent with the HDR density of 8-14 dwelling units per acre. In addition, the remaining 963 target units for Planning Area L-1 on the remaining approximately 96.91 acres results in a density of 9.93 dwelling units per acre, which is consistent with the HDR density of 8-14 dwelling units per acre. The modification in the Planning Area L-1 diagramed boundaries, acreage adjustments with the planning area and total unit count would be considered nonsubstantial. The current target of 1,158 units would remain for the planning area. Since the unit count in this area is unchanged and within the density range identified for HDR, the Project would not increase the land use density or intensity of the L-1 Planning Area. Therefore, implementing TTM37269, specific to the L-1 Planning Area could be supported through this substantial conformance and change of zone and would remain consistent with the Kohl Ranch Specific Plan (SP303).

Architecture/Specific Plan Design Guidelines

Section 3.3 of the Kohl Ranch Specific Plan provides Design Guidelines and Development Standards intended to establish community guidelines and standards for the Project to ensure the creation of a quality and aesthetically pleasing environment. Section 3.4 contains landscape guidelines and site planning guidance. The applicant has provided a design manual for the building concepts that is consistent with these standards and guidelines to the maximum extent feasible.

Airport Land Use Commission (ALUC) Development Review

This facility is located within Zone D and E of the Jacqueline Cochran Regional Airport Comprehensive Land Use Plan.

On July 11, 2019 the Riverside County Airport Land Use Commission (ALUC), found the proposed Project consistent with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended in 2006, subject to certain recommended conditions of approval, which have all been incorporated into the Project's conditions of approval.

ENVIRONMENTAL REVIEW AND ENVIRONMENTAL FINDINGS

An Initial Study (IS) and Addendum No. 9 to Environmental Impact Report (EIR) No. 396 have been prepared for this Project in accordance with the California Environmental Quality Act (CEQA). The IS represent the independent judgement of Riverside County.

As demonstrated in the Initial Study and Addendum No. 9, pursuant to CEQA Guidelines section 15164 (Addendum to EIR or Negative Declaration), the Riverside County Planning Department has determined that all potentially significant effects have been adequately analyzed in an earlier EIR (EIR No. 396 adopted 1999), as amended by subsequent approved Addenda. Potentially significant effects have been adequately analyzed in the Environmental Impact Report No. 396, as revised, pursuant to applicable legal standards; and have been avoided or mitigated, including mitigation measures that are imposed upon the proposed Project. A subsequent EIR was not prepared for the proposed Project because the Project did not trigger any of the conditions described in CEQA Guidelines section 15162 (Subsequent EIRs and Negative Declarations). An addendum to EIR No. 396 was prepared that concluded the proposed Project would not result in any new or substantially greater significant impacts. The initial study has been updated to incorporate the most recent CEQA guidelines (2019). The result of the updated initial study, supported by current technical studies, provides updated (new) and/or equivalent mitigation measures which supports the Project as analyzed by EIR No. 396. As demonstrated in the updated initial study and Addendum No. 9 to EIR No. 396, no new significant impacts or substantially greater significant impacts would occur as a result of the proposed project that were not previously analyzed and mitigated for EIR No. 396. Therefore, the addendum to EIR No. 396, as demonstrated in the initial study is appropriate.

FINDINGS

In order for the County to approve a proposed Project, the following findings are required to be made:

The following findings shall be made prior to making a recommendation to grant a Specific Plan Substantial Conformance, pursuant to the provisions of the Riverside County Zoning Ordinance No. 348 (County Land Use Ordinance):

1. The Project as modified meets the intent and purpose of the adopted specific plan. The overall purpose of the Kohl Ranch Specific plan (SP303) is to guide development and to stimulate the responsible design through customized regulations and guidelines. SP303 consists of a balanced array of land uses including residential, business, commercial, industrial, open space/recreation, and public facilities as depicted in the approved specific plan document. The propose modifications through the project are described below and will not conflict with the purpose and intent of the specific plan.

Through the substantial conformance and change of zone the boundaries of planning areas in Neighborhoods J and L will be adjusted and modified, including the location and size of the lake, now proposed as a lagoon. The proposed lagoon will be modified to create a more oval shape of the lake in lieu of the finger design (Planning Area J-2). The lagoon and lake are synonymous.

Through this substantial conformance and change of zone request, Planning Area J-1 would be slightly modified providing 30.64 acres of medium density residential (MDR) land uses with lot sizes of 6,000 square feet under conventional development and 5,000 square feet under cluster development. A target density of 143 units is planned for this Planning Area with a density range of 2-5 dwelling units per acre. Based on the target of 143 dwelling units, the density of this planning area would be approximately 4.66 dwelling units per acre which is consistent with the MDR density range of 2-5 dwelling units per acre. Although the Planning Area targets 143 dwelling units, TTM37269 has proposed 131 single-family dwelling units that are located around the parameter of the lagoon and are referred to as the Custom Beach Estates, Newport Beach Estates, and Off Newport Estates. TTM37269 would predominately build out Planning Area J-1 resulting in a density of approximately 4.27 dwelling units per acre, and thus consistent with the MDR density range of 2-5 dwelling units per

acre. The modification in the Planning Area J-1 diagramed boundaries, acreage adjustments with the planning area and total unit count would be considered non-substantial. The changes would provide approximately one additional unit more than the current target of 130 units, and would not significantly adjust the boundaries of the planning area. Since the unit count in this area is still within the density range identified for MDR, the Project will not increase the land use density or intensity of the J-1 Planning Area.

Through this substantial conformance request Planning Area L-1 would be slightly modified providing 120.46 acres of high density residential land uses with minimum lot sizes of 4,000 square feet under conventional development and 2,000 square feet under cluster development. A target density of 1,158 dwelling units is planned within a density range of 8-14 dwelling units per acre. Based on the target of 1,158 dwelling units, the density of this planning area would be approximately 9.61 dwelling units per acre which is consistent with the HDR density range of 8-14 dwelling units per acre. TM37269 has proposed 195 dwelling units that include single-family, duplex and four plex units on approximately 23.55 acres within Planning Area L-1. These units are referred to as the Bungalows and Villas on the TTM37269 exhibit, and are consistent with the intent and purpose of the HDR. The remaining approximately 96.91 acres of Planning Area L-1 is not included with this application and would remain as a vacant parcel (APN: 761-070-033). The proposed development in Planning Area L-1 of the 195 dwelling units on approximately 23.55 acres results in a density of approximately 8.28 units per acre which is consistent with the HDR density of 8-14 dwelling units per acre. In addition, the remaining 963 target units for Planning Area L-1 on the remaining approximately 96.91 acres results in a density of 9.93 dwelling units per acre, which is consistent with the HDR density of 8-14 dwelling units per acre. The modification in the Planning Area L-1 diagramed boundaries, acreage adjustments with the planning area and total unit count would be considered non-substantial. The current target of 1,158 units will remain for the planning area. Since the unit count in this area is unchanged and within the density range identified for HDR, the Project will not increase the land use density or intensity of the L-1 Planning Area.).

Through this substantial conformance and change of zone request Open Space Planning Areas J-7, J-8, L-2, and L-3 remain virtually unchanged and provide a linear buffer from the Project site to Avenue 64 to the north and Polk Street to the east. Planning Area J-6 will be moved to be included in the linear buffer in lieu of its current location adjacent to the lake. Planning Area J-5's location has moved further south in the Specific Plan, however, will remain on the boundary of Planning Area J-4, and L-1, in areas that are not proposed for the development with this Project. No changes in approved uses will change for any of the open space planning areas.

The modifications also include clarifications associated with the uses include identifying surfing as an intended recreational use since water skiing has been identified as an allowed use in the Kohl Ranch Specific Plan. In addition, the incorporation of the lagoon language in place of lakes as an allowed use are also included with this substantial conformance. The inclusion of surfing and the lagoon language into the specific plan is considered similar and almost identical uses and intensities.

These clarifications to the planning area uses and boundaries can be supported through the substantial conformance which does not increase the land use density or intensity in any phase or planning area beyond that allowed by the specific plan or the modification of the Project design which improves circulation, protects topographic features, minimizes grading, improves drainage or improves infrastructure. No land use designation changes are proposed as part of the Project. The Project does not propose any uses or densities that are more intense than what was previously approved for the site. The Project does not contain any land uses that have not already been allowed

for and considered in SP303A4 and analyzed in the prior CEQA documents. Therefore, modifications t included in this substantial conformance and will remain consistent with the intent and purpose of the Kohl Ranch Specific Plan (SP303).

- 2. The Project as modified is consistent with the findings and conclusions in the resolution adopting the specific plan. Resolution 99-378, adopting Specific Plan No. 303 was approved by the Board of Supervisors in November 1999. The Resolution also certified EIR 396. The project as proposed does not change the ordinance, or create impacts that were not previously resolved by the resolution. The proposed Project will not conflict with the findings and conclusions set forth in the resolution to approve the Kohl Ranch Specific Plan (SP303). The Project is consistent with the intent, purpose, and general requirements of SP303.
- 3. The Project as modified includes a modification or deletion of a condition which will not substantially or adversely affect the underlying purpose for which the condition was initially required. No conditions of approval would be modified or deleted from the SP303 conditions of approval. However, as part of Addendum No. 9 to EIR 396, additional or updated mitigation measures have been included as part of the CEQA analysis. These mitigations measures are included in the conditions of approval. In addition, ALUC has recommended additional conditions of approval to ensure the Project's consistency with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan, as amended. The County has added these conditions of approval as recommended, and these conditions would further ensure that the Project will not have an adverse effect or conflict with the purpose of the SP303's existing conditions of approval.
- 4. The Project as modified includes a proposal to construct the Project out of phase that all infrastructure and public facilities required for the intervening phases are provided. The Project site is located within Phase I of SP303, and therefore would not be constructed out of approved phasing plan.
- 5. The Project as modified includes changes to the approved land uses in a phase but those changes do not increase the land use density or intensity of any phase or planning area beyond that allowed by the specific plan. There are no uses proposed that are currently not allowed within Neighborhood J and L of SP303. In addition, as demonstrated above, the proposed residential units are consistent with the density range as identified previously in this report.
- 6. The Project as modified includes a modification of the Project design which improves circulation, protects topographic features, minimizes grading, improves drainage or improves infrastructure. The modification of the shape of the lake/lagoon, and the open space areas along the edges of the Project site will facilities improved circulation and drainage infrastructure. The linear design of the open space planning areas will create a cohesive linear connection and buffer from the SP uses to Avenue 64 and Polk Streets.

The following findings shall be made prior to making a recommendation to grant a Plot Plan, pursuant to the provision of Riverside County Zoning Ordinance No. 348 (Land Use):

1. The proposed use conforms to all the requirements of the General Plan and with all applicable requirements of State law and the ordinances of Riverside County. The proposed Project is consistent with the Riverside County Adopted General Plan. The site is located within the Kohl Ranch Specific Plan which was adopted, consistent with the Riverside County General Plan. The subject site's General Plan Foundation Component is Community Development which supports the specific

plan. The Community Development Foundation is intended to provide a breadth of land uses that foster variety and choice, accommodate a range of life styles, living and working conditions, and accommodate diverse community settings. PPT180037 will include semi-private commercial uses within the Clubhouse Village area that will support the residential units surrounding the Surf Bay. This mix of uses exemplifies the intent of the Community Development Foundation. PPT180037 specifically addresses the following land use policies:

- Land Use Policy 28.8 (LU28.8) Establish activity centers within or near residential neighborhoods that contain services such as child or adult-car, recreation, public meeting rooms, convenience commercial uses, or similar facilities. PPT180037 will facilitate the construction of four buildings that will create a Clubhouse Village area to support the residential development surrounding the lagoon/surf bay and would include uses such as: spa, pool, gym, retail, kitchen, bars, and dining and office areas.
- o Land Use Policy 28.9 (LU28.9) Require residential Projects to be designed to maximize integration with and connectivity to nearby community centers, rural villages, and neighborhood centers. PPT180037 will facilitate the construction of four buildings that will create a Clubhouse Village area to support the residential development surrounding the lagoon/surf bay and would include uses such as: spa, pool, gym, retail, kitchen, bars, and dining and office areas. The Clubhouse Village area is located directly adjacent to the surf lagoon and to the bungalows along the southern edge of the tract boundary. The Clubhouse Village Area is located near the development's main entrance and will also connected by walkways, sidewalks, and paths from the residential.

The open space area of the Project area has a General Plan Foundation Component of Open Space.

The Open Space General Plan Foundation Component is intended to accomplish this by identifying opening space areas for the preservation of habitat, water and other natural resources, protection from natural hazards, provision of recreational areas, and the protection of scenic resources. The Open Space area on the Project site will support the man-made lagoon/lake that would be utilized for recreation through surfing and other water related recreational activities. The recreational uses intended for the lagoon/lake are consistent with the recreational uses intended by the specific plan and general plan. The lagoon and lake are synonymous. The shape of the lagoon/lake as approved in the specific plan is changing, the overall size and acreage of the proposed lake/lagoon will remain consistent with the previously approved lake size. Therefore, the Project will be consistent with the Open Space Foundation Component.

- 2. The overall development of the land shall be designed for the protection of the public health, safety and general welfare. The proposed Project has been designed to adhere to requirements of the County of Riverside including but not limited to all applicable Ordinances, ALUC requirements, and applicable development standards identified in the Kohl Ranch Specific Plan. As a result of these design features it is anticipated that the Project will not have an adverse effect on the public health, safety and general welfare of the site and the general vicinity.
- 3. The proposed use conforms to the logical development of the land and to be compatible with the present and future logical development of the surrounding property. The Project site is located in the Specific Plan (S-P) Zone. The adopted Kohl Ranch Specific Plan (SP 303) sets forth the requirements for most zoning requirements, including most development standards. The proposed Project is located in Planning Areas J-1 and L-1, where clubhouse facilities and recreational lakes

(lakes, including those used for aesthetics, detention, recreation, water skiing surfing, swimming, demonstrations, and non-potable irrigation), are permitted with an approved plot plan. PPT180037 will provide a Clubhouse Village area that includes permitted uses consistent with SP303 that will support the residential development associated with TTM37269.

- 4. That the plan for the proposed use shall consider the location and need for dedication and improvements of necessary streets and sidewalks, including the avoidance of traffic congestion; and shall take into account topographical and drainage conditions, including the need for dedication and improvements of necessary structures as a part thereof. The Project has been conditioned (through PPT180037 and TTM37269) to comply with the requirements of the Circulation Element of the General Plan, and all applicable County ordinances. The Project will be required to provide minimum on-site road improvements identified in Ordinance No. 460 for Schedule "A" subdivisions. The Project will also provide improvements off-site on 64TH Avenue and Polk Street.
- 5. All use permits which permit the construction of more than one structure on a single legally divided parcel shall, in addition to all other requirements, be subject to a condition which prohibits the sale of any existing or subsequently constructed structures on the parcel until the parcel is divided and a final map recorded in accordance with Ordinance No. 460 in such a manner that each building is located on a separate legally divided parcel. The applicant has submitted TTM37269 as part of the Project. TTM37269 has been conditioned appropriately, and will be required to record a final map. The residential and Clubhouse Village structures will be located on subdivided parcels through TTM37269. The findings for TTM37269 to be approved are identified below.

The following findings shall be made prior to making a recommendation to grant a Tentative Parcel / Tract Map, pursuant to the provisions of the Riverside County Zoning Ordinance 460 (Subdivisions):

Tentative Parcel / Tract Map No. <u>37269 (TTM37269)</u> is a proposal for a Schedule "A" subdivision of approximately 123 acres, within two existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units. The findings required to approve a Map, pursuant to the provisions of the Riverside County Zoning Ordinance 460, are as follows:

 The proposed map, subdivision design and improvements are consistent with General Plan, applicable community and specific plans and with all applicable requirements of State law and the ordinances of Riverside County. The General Plan land use designations on the Project site consist of High Density Residential, Medium High Density Residential, and Medium Density Residential.

High Density Residential (HDR) – The HDR land use designation allows for detached, small lot single family and attached single-family homes, patio homes, zero lot lines, multi-family apartments, duplexes and townhouses. The potential for clustered development is provided for in this land use category. The density range is 8 to 14 unit per acre. The portion of the Project site that is designated HDR is located within Planning Area L-1. The L-1 Planning Area has a target density of 1,158 dwelling units is planned within a density range of 8-14 dwelling units per acre. Based on the target of 1,158 dwelling units, the density of this planning area would be approximately 9.61 dwelling units per acre which is consistent with the HDR density range of 8-14 dwelling units per acre. TM37269 has proposed 195 dwelling units that include single-family, duplex and four plex units on approximately 23.55 acres within Planning Area L-1. These units are referred to as the Bungalows and Villas on the TTM37269 exhibit. The remaining approximately 96.91 acres of Planning Area L-1 is not included with this application and would remain as a vacant parcel (APN: 761-070-033). The proposed development in Planning Area L-1 of the 195

dwelling units on approximately 23.55 acres results in a density of approximately 8.28 units per acre which is consistent with the HDR density of 8-14 dwelling units per acre. In addition, the remaining 963 target units for Planning Area L-1 on the remaining approximately 96.91 acres results in a density of 9.93 dwelling units per acre, which is consistent with the HDR density of 8 to 14 dwelling units per acre. Therefore, the Project is consistent with the HDR General Plan land use designation.

Medium High Density Residential (MHDR) – The MHDR land use designation provides for the development of small lot, single family residences. Typical allowable uses in this category include detached, small lot single family homes, patio homes, and townhouses. The potential for clustered development is provided for in this category. The density range is 5 to 8 dwelling units per acre, with lot sizes typically ranging from 4,000 to 6,500 square feet. The portion of the site that is currently designated MHDR is located on APN: 751-070-033 which is not proposed for development at this time. However, this area is predominately located in Planning Areas J-4, and L-1 of the Kohl Ranch Specific Plan (SP303) that was approved to create densities of 8 to 14 dwelling units (HDR) per acre in Planning Area L-1 and 2 to 4 dwelling units per acre in the Planning Area J-4 (MDR). Although neither of these planning areas, nor Neighborhood L or J call out densities consistent with the MHDR, the density range for the MHDR could be achieved with the mix of the HDR and MDR densities, and therefore consistent with the General Plan and the Kohl Ranch Specific Plan (SP303). Therefore, the Project as proposed is consistent with the MHDR Land Use Designation.

Medium Density Residential (MDR) – The MDR land use designation provides for the development of conventional single family detached houses and suburban subdivisions. The Density range is 2 to 5 units per acre, which allows for lot sizes that typically ranges from 5,500 square feet to 20,000 square feet. The portion of the Project site that is designated HDR is located within Planning Area J-1. A target density of 143 units is planned for this Planning Area with a density range of 2-5 dwelling units per acre. Based on the target of 143 dwelling units, the density of this planning area would be approximately 4.66 dwelling units per acre which is consistent with the MDR density range of 2-5 dwelling units per acre. Although the Planning Area targets 143 dwelling units, TTM37269 has proposed 131 single-family dwelling units that are located around the parameter of the lagoon and are referred to as the Custom Beach Estates, Newport Beach Estates, and Off Newport Estates. TTM37269 would predominately build out Planning Area J-1 resulting in a density of approximately 4.27 dwelling units per acre, and thus consistent with the MDR density range of 2-5 dwelling units per acre.

a. Specific Plan. The subject site is located within the Kohl Ranch Specific Plan (SP No. 303). The subdivision would facilitate the construction of residential units and a Clubhouse Village Area on newly created lots. The Kohl Ranch Specific Plan (SP303, Ordinance No. 348.4897) has identified requirements and standards for SP303. Single-family residences, duplex residences, and four plex residences have been identified as an allowed use for the Project site. The minimum lot size for Planning Area J-1 shall be not less than 6,000 square feet, or 5,000 square feet for clustered development. The minimum lot size for Planning Area L-1 shall be not less than 4,000 square feet or 2,000 square feet for clustered development. The Bungalow area identified on the TTM37269 exhibit proposes the smallest lots for the Planning Area L-1 providing a width of 50 feet and a depth of 80 feet, totaling 4,000 square feet, and thus in compliance with the minimum lot size. The Newport Estates identified on the TTM37269 exhibit proposes the smallest lots for Planning Area J-1 providing a width of 60 feet and a depth of 120 feet, totaling 7,200 square feet, and thus in compliance with the minimum lot size. The Project has demonstrated that the future residences could meet all the applicable development standards identified in SP303 including but not limited to: required setbacks, parking, height, etc. Therefore, the proposed Project is consistent with SP303.

- **b.** Community Plan. There is no applicable community plan.
- c. Subdivision Map Act (State Law). As demonstrated in this staff report, the proposed map is in compliance with all applicable California laws, specifically the Subdivision Map Act and the California Environmental Quality Act (CEQA).
 - i. <u>Subdivision Map Act.</u> The proposed map was prepared by Ronald K. Feiro (R.C.E. 52260) of Feiro Engineering Inc., under the guidelines of the Subdivision Map Act.
- 2. The site of the proposed land division is physically suitable for the type and density of development. The site is physically suitable for the type and density of the proposed residential development in that the Project site is located in an area that is intended residential uses, has access readily available from Polk Street and 64th Avenue and has no new environmental constraints, as demonstrated in Addendum No. 9, of EIR No. 396, that will prohibit the proposed development. The density proposed is compatible with the existing and planned surrounding land uses within the Project vicinity.
- 3. The design of the proposed land division or proposed improvements are not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. All uses and buildings are intended uses of the previously approved SP303. Addendum No. 9 to previously adopted EIR No. 396, in accordance with the guidelines set forth in CEQA, determined that no new impacts would occur for the proposed Project. Any future Projects will be reviewed in accordance to Ordinance No. 348, the Kohl Ranch Specific Plan, and the General Plan and would be subject to CEQA. The Project is consistent with all applicable County of Riverside Ordinances. Therefore, implementation of the proposed Project will not degrade the quality of the environment/habitat or substantially damage or avoidably injure fish
- 4. The design of the proposed land division or the type of improvements are not likely to cause serious public health problems. The design of proposed land division is not likely to cause serious public health problems. The Project site is not located on a Hazardous Waste Site. The area of the Project site that will be developed is not located in a High Fire Hazard Zone or a Fault Zone and is not within an area subject to significant air quality emissions. Additionally, ultimate development of the site will not substantially alter access previously utilized by surrounding properties or the public at large on 64th Avenue or Polk Street. Therefore, the Project and the required improvements will not be likely to cause serious public health problems.
- 5. As indicated in the included Project conditions of approval, the proposed land division includes the type of improvements as required by the Riverside County Land Division Ordinance for a Schedule "A" Map. Tentative Tract Map No. 37269 is consistent with the minimum improvements as outlined in Section 10.5 (Schedule "A" Subdivision) of Ordinance No. 460 based on the following:
 - a. Streets and Street Improvements The project's easterly frontage is along Polk Street, a designated Arterial, which is conditioned (50. Transportation. Off-site Road Improvements, 50. Transportation. Road Improvements) to be improved with 32 feet of paved asphalt within a 40-foot wide graded road bed from the southern edge of the Project to 66th Avenue and from 64th Avenue to 62nd Avenue. The off-site sections of Polk Street include Class II Bike lanes, striping

and signage. Polk Street along Project frontage shall be half-width improvements including sidewalk, curb and gutter, median etc. Polk Street shall also include a 16-foot paved lane on the east half of the street.

The project's northern frontage along 64th Avenue, a designated collector along shall be improved with half-width improvements including sidewalk, curb and gutter, median etc. 64th Avenue shall also include a 16-foot paved lane on the south half of the street.

An interior, non-designated Spine Road shall be improved along the Project frontage to the intersection of Lot A of Tract Map No. 33487 (proposed secondary access road through Tract Map No. 33487). Half-width improvements including sidewalk, curb, gutter, median etc. Spine Road shall also include a 16 foot lane on the west side of the street

All roads adjacent to the Project shall provide lane widths and striping that accommodates Class II bike lanes and signage.

- b. Domestic Water The Project has been conditioned prior to the issuance of building permits, to provide documentation establishing water service from Coachella Valley Water District (CVWD). With this condition of approval and the provisions of Ordinance No. 460, Section 10.5.B, this requirement will be met.
- c. Fire Protection Facilities Fire Department emergency vehicle apparatus access road locations and designs will be in accordance with California Fire Code, Riverside County Ordinance Nos. 460 and 787, and Riverside County Fire Development Standards. Fire Department water system(s) for the Project will be provided in accordance with the California Fire Code, Riverside County Ordinance No. 787, and Riverside County Fire Department Standards. Plans will be conditioned (15. Fire. Fire Access) to be submitted to the Fire Department for review and approval prior to building permit issuance. With these conditions of approval and the adherence to these requirements, this requirement will be met.
- d. Sewage Disposal Sewer lines will be designed per the requirements of the CVWD. Adequate facilities and sewer lines will be conditioned (80. E. Health, Sewer Will Serve) to be approved by CVWD prior to the issuance of building permits. With these conditions of approval and the requirements of applicable Riverside County Ordinances, this standard will be met.
- e. Fences, Electrical and Communication Facilities. The proposed Project does not include any electrical or communication facilities. No canal, drain, expressway, or other feature deemed hazardous will be incorporated in the proposed Project. Therefore, these findings are not applicable to the Project at hand.
- 6. The design of the proposed land division or the type of improvements will not conflict with easements, acquired by the public at large, for access through, or use of, property within the

proposed land division. The design of proposed land division or improvements will not conflict with easements acquired by the public at large, for access through, or use of, property within the proposed land division because, Project design will ensure there will be no conflict with providing accessibility.

7. The lots or parcels as shown on the Tentative Map are consistent with the minimum size allowed by the Project site's Zoning Classification. The Kohl Ranch Specific Plan (SP303. Ordinance No. 348.4897) has identified requirements and standards for SP303. Single-family residences, duplex residences, and four plex residences have been identified as a permitted or conditionally permitted (duplexes and four plex uses allowed through a plot plan) use for the Project site. The minimum lot size for Planning Area J-1 shall be not less than 6,000 square feet, or 5,000 square feet for clustered development. The minimum lot size for Planning Area L-1 shall be not less than 4,000 square feet or 2,000 square feet for clustered development. The Bungalow area identified on the TTM37269 exhibit proposes the smallest lots for the Planning Area L-1 providing a width of 50 feet and a depth of 80 feet, totaling 4,000 square feet, and thus in compliance with the minimum lot size. The Newport Estates identified on the TTM37269 exhibit proposes the smallest lots for Planning Area J-1 providing a width of 60 feet and a depth of 120 feet, totaling 7,200 square feet, and thus in compliance with the minimum lot size. The Project, including as set forth above, has demonstrated that the future residences could meet all the applicable development standards identified in SP303 including but not limited to: required setbacks, parking, height, etc. Therefore, the proposed Project is consistent with SP303.

The following findings shall be made prior to making a recommendation to grant a Change of Zone, pursuant to the provisions of the Riverside County Zoning Ordinance 348 (Land Use):

Change of Zone No. **19000027 (CZ19000027)** is a proposal to reestablish the boundaries for the Planning Areas in Neighborhood J and L of Kohl Ranch Specific Plan and is subject to the following findings:

- 1. The requested change of zone does not involve a change in or conflict with:
 - a. The Riverside County Vision because the change of zone would not change the development standards or uses associated with the Kohl Ranch Specific Plan (SP303). The proposed change of zone would reestablish the boundaries of the planning areas in Neighborhood J and L. The change in the boundaries will not result in changes in these planning areas that result in more intense building, or increased densities beyond what was previously approved and contemplated under SP303.
 - b. The Project's land use designations from SP303A4 are Community Development: High Density Residential (CD:HDR), Community Development: Medium Density Residential (CD:MDR), all as reflected on the Land Use Plan for Specific Plan No. 303, and Open Space: Open Space (OS:OS) and Open Space: Open Space/Lake (OS:OS-Lake). There are no changes proposed that would alter or conflict with the existing or surrounding General Plan Designations. In addition, No land use designation changes are proposed as part of the Project; the Project does not contain any land uses that have not already been allowed for and considered in SP303 and analyzed in the prior CEQA documents
- 2. The proposed change of zone would not be detrimental to the health, safety or general welfare of the community. The Project is designed for the protection of the public health, safety and general welfare because the Project will be required to adhere to conditions of approval and be required to obtain building permits. The design of the Project has been reviewed by all applicable Riverside

County Departments and agencies including, but not limited to: Building and Safety, Transportation, Fire Department, Environmental Health, and Flood. The review of the Project design by these departments ensure the Project's compliance with applicable requirements and regulations adopted to ensure that the Project would not have an adverse effect on the public's health, safety and general welfare. These departments have included conditions of approval that the Project will be required to adhere to at different milestones of the Project's implementation (i.e. — prior to grading, prior to issuance of building permits, prior to building final). In addition, the applicant has received an Advisory Notification Document that includes applicable ordinances and regulations that the County has adopted that the Project is also required to adhere to in addition to the conditions of approval. Therefore, the Project design, conditions of approval, and permitting will ensure that the proposed Project will protect the public's health, safety, and general welfare.

- 3. The change of zone is not likely to cause substantial environmental damage or substantially and avoidably injure fish or wildlife or their habitat. The Project will only change the specific plan planning are boundaries for the Project site. All uses and buildings are intended uses of the previously approved SP303. Addendum No. 9 to previously adopted EIR No. 396, in accordance with the guidelines set forth in CEQA, determined that no new impacts would occur for the proposed Project. Any future Projects that are not within the scope of past or present approvals will be reviewed in accordance to Ordinance No. 348, the Kohl Ranch Specific Plan, and the General Plan and would be subject to CEQA. The Project is consistent with all applicable County of Riverside Ordinances. Therefore, implementation of the proposed Project will not degrade the quality of the environment/habitat or substantially damage or avoidably injure fish.
- 4. The proposed Project is compatible with surrounding land uses. The proposed Project is compatible with surrounding land uses, as the surrounding land uses consist of vacant land, agricultural development. The land uses to the west, north, and south are within the approved SP303. The agricultural land uses to the east of the site will be buffered by Polk Street, and open space areas within Neighborhood J of SP303. The Project does not propose any uses that were not previously approved or intended for in SP303, and do not conflict with any General Plan Land Use Policies. Therefore, the Project remains compatible with the surrounding land uses.

Development Standards/Zoning Findings:

- 1. The Project site is located in the Specific Plan (S-P) Zone. In the S-P zone, uses must conform to the development standards contained in the adopted specific plan and any applicable amendments thereto. Here, the adopted Kohl Ranch Specific Plan (SP No. 303) sets forth uses and development standards. The proposed development Project (PPT180037 and TTM37269) is located in Planning Areas J-1, J-2, J-3, J-6, J-7, J-8 and L-1 of SP No. 303. This substantial conformance also includes Planning Areas J-4, J-5, J-6, L-2, and L-3, however, no development is proposed at this time in those planning areas as part of the proposed project. Therefore, the proposed Project is in compliance with zoning as demonstrated below:
 - a. The Open Space Planning Areas associated with this substantial conformance include: Planning Areas J-2, J-3, J-5, J-6, J-7, J-8, L-2, and L-3. The uses in these Planning Areas have been defined to be the same as those permitted in Article VIIIe (Open Area Combining Zone-Residential Developments), Section 8.100 of Ordinance No. 348 except that the uses permitted pursuant to Section 8.100.a (1 Golf Courses and Appurtenant facilities, 2 Noncommercial community association recreation and assembly building facilities) and Section 8.100b. (1 Riding Academies and stables) are not permitted. In addition, the conditionally permitted uses identified under Section

8.100.a. have been defined to include public parks; community centers; and when the gross acre of a lot is twenty (20) acres or greater, the uses identified under Article XIII, Section 13.1.b. of Ordinance No. 348 are also included. The Clubhouse Village area is located in Planning Area L-1 which allows country clubs as a permitted use, subject to the approval of a plot plan. TTM37269 and PPT180037 propose development on Planning Area J-2 for a lake/lagoon which is an identified permitted use subject to the approval of a plot plan. Planning Areas J-3, J-6, J-7, and J-8 are proposed as open space buffers that would serve dual use as earthen trap channels for drainage purposes. Water wells and appurtenant facilities are identified permitted uses subject to the approval of a plot plan. All the uses proposed in the Open Space Planning Areas associated with this substantial conformance are permitted under the requested entitlements and therefore are consistent with this finding.

The development standards for the above-mentioned Open Space Planning Areas are defined to be the same as those standards identified in Article VIIIe, Section 8.101 of Ordinance No. 348. The proposed Project complies with all the applicable development standards as identified below:

- Lot Area. This zone is to be applied to those areas within subdivisions and other residential developments that provide open space and recreational area and facilities for the Project therefore, no minimum lot size is established.
- Yards. Whenever a building is to be constructed on a lot in this zone, it shall have a front yard, side yard, and rear yard, each of which shall not be less than 50 feet. If more than one building is constructed on one lot, there shall be not less than 20 feet separation between the buildings. No structural encroachments shall be permitted in front, side, or rear yard. In this case, no buildings are proposed to be constructed in Planning Areas J-2, J-3, J-6, J-7, J-8, L-2, and L-3.
- Trash Areas. All trash collection areas shall be enclosed with a solid fence or wall no less than six feet high. No buildings are proposed to be constructed in Planning Areas J-2, J-3, J-6, J-7, J-8, L-2, and L-3. Therefore, no requirement for a trash area/enclosure would be warranted.
- Automobile storage space shall be provided as required by Section 18.12 of Ordinance No. 348. No storage of automobiles is proposed in Planning Areas J-2, J-3, J-6, J-7, J-8, L-2, and L-3.
- All buildings and structures shall not exceed 50 feet in height, unless a height up to 75 feet is specifically permitted under the provisions of Section 18.34. In this case, no buildings are proposed to be constructed in Planning Areas J-2, J-3, J-6, J-7, J-8, L-2, and L-3.
- b. The uses permitted in Planning Area L-1 are defined to be the same as those permitted in Article VII (Multiple Family Dwellings), Section 7.1 of Ordinance No. 348, except that the uses permitted pursuant to Section 7.1.a (3 Keeping of horses), (4 Keeping of crowing fowl) and (10 noncommercial raising of pigs); Section 7.1.b (9 Class I kennels and catteries); and Section 7.1.c (1 Mobilehome parks) are not permitted. In addition, the permitted uses identified under Section 7.1.b are defined to include two family dwellings; lakes, including those used for aesthetics, detention, recreation, water skiing, and non-potable irrigation water and noncommercial fishing; water wells and appurtenant facilities; and when the gross area of the lot is 20 acres or greater.

the uses identified under Article XIII, Section 13.1.a and b. of Ordinance No. 348 are also included, except that the uses permitted pursuant to Section 13.1.a (15) are not permitted. The uses proposed in Planning Area L-1 include two family dwellings and bungalow courts that are permitted subject to the approval of a plot plan (PPT180037). Club facilities in association with parks are also permitted subject to the approval of a plot plan. These permitted uses are also consistent with the Planning Standards identified for the L-1 Planning Area in Section 3.2 of SP303.

The development standards for the two-family dwelling units as identified in Subsections AA. through DD. of Ordinance No. 348.4897.d(2) are as follows:

- AA. The minimum overall area for each individual unit within a two-family dwelling exclusive of the area set aside for street rights of way shall be two thousand square feet. The Bungalow areas as identified on the TTM37269 exhibit provide for 4,000 square foot lots for duplex units. 2,000 square feet will be reserved for each duplex unit.
- BB. The minimum lot area for two-family lots as a residential site shall be two thousand (2,000) square feet. The minimum lot area shall be determined by excluding that portion of the lot that is used solely for access to the portion of a lot used as a building. For each two family dwelling, common open space shall be provided equal to the difference between the lot area for such two family dwelling and 8,000 feet. The Project will provide a minimum of 20 acres of open space as part of the surf bay lagoon that will exceed the common open space area required for 130 duplex units. Assuming the 130 units will occupy the minimum 2,000 square feet, the difference from 8,000 feet would require 6,000 square feet per unit. For the 130 (duplex) units, a total of 17.9 acres of common space will be required.
- CC. Side yards on interior and through lots shall not be less than 2 feet for one-story buildings; not less than ten feet (10) for two-story buildings; and not less than fifteen feet (15) for three-story buildings. Side yards on corner and revered corner lots shall be not less than ten (10) feet from the exiting street line as shown on any Specific Plan on Highways, whichever is nearer to the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed twenty percent of the lot width. Although the structures have not been plotted on the tentative map exhibit, the applicant has demonstrated that ability to comply with these setback requirements. These requirements will be imposed during the building permit phase, if the Project were to be approved.
- DD. The rear yard shall not be less than ten (10) feet for one-story buildings; not less than 15 for two-story buildings; and not less than 20 feet for three story buildings. Although the structures have not been plotted on the tentative map exhibit, the applicant has demonstrated that ability to comply with these setback requirements. These requirements will be imposed during the building permit phase, if the Project were to be approved

All the uses proposed in Open Space Planning Areas associated with this substantial conformance are permitted under the requested entitlements and therefore are consistent with this finding.

- 2. The Project proposes to make revisions to boundaries of Planning Areas J-1, J-2, J-3, J-6, J-7, J-8 and L-1 to support the development of the Thermal Beach Club. The Project also includes Planning Areas J-4, J-5, J-6, L-2, and L-3, however, not development is proposed in these Planning Areas at this time. No changes to the uses or standards identified in Ordinance No. 348.4897 will change as part of a previously approved Specific Plan No. 303. Therefore, the Project will be consistent with the Specific Plan.
- 3. The Project proposes a 34,400 square feet of buildings for the Clubhouse Village area and a total of 326 dwelling units. These proposed structures have been designed to be consistent with the Kohl Ranch Design Guidelines. Visual impacts will be lessened with staggered building placement, varied roof lines, recessed treatments, extended porches and varying landscaping.

Airport Land Use Commission (ALUC) Findings:

4. The proposed Project has been designed to adhere to requirements of the County of Riverside including but not limited to all applicable Ordinances, ALUC recommendations, and applicable development standards identified in the Kohl Ranch Specific Plan. In addition, conditions of approval have be incorporated to further ensure the adherence of the Project to ALUC recommendations. As a result of these design features and conditions, it is anticipated that the Project would not have an adverse effect on the public health, safety and general welfare of the site and the general vicinity.

ALUC has reviewed the proposed Project and recommended conditions of approval to ensure that no light would interfere with the operation of the adjacent Jacqueline Cochran Regional Airport. The project conditions of approval contain ALUC's recommended conditions.

Based on the ALUC transmittal of July 11, 2019 for PPT180037 AND ttm37269, ALUC concluded that the Project as proposed is "consistent" with the 2005 Jacqueline Cochran Regional Airport Land Use Compatibility Plan (amended 2006).

Additional Findings

- 5. The Project is not located within the sphere of influence of any city.
- 6. The Project is consistent with the Fire Service policies of the General Plan because the Project will provide appropriate fire protection improvements, such as fire hydrants, fire alarms and a water system.
- 7. The Project site is located within Zone B of the Mount Palomar Observatory Lighting Zone boundary (approximately 42.4 miles southwest of the Project site is the Mt. Palomar Observatory), as identified by Ordinance No. 655 (Mt. Palomar). The Project is required to comply with all lighting standards specified within Ordinance No. 655, pursuant to Zone B.
- 8. As demonstrated in the Initial Study and Addendum No. 9, pursuant to CEQA Guidelines section 15164 (Addendum to EIR or Negative Declaration), the Riverside County Planning Department has determined that all potentially significant effects have been adequately analyzed in an earlier EIR (EIR No. 396 adopted 1999), as amended by subsequent approved Addenda. Potentially significant effects have been adequately analyzed in the Environmental Impact Report No. 396, as revised, pursuant to applicable legal standards; and have been avoided or mitigated, including mitigation measures that are imposed upon the proposed Project. A subsequent EIR was not prepared for the proposed Project because the Project did not trigger any of the conditions described in CEQA Guidelines section 15162

(Subsequent EIRs and Negative Declarations). An addendum to EIR No. 396 was prepared that concluded the proposed Project would not result in any new or substantially greater significant impacts, and no new mitigation measures are required which were not analyzed by EIR No. 396. Therefore, the Project complies with the requirements of CEQA. As demonstrated in the updated initial study and Addendum No. 9 to EIR No. 396, no new significant impacts or substantially greater significant impacts would occur as a result of the proposed project that were not previously analyzed and mitigated for EIR No. 396. Therefore, the addendum to EIR No. 396, as demonstrated in the initial study is appropriate

 All conditions of approval and mitigation measures for Specific Plan No. 303 and subsequent approved amendments continue to apply, and the new Advisory Notifications and Conditions of Approval are in addition to the existing conditions of approval.

PUBLIC HEARING NOTIFICATION AND OUTREACH

Public hearing notices were mailed on to property owners within 2,400 feet of the proposed Project site for the September 25, 2019 Planning Commission Hearing (Desert). The Project was advertised in the Desert Sun Newspaper on September 13, 2019. As of the writing of this report, Staff has not received written communication/phone calls who indicated support and/or opposition to the proposed Project.

CONCLUSION

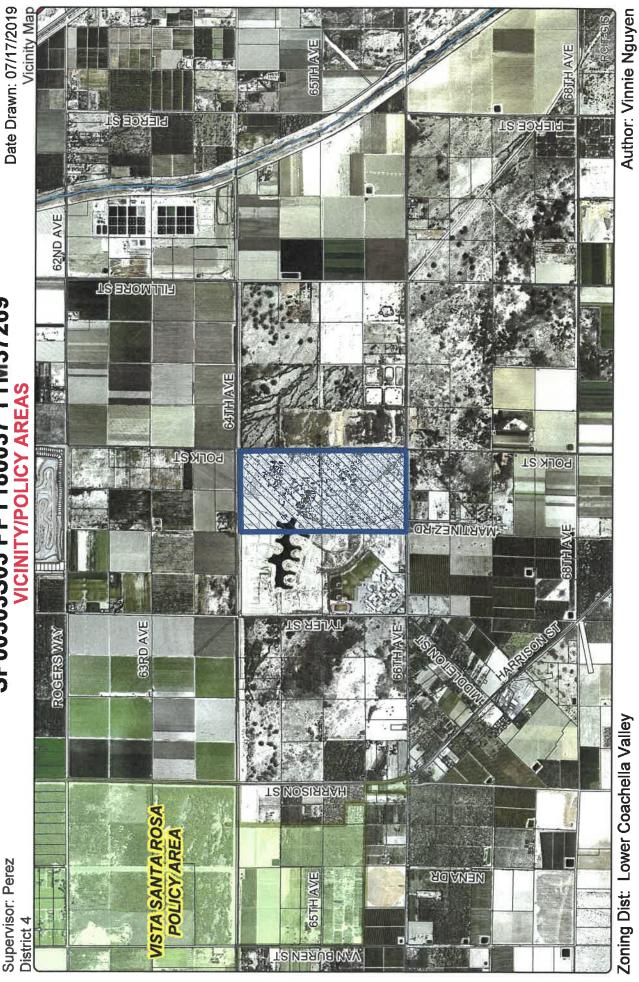
For the reasons discussed above, the proposed Project conforms to all the requirements of the General Plan, all requirements of SP303, and with all applicable requirements of State law and the ordinances of Riverside County. Moreover, the proposed Project will not be detrimental to the health, safety or general welfare of the community.

RIVERSIDE COUNTY PLANNING DEPARTMENT SP0030303S03 PPT180037 TTM37269

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Vicinity Map

Date Drawn: 07/17/2019



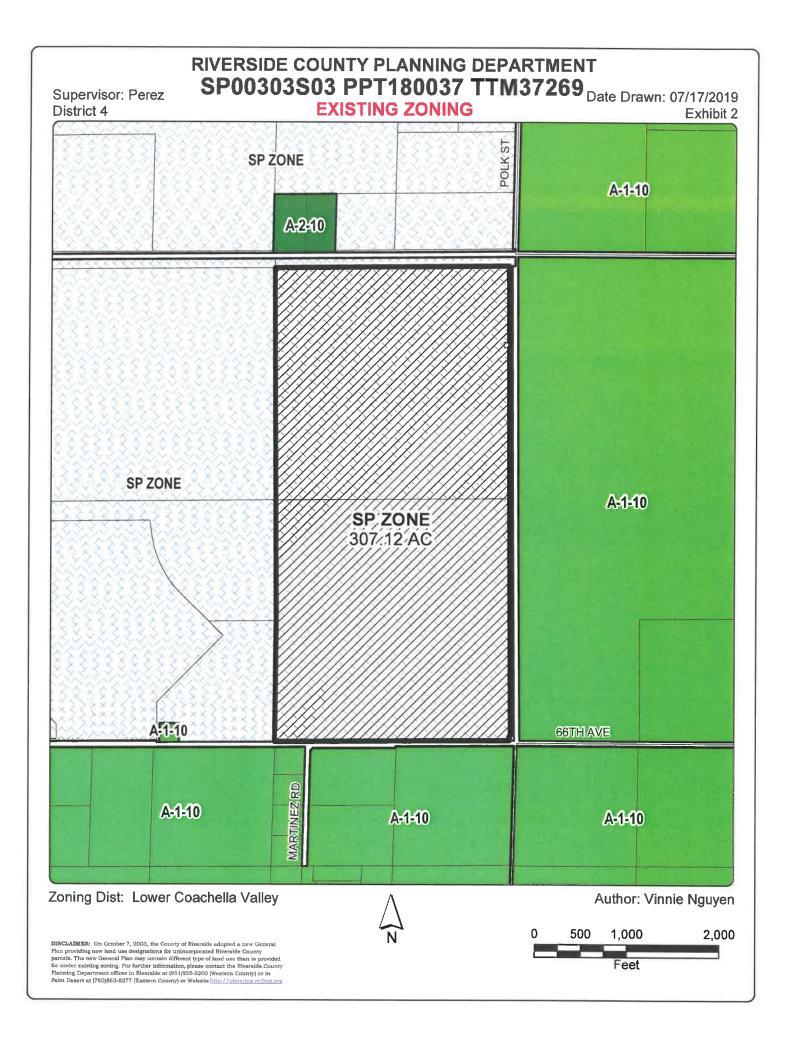
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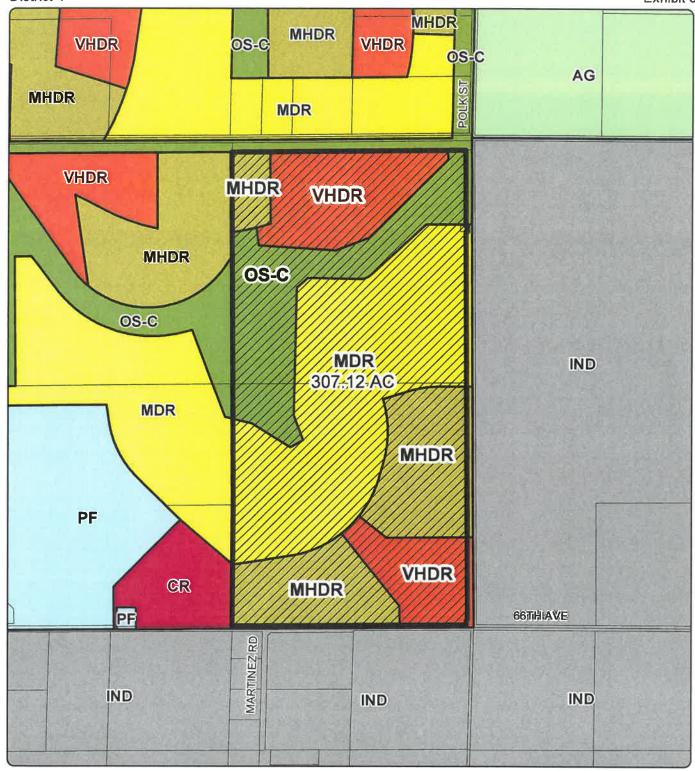
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RIVERSIDE COUNTY PLANNING DEPARTMENT **SP00303S03 PPT180037 TTM37269**EXISTING GENERAL PLAN Exhibit 5

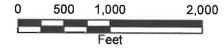
Supervisor: Perez District 4

Exhibit 5



Zoning Dist: Lower Coachella Valley

Author: Vinnie Nguyen



DISCLAIMER: On October 7, 2003, the County of Riverside adopted a new General Plan providing new land use designations for unincorporated Riverside County parcels. The new General Plan may contain different type of land use than is a provided for under existing soning. For further information, please contact the Riverside County Planning Department offices in Riverside at (58) 1985-3200 (Western County) or in Palm Desert at (760)863-8277 (Bastern County) or Website https://planning.cctima.org

RIVERSIDE COUNTY PLANNING DEPARTMENT SP00303S03 PPT180037 TTM37269_{Date Drawn: 07/17/2019}

Supervisor: Perez District 4

LAND USE

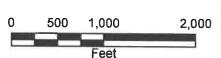
Exhibit 1

AGRICULTURE AGRICULTURE SCHOOL **AGRICULTURE** Author: Vinnie Nguyen

Zoning Dist: Lower Coachella Valley

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IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA PLOT PLAN NO. PPT 180037 LOCATED IN SECTION 4, 7, 15, 18, 1814.



CONNER/APPLICANT KONL RANCH COMPAN, LLC 1182 SAN VICENTE BLVD, SUM

PROJECT DESCRIPTION

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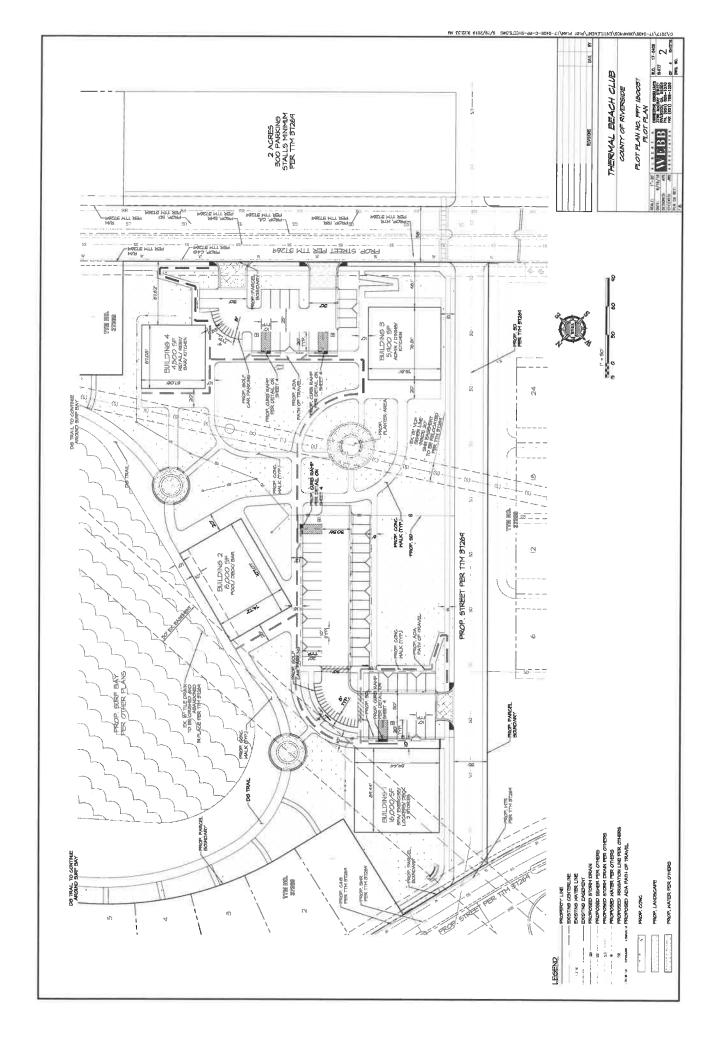
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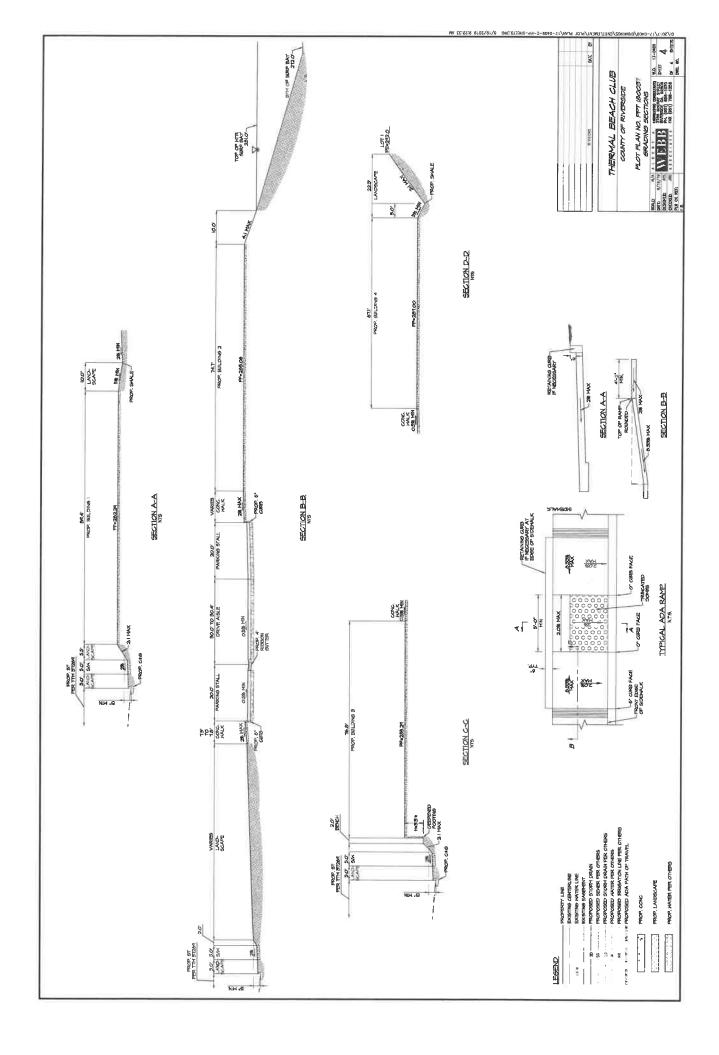
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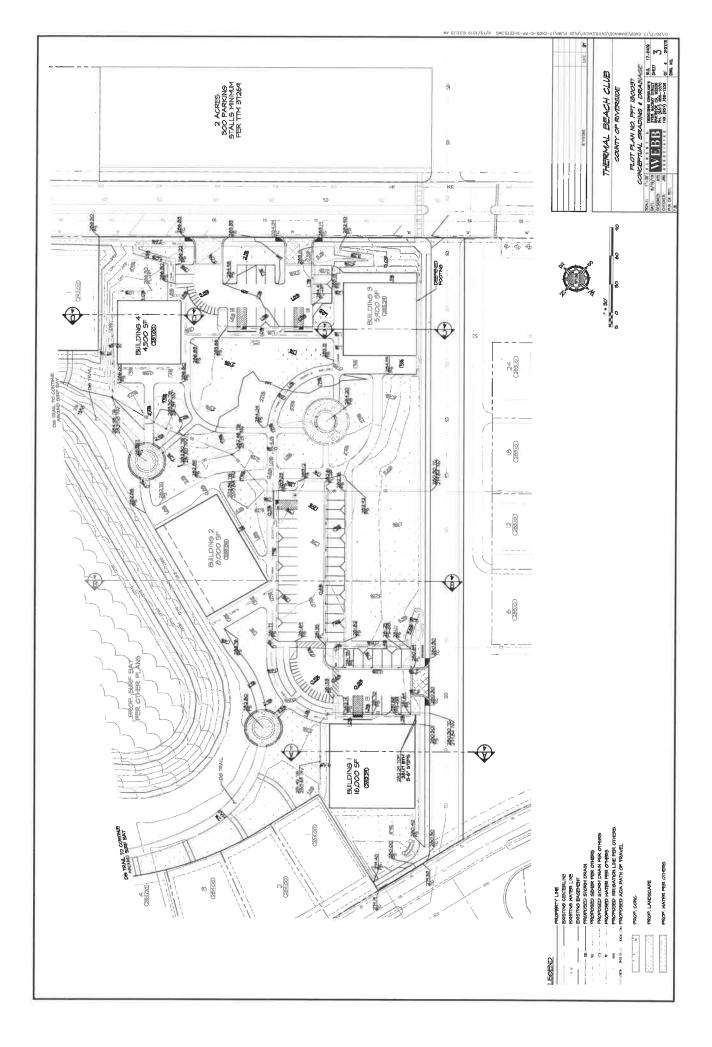
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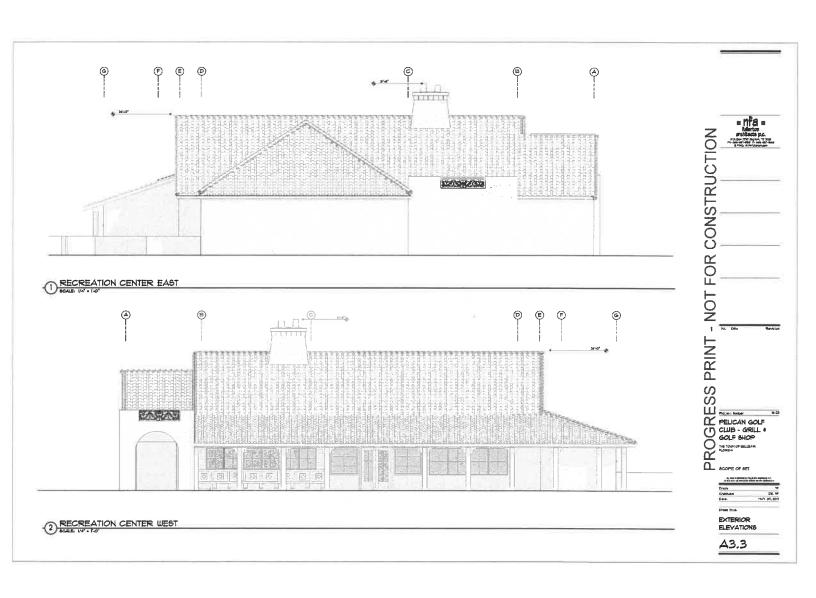
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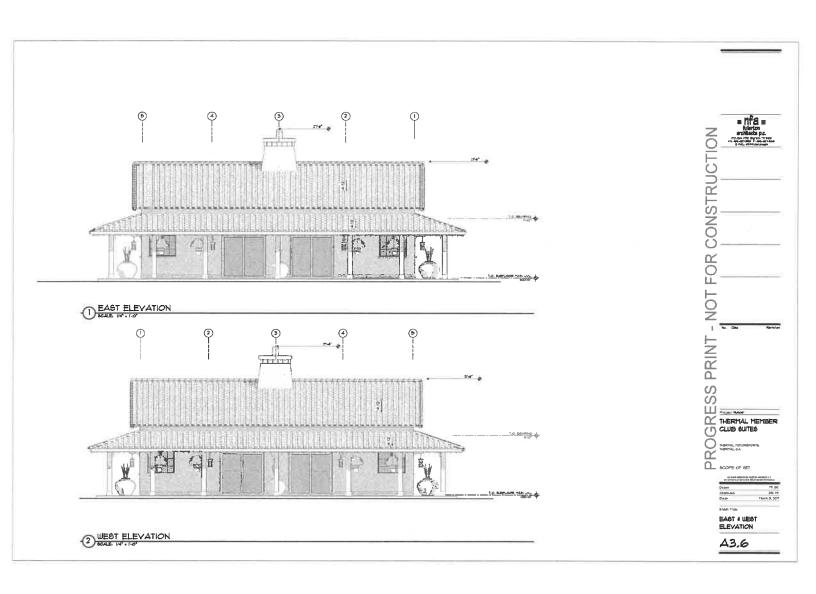
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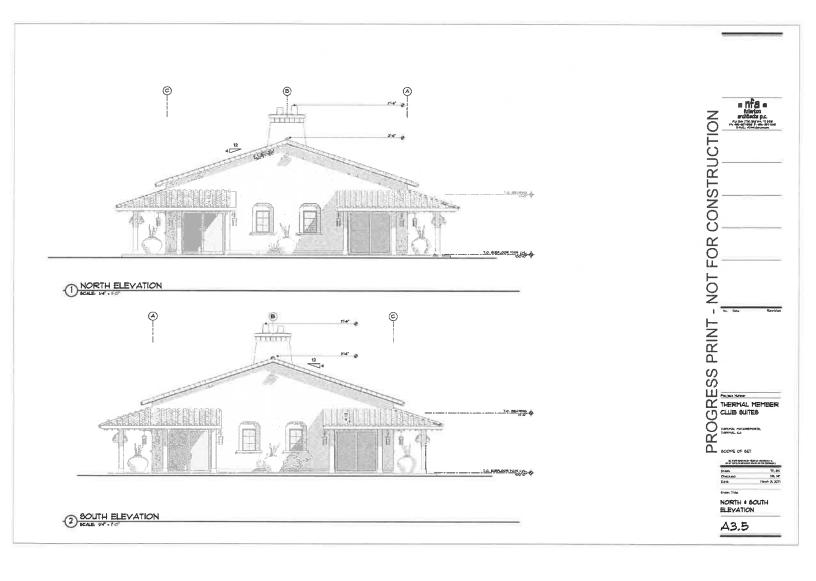




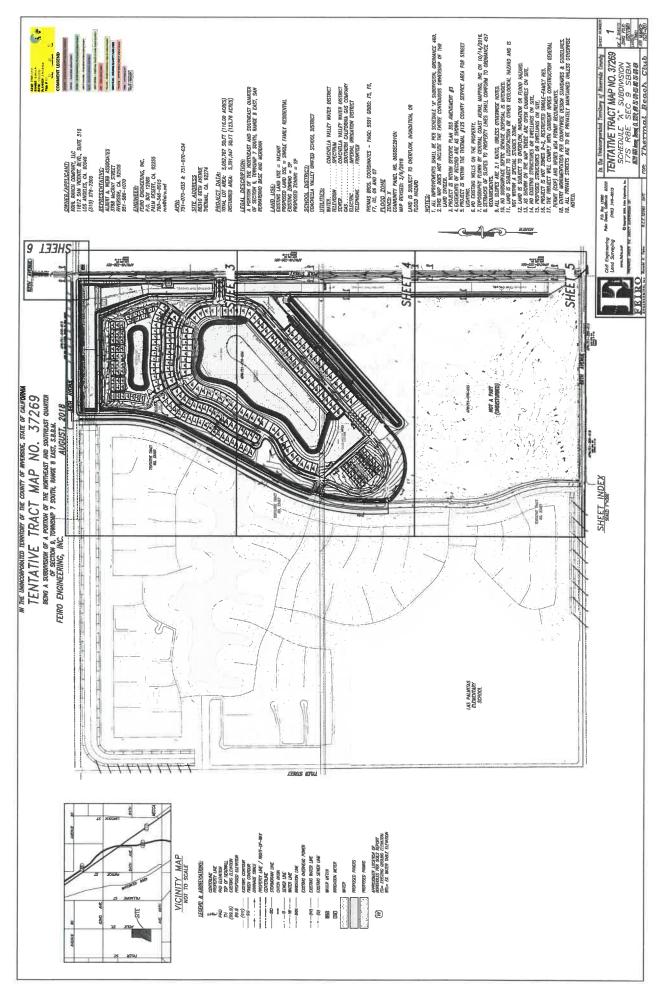


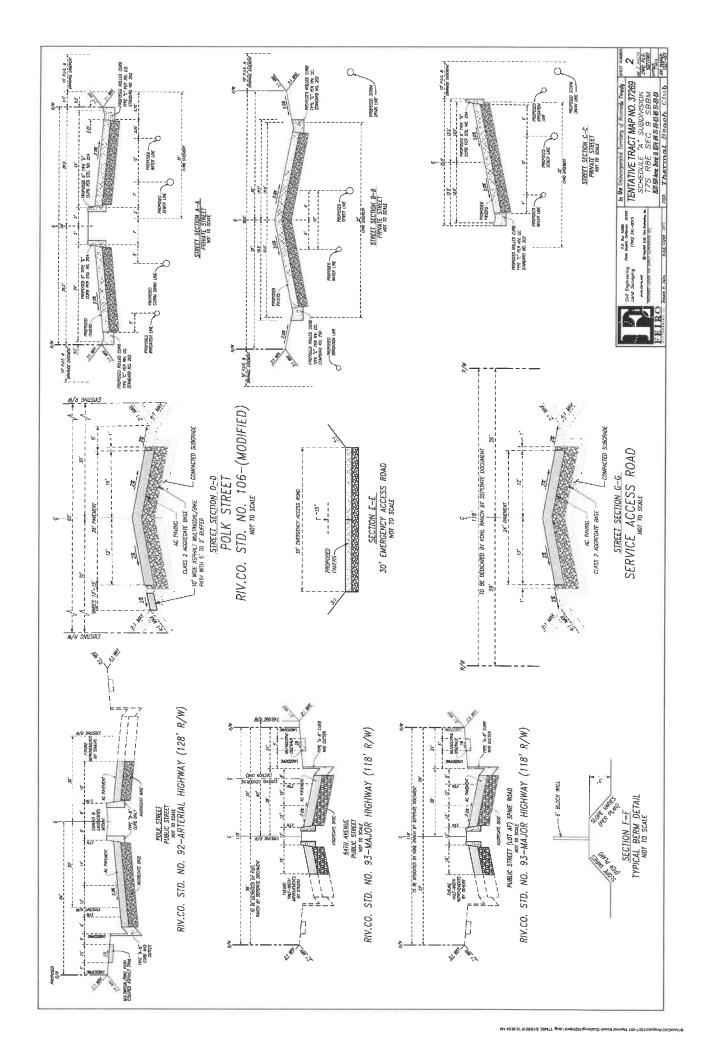


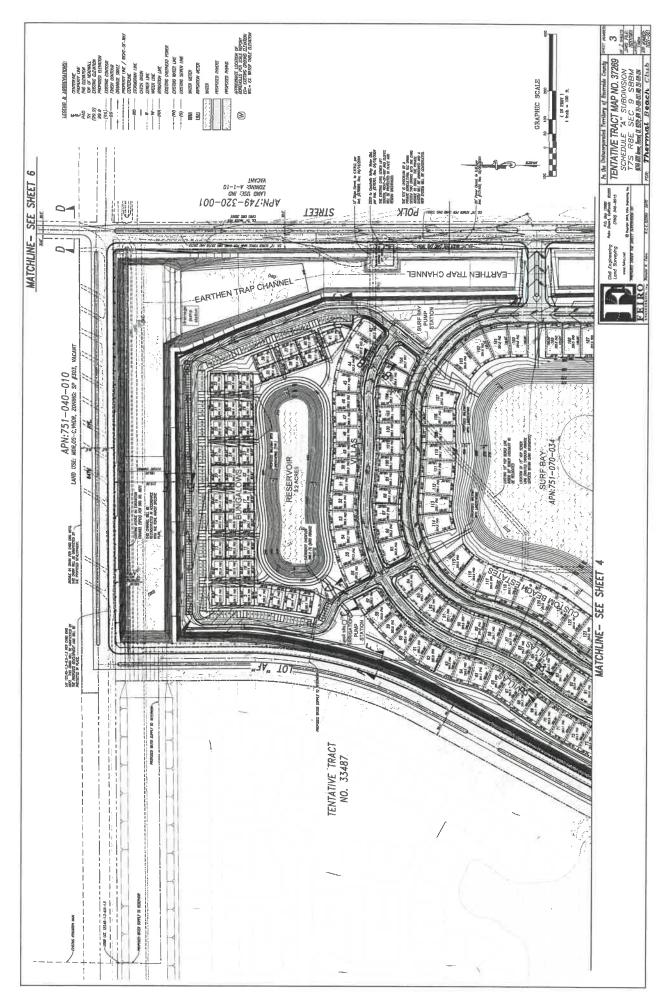


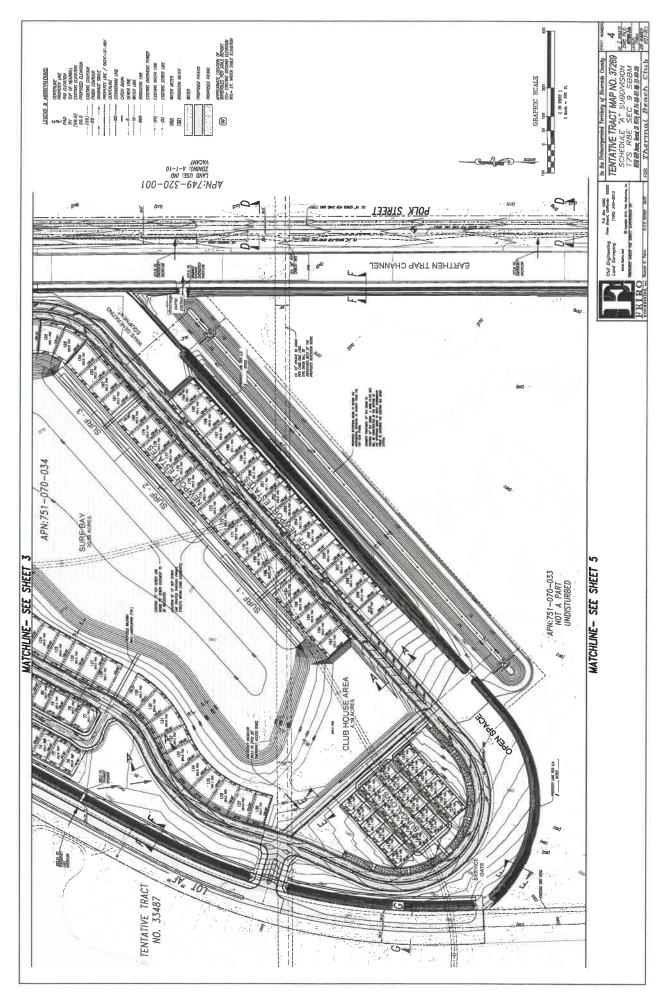


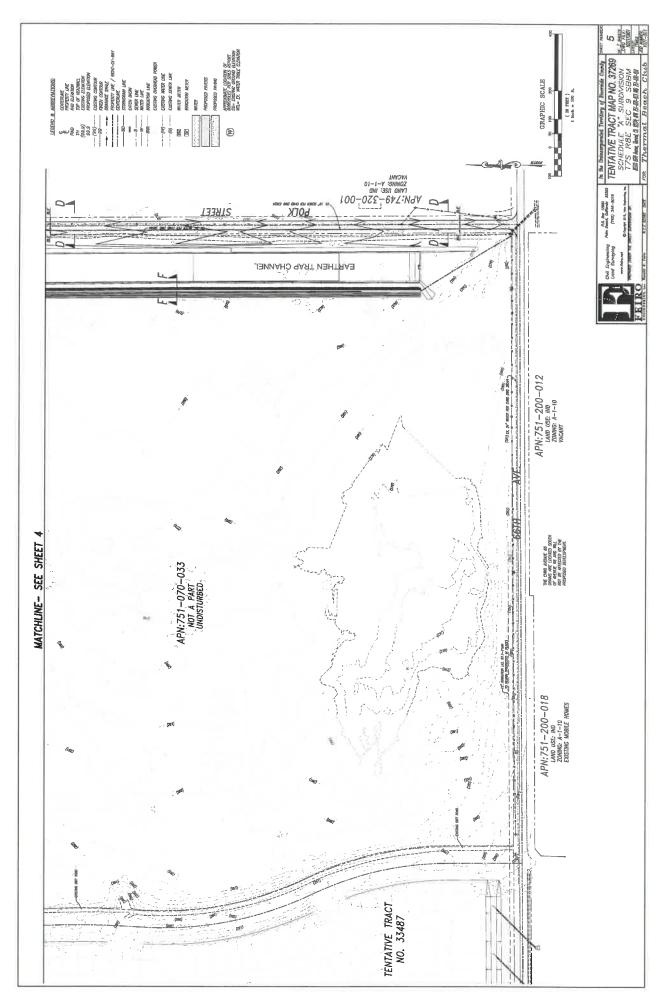


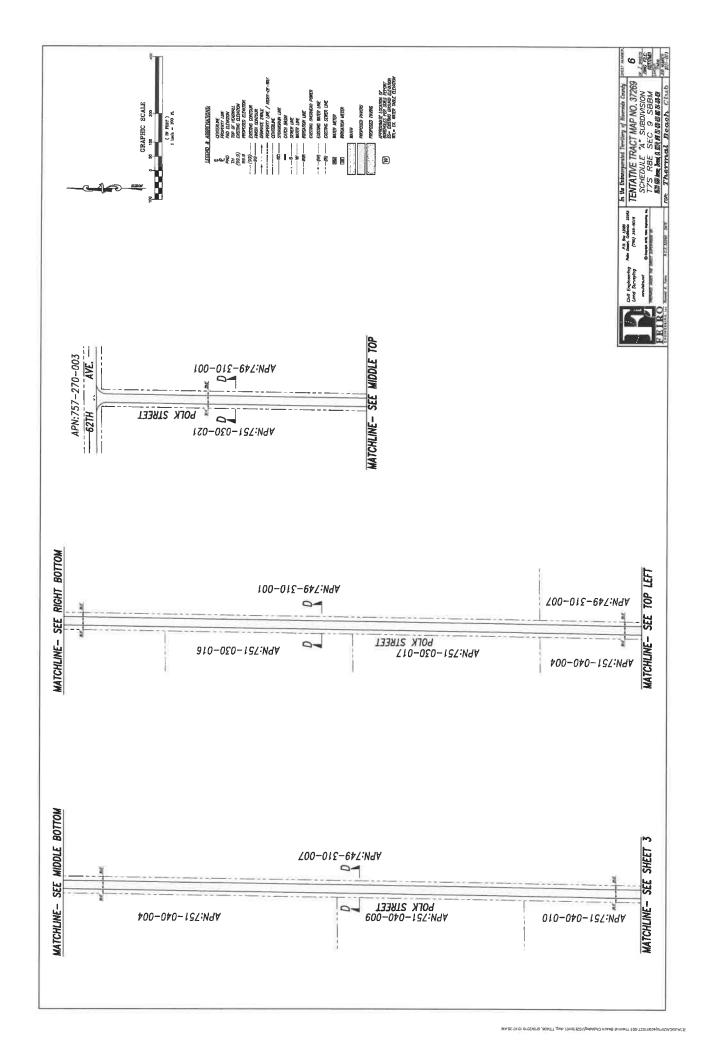












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AREA (SF)	5232	5477	2500	5500	5672	5656	5656	5520	5922	6239	6239	5822	5839	5896	5896	2836	2886	2590	6501	6446	8445	6445	5840	5840	5754	5754	5754	5754	6339	6812	6812	5812	25.54	81.18	DOCC STATE	DOCK!	2639	5879	5679	5576	5012	5011	5977	2534	2760	2760	5760	27.00	76.00	6382	5223	8/65	5738	5738	5738	5738	5715	5782	7400
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X USUABLE AREA	100%	1007	348	A52	94%	1001	100%	94%	34%	100%	100%	100%	100%	94% M	34%	1001	100%	34.8	270	276	276	100%	1001	100%	1001	1001	1001	1001	1001	100%	100%	1001	1001	TOUR	1008	4004	1003	foor																					
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BUNGALOWS (NORTH)-LOT AREA TABLE

4000	4000	100%
4000	4000	1007
4000	4000	100%
4598	4317	34%
4156	3908	85%
4142	3893	X+6
4142	4142	1001
4142	4142	1002
4142	3893	34%
4142	3893	94%
4142	4142	100%
4142	4142	100%
4142	4142	1001
4142	4142	1001
4142	3881	348
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4142	3893	876
4142	4142	100%
4142	3881	34%
4142	3893	34%
4142	3893	34%
4142	4142	100%
4142	4142	X001
4142	4142	X001
4142	4142	1001
4000	4000	1001
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4000	4000	2001
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4000	4000	100%
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4007	4007	100%
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4000	4000	100%
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CUSTOM BEACH	AREA (SF)	7200	8173	8433	8433	8433	8433	7211	8227	8353	8618	7560	7560	7550	7666	8093	7991	7660	7871	7832	7832	7832	8116	8691	9676
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VILLAS-LOT AREA TABLE	USIMBLE AREA (SF)	5232	5477	2500	2500	2500	5672	5656	5656	5520	5922	6239	6239	5822	5839	5896	9889	9689	2896	9685	5993	1059	8445	6445	6445
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7200	8173	8433	8433	8433	8433	7211	8227	8353	8618	7560	7560	7560	7666	8093	7991	2992	7871	7812	7832	7832	8116	8691	8676	8449	8134	7253	7349	7349	
7200	8173	8433	8433	8433	84M	7211	8227	8353	8618	7560	7560	7560	2992	8093	7991	2992	7871	7832	7832	7832	8116	8691	9676	8449	8134	7253	7349	7349	1000
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ES-LOT AREA TABLE	A TABLE	0	FF NEWPOR	OFF NEWPORT ESTATES-LOT AREA TABLE	REA TABLE
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7200	100%	-	7200	7200	1002
7200	100%	2	7200	7200	1001
7200	100%	*	7200	7200	1002
7200	100%	•	7200	7200	1001
7200	100%	40	7200	7200	100%
7200	100%	٠	7200	7200	100%
7200	100%	7	7200	7200	1001
7200	100%	90	7200	7200	100%
7200	1001	On	7200	7200	100%
7200	100%	02	7200	7200	100%
7200	100%	11	7200	7200	100%
7200	1001	12	7200	7200	2001
7200	100%	5	7200	7200	1001
7200	100%	**	7200	7200	100%
7200	100%	22	7200	7200	2004
7200	100%	16	7200	7200	100%
7200	100%	14	7200	7200	100%
7200	100%				
7200	1007				
7200	100%				
7200	100%		DINC WORKE	feeting out a	74017
8313	FOOK		CINDALONS	(SOUTH)-LOT AREA TABLE	TEN MOLE
8694	100%	101	AREA (SF)	USUABLE AREA (SF)	* USUABLE AREA
8350	32%	•	4000	4000	100%
7762	93%	2	4000	4000	100%
7080	35%	'n	4000	4000	100%
7200	1007	*	4000	4000	100%
8115	100%	3	4000	4000	100%
8709	100%	50	4000	4000	100%
8711	100%	7	4000	4000	1001
8658	1001	90	4000	4000	1001

ESTATES-LO

NEWPORT

TABLE

AREA

BEACH ESTATES-LOT

USUMBLE AFEN (
7200
8173
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8433
8433
7211
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8257
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8618
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1001	TO1	AREA (SF)	USUABLE AREA (SF)	IN USUABLE A
32%	-	4000	4000	100%
93%	2	4000	4000	100%
95%	F)	4000	4000	100%
100%	*	4000	4000	1001
1001	S	4000	4000	1001
100%	40	4000	4000	100%
100%	7	4000	4000	100x
1003	90	4000	4000	1001
	6	4000	4000	1001
	10	4000	000#	1001
	=	4000	4000	2001
	12	4000	4000	1001
	13	4000	4000	1001
	14	4000	4000	1001
	15	4000	4000	1001
	16	4000	4000	1001
	17	4000	4000	1001
	18	4000	4000	1001
	19	4000	4000	100%
	20	4000	4000	1001
	21	4000	4000	2001
	22	4000	4000	100%
	23	4000	4000	1001
	24	4000	4000	1002

AREA

Path David Coffeends (2003)
(700) 340-1615

O Daylys Still New Daylords, Inc. CMT Engineering Land Surveying

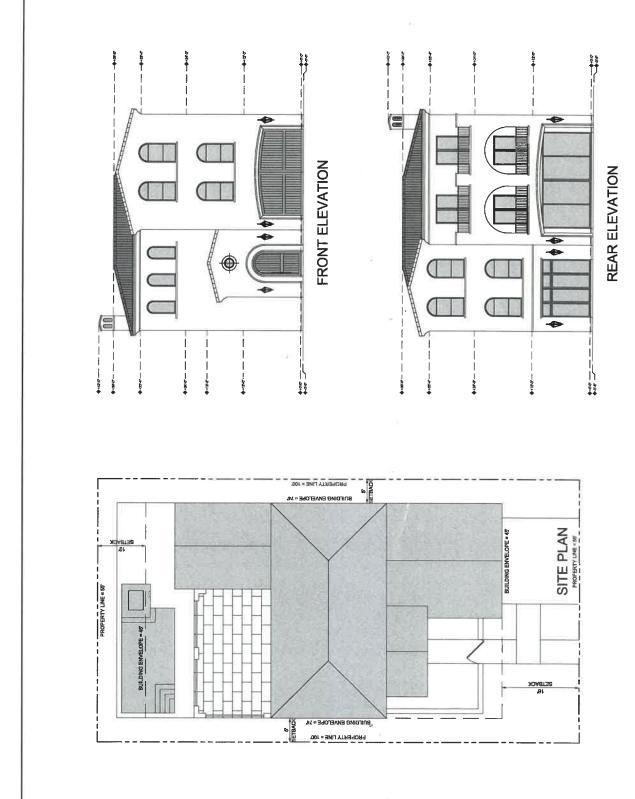
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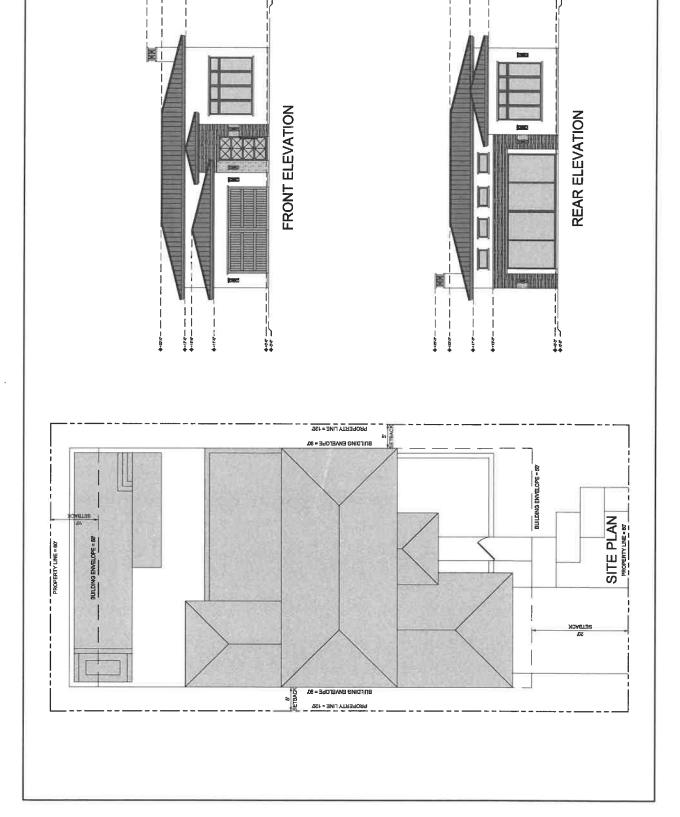
FRONT ELEVATION REAR ELEVATION 200 SITE PLAN PROPERTY LINE = 60"

THERMAL BEACH CLUB - NEWPORT ESTATES

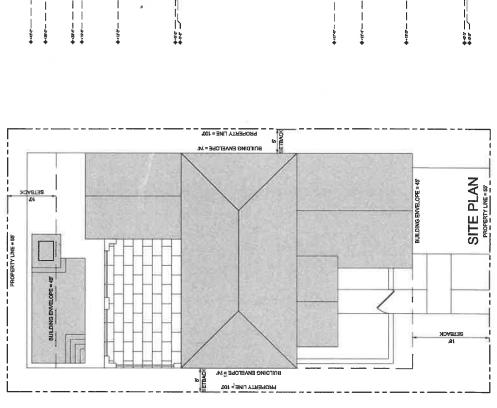
THERMAL BEACH CLUB - VILLAS

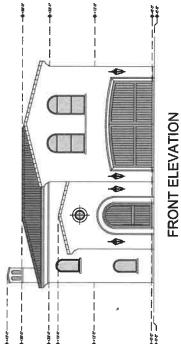


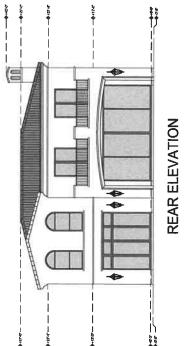
THERMAL BEACH CLUB - BEACH CLUB ESTATES



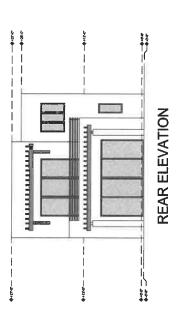
THERMAL BEACH CLUB - VILLAS

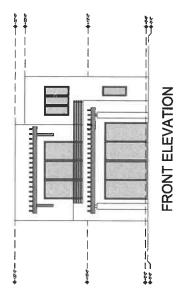


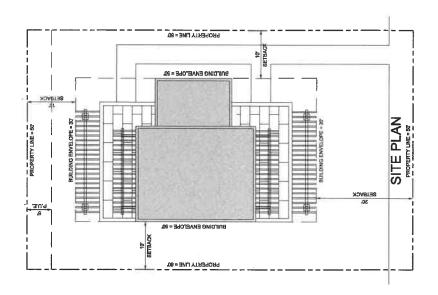




THERMAL BEACH CLUB - BUNGALOWS

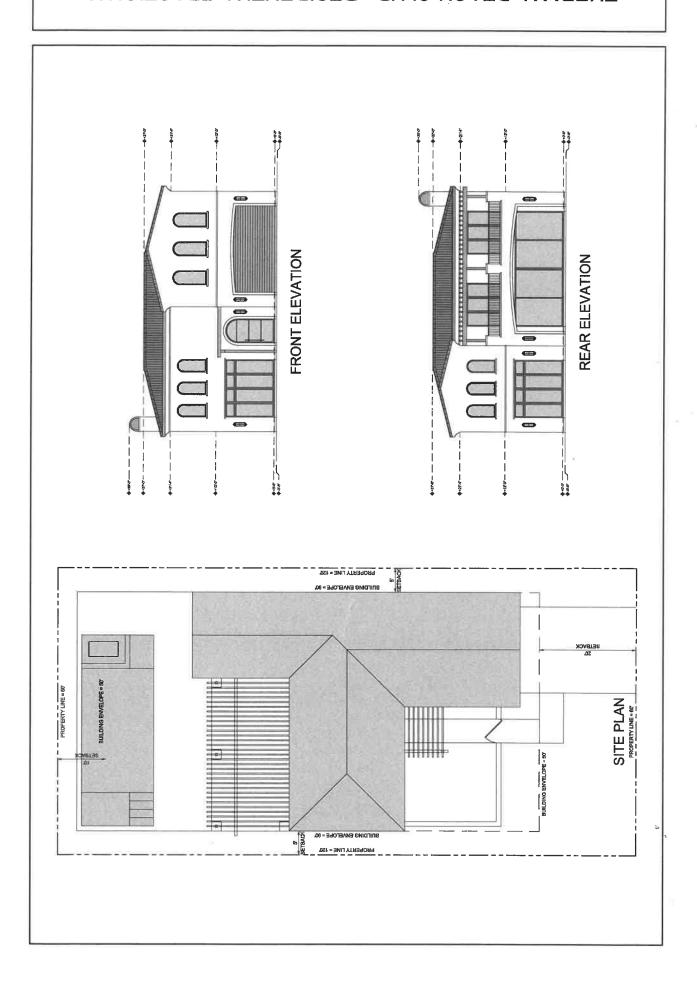




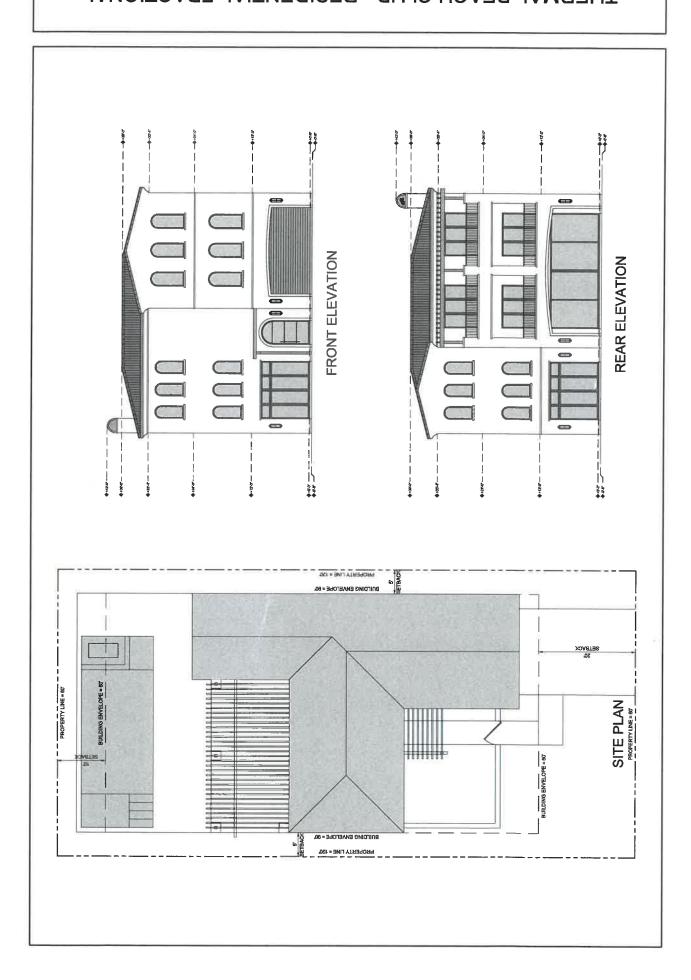


FRONT ELEVATION REAR ELEVATION **** PROPERTY UNE = 120° SITE PLAN PROPERTY LINE = 60"

THERMAL BEACH CLUB - NEWPORT ESTATES

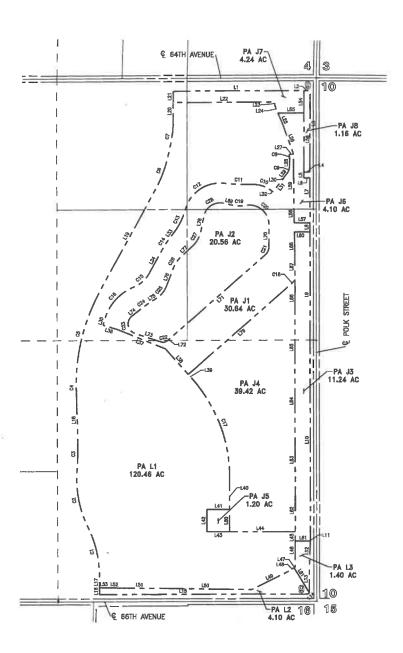


THERMAL BEACH CLUB - RESIDENTIAL FRACTIONAL



THERMAL BEACH CLUB - RESIDENTIAL FRACTIONAL

SEC. 9, T. 7 S., R. 8 E., S. B. M.



LEGEND

SP ZONE

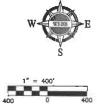
SPECIFIC PLAN 303 PLANNING AREA

MAP NO. ___._

CHANGE OF OFFICIAL ZONING PLAN LOWER COACHELLA DISTRICT

CHANGE OF ZONE CASE NO. _____AMENDING ORDINANCE NO. 348
ADOPTED BY ORDINANCE NO. 348._____, 2019
RIVERSIDE COUNTY BOARD OF SUPERVISORS

ASSESSORS PARCEL NOS.: 751-070-034 751-070-033



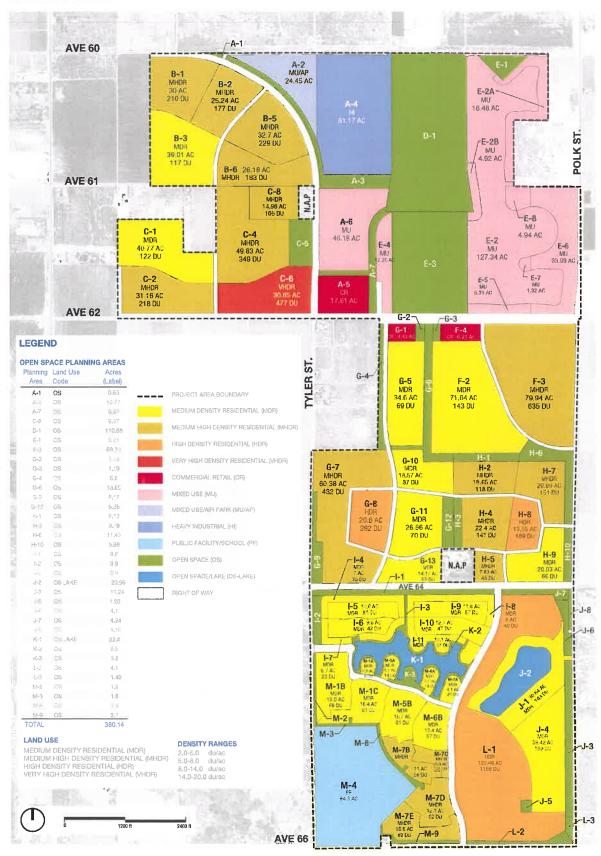
SHEET 1 OF 2

	CURVE	TABLE	
CURVE #	DELTA	RADIUS	LENGTH
C1	25'28'15"	1161.00	516.12
C2	29'57'48"	1139.00	595.65
C3	6"12"29"	3061.00	331.66
C4	2'05'04"	2039.00	74.18
C5	28'12'44"	2039.00	1004.00
C6	18'34'10"	1361.00	441.10
C7 ·	10"15"10"	1366.22	244.48
CB	10'03'54"	262.00	46.03
C9	38'43'18"	112.00	75.69
C10	40"12"33"	300.00	210.53
C11	7'40'24"	2154.50	288.54
C12	81"23"48"	365.50	519.24
C13	22'14'42"	654.50	254.11
014	8"31'10"	1000.00	148.69
C15	39"33"07"	300.00	207.09
-C16	51'20'17"	500.00	448.01
C17	41'22'28°	1500.00	1083.18
C1B	8"13"33"	497.00	71.35
C19	24'04'44"	334.44	140.55
_C20	101"14"47"	195.95	346.26
C21	46"50"26"	102.40	B3.71
C22	59"14"47"	70.01	72.39
C23	126'53'19"	101.74	225.33
C24	4'51'15"	1000.00	84.72
C25	35'51'36"	250.00	156.47
C28	24"56"45"	316.30	137.71
C27	31'05'52"	322.26	174.91
C28	90"18"31"	166.34	262.18

		LINE TABLE	
ENGTH	UNE #	DIRECTION	LENGTH
16.12	L1	N89" 26" 23"E	1327.77
95,65	12	N89' 26' 23"E	61.00
31.66	1.3	S00' 18' 09"E	825.97
74.18	1.4	N89' 41' 51"E	61.00
004.00	1.5	S00" 18" 09"E	60.00
41.10	LS	N89" 41" 51"E	61.00
44.48	L7	S00" 18" 09"E	456.68
46.03	LB	S00" 18' 09"E	92,00
75.69	L9	S00" 18" 09"E	1100.07
10.53	L10	NCO" 18" 06"W	2035.12
88.54	£11	S01° 53' 17"W	14.51
19.24	L12	S01' 53' 17"W	325.74
54.11	113	S00" 18" 06"E.	200.00
48.69	114	S44' 39' 45"W	19.79
07.09	L15	N89" 37" 52"E	2107.51
48.01	L16	500° 22' 08"E	188.86
083.18	L17	500° 22' 08"E	188.86
71.35	L18	S02' 05' 04"E	366,33
40.55	L19	S28" 12" 44"W	1146.98
46.26	120	S00' 33' 39"E	231.13
33.71	L21	NO0" 33' 39"W	115.00
2.39	122		_
25.33			1027.33
4.72	L23	NO0" 33" 37"W	31.35
-	L24	N23" 17' 06"W	86.73
56.47 37.71	1.25	N23' 17' 06"W	129.62
	L26	N20" 02' 52"W	314.71
74.91	L27	S79° 37′ 57°W	43.34
52.18	L28	S00" 18" 09"E	72.68
	129	S38' 25' 09"W	59.57
	130	S51" 34" 51"E	4.00
	L31	S38" 25' 09"W	179.50
	132	N51" 34" 51"W	15.06
	L33	S36" 43" 55"W	71.36
	L34	S28" 12" 44"W	269.42
	1.35	S16" 25" 34"W	72.64
	L36	S73" 34' 26"E	149.50
	L37	S68" 05' 14"E	524.90
	L38	S41' 40' 33"E	346.50
	L39	S41' 40' 33"E	62.94
	L40	S00' 18' 06"E	338.72
	L41	M90" 00' 00"W	227.43
	1.42	\$00' 00' 00"E	228.63
	1.43	M90" CO" OO"W	228.63
	144	N69" 41" 54"E	664.90
	145	NOO" D4" 48"W	96.41
	146	NOO" 04" 48"W	263.12
	L47	N54' 03' 14"E	15.23
	L48	N54° 03' 14"E	45.65
	L49	N63" 11" 40"E	437.73
	L50	S89° 25' 36"E	936.33

LINE #	DIRECTION	LENGTH
L51	S89" 41" 04"E	399.89
L52	S89' 08' 39"E	140.03
L53	NB9' 37' 33"E	60.32
L54	S00" 18" 09"E	226.35
L55	S89° 26° 23°W	265.91
L56	S00' 18' 09"E	599.34
L57	N89' 41' 51"E	161.87
L58	N01" 33' 46"W	187.80
L59	N00" 44" 55"W	511.55
L60	N89' 41' 51"E	159.84
L61	S89" 55' 12"W	155.40
L62	N00" 04" 48"W	432.81
L63	N00" 29' 00"W	599.90
L64	N00" 26' 08"W	600.01
L65	S00" 00" 21"E	800.12
L66	N00" 23" 17"W	330.96
L67	N00" 23" 17"W	268.94
L68	NO1" 33" 46"W	219.99
L69	577 06' 35"E	80.45
L70	S00" 18' 09"E	233.16
L71	S48" 19" 27"W	1286.18
L72	S48" 19" 27"W	32.59
L73	N71° 57' 26"W	275.94
174	N51" 53' 06"E	146.54
L75	N56" 44" 20"E	73.20
L76	N20' 52' 44"E	179.83
L77	N46' 10' 19"E	184.44
L78	N11' 10' 40"E	162.51
L79	N48" 19" 27"E	1375.10
L80	S00" 18" 06"E	228.63
L81	S31" 54" 13"E	298.35

FIGURE 1-4 LAND USE PLAN





3.2.11 Neighborhood J

Neighborhood J is located in the southern section of the project site as depicted in Figure 3.2-11, Neighborhood J. The 119.49110.66-acre neighborhood is located between "E" Street and Polk Street, just south of Avenue 64. It contains eight planning areas consisting of the following land uses: Medium Density Residential (80.8870.06 acres) and Open Space (38.6140.6 acres). A target of 319-332 units is planned for Neighborhood J. Access to the neighborhood is provided from "E" Street and Polk Street. The significant amount of open space within and adjacent to the neighborhood functions as part of the drainage system and provides a scenic amenity and buffer along Polk Street, as well as a local park. If developed with a golf course, a permitted use under provisions of Section 2 – Specific Plan Zoning, Neighborhood J would be equipped with a clubhouse which would provide meeting, dining and recreational opportunities to neighborhood residents.

NEIGHBORHOOD J PLANNING STANDARDS

- (1) A golf course use is permitted in all of the planning areas. A clubhouse is permitted in one of the planning areas. Additionally, recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, and non-potable irrigation water) are permitted in all of the planning areas.
- (2) The neighborhood is within Zones D and E of the CLUP for the Jacqueline Cochran Regional Airport as reflected in Figure 3.1-14, Airport Land Use Compatibility Zones and Utility Easement Beltway. The development restrictions which apply to these zones are described in Section 3.1.10 Airport Noise and Utility Easement Beltway and Table 3.1-G, Basic Compatibility Criteria of this Specific Plan.
- (3) Primary access to Neighborhood J is from "E" Street, Avenue 64, Polk Street, and the interior loop roads.
- (4) "E" Street provides access to Planning Areas J-1, J-6 and J-7.
- (5) Polk Street provides access to Planning Areas J-1through J-8.
- (6) An Intersection Detail is located at the intersection of Avenue 64 and "E" Street to be developed in accordance with **Figure 3.4-5**, **Intersection Detail**.
- (7) A Minor Entry is located at the intersection of Polk Street and the interior east-west loop road to be developed in accordance with **Figure 3.4-5**, **Intersection Detail**.
- (8) "E" Street will be developed in accordance with Figure 3.4-11, Major Streetscape 1.
- (9) Polk Street will be developed in accordance with **Figure 3.4-9**, **Arterial Streetscape 2 – Polk Street Streetscape 2A**.
- (10) Avenue 64 will be developed in accordance with Figure 3.4-11, Major Streetscape 1.
- (11) The west side of Polk Street will be developed with a Class I Bike path as illustrated in Figure 3.1-10, Public Facilities.



Specific Plan Amendment No. 4
Substantial Conformance No. 3

3.2-68 d Use, Planning & Development Standards

Section 3.2

Figure 3.2-11, Neighborhood J



Section 3.2

NEIGHBORHOOD J PLANNING AREAS

J-1: MEDIUM DENSITY RESIDENTIAL

Planning Area J-1 provides for 37.520.64 acres of medium density residential land uses with minimum lot sizes of 6,000 square feet under conventional development and 5,000 square feet under cluster development as defined in Section 2 – Specific Plan Zoning. A target of 130-143 dwelling units is planned for this planning area within a density range of 2.0-5.0 du/ac.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-1 is within Zone D of the CLUP for the Jacqueline Cochran Regional Airport. Development within this zone will comply with all applicable restrictions and requirements.
- (2) Golf course <u>including clubhouse facilities</u>, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, <u>surfing</u>, <u>swimming</u>, <u>demonstrations</u>, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area J-1 is accessed from "E" Street and Polk Street and Interior loop roads.
- (4) This planning area will be developed with the Evacuation Channel Buffer for the interface with adjacent residential development, as shown in **Figure 3.4-26**, **Evacuation Channel Buffer and Utility Easement Beltway**.
- (5) Planning Area J-1 will be developed in accordance with **Figure 3.4-32**, **Product Type Buffer** between the medium density residential uses within the planning area and the high density residential uses in the adjacent planning area.
- (6) The edge treatment for the interface between the residential uses and adjacent drainage facilities is shown in Figure 3.4-28, Airpark Drainage Buffer.
- (7) A Class I Bike Path is located in this planning area on the west side of Polk Street as illustrated in Figure 3.1-10, Public Facilities.
- (8) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (9) Please refer to Section 3.1 Project Wide Development Standards.



J-2: OPEN SPACE

Planning Area J-2 provides for the development of 22.0—<u>56</u> acres of open space to be developed as a lake and as part of the project drainage network.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-2 is within Zones D and E of the CLUP for the Jacqueline Cochran Regional Airport. Development within these zones will comply with all applicable restrictions and requirements.
- (2) Golf course <u>including clubhouse facilities</u>, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, <u>surfing</u>, <u>swimming</u>, <u>demonstrations</u>, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) If the golf course or recreational lakes are not developed, this planning area will be developed with the edge treatment shown in **Figure 3.4-23**, **Drainage Canal Edge Condition**.
- (4) Planning area J-2 is accessed from Polk Street, "E" Street, and interior loop roads.
- (5) The edge treatment for the interface between the drainage facilities and adjacent residential uses is shown in **Figure 3.4-23**, **Drainage Canal Edge Condition**.
- (6) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (7) Please refer to Section 3.1 Project Wide Development Standards.



Specific Plan Amendment No. 4

3.2-71 Id Use, Planning & Development Standards

Substantial Conformance No. 3

Section 3.2

J-3: OPEN SPACE

Planning Area J-3 provides for the development of <u>8.811.24</u> acres of open space to be a landscaped perimeter to the lake, containing a walking trail for the use and enjoyment of project residents.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-3 is within Zones D and E of the CLUP for the Jacqueline Cochran Regional Airport. Development within these zones will comply with all applicable restrictions and requirements.
- (2) Golf course <u>including clubhouse facilities</u>, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, <u>surfing</u>, <u>swimming</u>, <u>demonstrations</u>, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area J-3 is accessed from Polk Street, "E" Street, and the interior loop roads. All planning areas abutting the lake will have access to the lake perimeter trail.
- (4) The edge treatment for the interface with the adjacent drainage facilities is shown in Figure 3.4-23, Drainage Canal Edge Condition.
- (5) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (6) Please refer to Section 3.1 Project Wide Development Standards.



J-4: MEDIUM DENSITY RESIDENTIAL

Planning Area J-4 provides for the development of 43.3639.42 acres of medium density residential land uses with minimum lot sizes of 5,000 square feet under conventional development and 4,000 square feet under cluster development as defined in Section 2 – Specific Plan Zoning. A target of 189 dwelling units is planned within a density range of 2.0–5.0 du/acre.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-4 is within Zones D and E of the CLUP for the Jacqueline Cochran Regional Airport. Development within these zones will comply with all applicable restrictions and requirements.
- (2) Golf course, including clubhouse facilities, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, <u>surfing</u>, <u>swimming</u>, <u>demonstrations</u>, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area J-4 is accessed from Polk Street.
- (4) This planning area will be developed with the project edge treatment as depicted in Figure 3.4-24, Golf Course (Racetrack) Edge Condition.
- (5) A pedestrian trail is located along the eastern boundary of this planning area to be developed in accordance with **Figure 3.4-21**, **Windrow/Trail Detail**.
- (6) A minor project entry is located in the southeast corner of this planning area to be developed in accordance with **Figure 3.4-4**, **Minor Entry.**
- (7) If the golf course or recreational lakes are not developed, this planning area will be developed with the edge treatment shown in **Figure 3.4-23**, **Drainage Canal Edge Condition**.
- (8) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (9) Please refer to Section 3.1 Project Wide Development Standards.



Section 3.2

J-5: OPEN SPACE

Planning Area J-5 provides for the development of 1.0-2 acres of open space to be developed as a local park or open space.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-5 is within Zone of the CLUP for the Jacqueline Cochran Regional Airport. Development within this zone will comply with all applicable restrictions and requirements.
- (2) Golf course <u>including clubhouse facilities</u>, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, <u>surfing</u>, <u>swimming</u>, <u>demonstrations</u>, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area J-5 is accessed from Polk Street and through interior loop roads.
- (4) The edge treatment for the interface between the park and adjacent residential uses is shown in **Figure 3.4-25**, **Park Buffers**.
- (5) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (6) Please refer to Section 3.1 Project Wide Development Standards.



Section 3.2

J-6: OPEN SPACE

Planning Area J-6 provides for the development of $\frac{2.24.1}{2.24.1}$ acres of open space to be developed as a park or open space.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-6 is within Zone D of the CLUP for the Jacqueline Cochran Regional Airport. Development within this zone will comply with all applicable restrictions and requirements.
- (2) Golf course <u>including clubhouse facilities</u>, and/or recreational takes (lakes, including those used for aesthetics, detention, recreation, water skiing and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area J-6 is accessed from "E" Streetand, Polk Street, and through interior loop roads.
- (4) The edge treatment for the interface between the park and adjacent residential land uses is illustrated in **Figure 3.4-25**, **Park Buffers**.
- (5) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (6) Please refer to Section 3.1 Project Wide Development Standards.



J-7: OPEN SPACE

Planning Area J-7 provides for the development of 3.34.24 acres of open space that includes the Avenue 64 Evacuation Channel and land adjacent to the channel.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-7 is within Zone D of the CLUP for the Jacqueline Cochran Regional Airport. Development within this zone will comply with all applicable restrictions and requirements.
- (2) Planning area J-7 is accessed from Avenue 64.
- (3) An Intersection Detail is located in the northwest corner of the planning area to be developed in accordance with **Figure 3.4-5**, **Intersection Detail**.
- (4) A pedestrian trail will be developed along the eastern boundary of the planning area to be developed in accordance with **Figure 3.4-21**, **Windrow/Trail Detail**. A Class I Bike Path is located in this planning area on the west side of Polk Street as illustrated in **Figure 3.1-10**, **Public Facilities**.
- (5) This planning area will be developed with the Evacuation Channel Buffer for the interface with adjacent residential development, as shown in **Figure 3.4-26**, **Evacuation Channel Buffer and Utility Easement Beltway**.
- (6) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (7) Please refer to Section 3.1 Project Wide Development Standards.



J-8: OPEN SPACE

Planning Area J-8 provides for the development of 1.31—16 acres of open space to be developed as part of the project storm drainage system.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

- (1) Planning Area J-8 is within Zones D and E-of the CLUP for the Jacqueline Cochran Regional Airport. Development within these zones will comply with all applicable restrictions and requirements.
- (2) Planning Area J-8 is accessed from Polk Street.
- (3) The drainage way in Planning Area J-8 will be designed to provide a pedestrian trail that connects with the project-wide trail system as depicted in **Figure 3.4-21**, **Windrow/Trail Detail**. A Class I Bike Path is located in this planning area on the west side of Polk Street as illustrated in **Figures 3.1-10**, **Public Facilities**.
- (4) The edge treatment for the interface with the planning areas drainage facilities and adjacent residential land uses is depicted in **Figure**, **3.4-23**, **Drainage Canal Edge Condition**.
- (5) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (6) Please refer to Section 3.1 Project Wide Development Standards.



3.2.13 Neighborhood L

Neighborhood L is located in the southern portion of the project site as depicted in Figure 3.2-13, Neighborhood L. The 111.4125.96-acre neighborhood is located in the southeast corner of the project site, and is bounded by and accessed from Polk Street on the east, Avenue 66 on the south and "E" Street on the west. Land uses consist of High Density Residential (106.2120.46 acres) and open space (5.52 acres). A target of 1,158 dwelling units is planned for Neighborhood L. The maximum density and the total number of dwelling units within the high density residential designation can be exceeded through the application of density bonuses for affordable housing, as permitted by the provisions of Section 65915 of the California Government Code. Higher density residential uses are located at the project periphery, with lower density uses more interior to the site. If developed with a golf course, a permitted use under the provisions of Section 2 – Specific Plan Zoning, Neighborhood L would be equipped with a significant recreational and visual amenity.

NEIGHBORHOOD L PLANNING STANDARDS

- (1) The neighborhood is within Zones D and E of the CLUP for the Jacqueline Cochran Regional Airport as reflected in Figure 3.1-14, Airport Land Use Compatibility Zones and Utility Easement Beltway. The development restrictions which apply to this zone are described in Section 3.1.10 Airport Noise and Utility Easement Beltway and Table 3.1-G, Basic Compatibility Criteria of this Specific Plan.
- (2) A golf course use and/or recreational lake (lakes, including those used for aesthetics, detention, recreation, water skiing and non-potable irrigation water) is a permitted use in all of the planning areas.
- (3) Primary access is taken from "E" Street, Avenue 66 and Polk Street.
- (4) "E" Street provides access to Planning Area L-1
- (5) Avenue 66 provides access to Planning Areas L-2.
- (6) Polk Street provides access to Planning Area L-3.
- (7) A Major Project Entry is located at the intersection of "E" Street and Avenue 66 to be developed in accordance with **Figure 3.4-3**, **Major Project Entry**.
- (8) A Minor Entry is located at the intersection of Polk Street with the interior loop road to be developed in accordance with **Figure 3.4-4**, **Minor Project Entry**.
- (9) Avenue 66 will be developed in accordance with **Figure 3.4-7**, **Urban Arterial Streetscape**.
- (10) "E" Street will be developed in accordance with Figure 3.4-12, Major Streetscape 2.
- (11) Polk Street will be developed in accordance with Figure 3.4-9, Arterial Streetscape 2 Polk Street Streetscape 2A.
- (12) The west side of Polk Street and the north side of Avenue 62 will be developed with a Class I Bike path as illustrated in **Figure 3.1-10**, **Public Facilities**.



Specific Plan Amendment No. 4

Substantial Conformance No. 3

Figure 3.2-13, Neighborhood L

3.2-82 d Use, Planning & Development Standards

Section 3.2



Section 3.2

NEIGHBORHOOD L PLANNING AREAS

L-1: HIGH DENSITY RESIDENTIAL

Planning Area L-1 provides for the development of 106.2120.46 acres of high density residential land uses with minimum lot sizes of 4,000 square feet under conventional development and 2,000 square feet under cluster development as defined in Section 2 – Specific Plan Zoning. A target of 1,158 dwelling units is planned within a density range of 8.0–14.0 du/acre. The maximum density and the total number of dwelling units within the high density residential designation can be exceeded through the application of density bonuses for affordable housing, as permitted by the provisions of Section 65915 of the California Government Code.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

Planning Standards

- (1) Planning Area L-1 is within Zones D and E of the CLUP for the Jacqueline Cochran Regional Airport. Development within these zones will comply with all applicable restrictions and requirements.
- (2) Golf course, including clubhouse facilities, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, surfing, swimming, demonstrations, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area L-1 is accessed from Avenue 66 and "E" Street.
- (4) The edge treatment for the interface between the residential land use and adjacent park use is shown in **Figure 3.4-25**, **Park Buffers**.
- (5) The edge treatment for the interface between the residential land uses and adjacent drainage facilities is shown in **Figure 3.4-23**, **Drainage Canal Edge Condition**.
- (6) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (7) Please refer to Section 3.1 Project Wide Development Standards.



L-2: OPEN SPACE

Planning Area L-2 provides for the development of 4.1 acres of open space to be developed as part of the project storm drainage system.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

Planning Standards

- (1) Planning Area L-2 is within Zone D of the CLUP for the Jacqueline Cochran Regional Airport. Development within this zone will comply with all applicable restrictions and requirements.
- (2) Golf course <u>including clubhouse facilities</u>, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, <u>surfing</u>, <u>swimming</u>, <u>demonstrations</u>, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area L-2 is accessed from Avenue 66.
- (4) A major project entry is located in the southwest corner of the planning area to be developed in accordance with **Figure 3.4-3**, **Major Project Entry**.
- (5) The edge treatment for the interface with the planning areas drainage facilities and adjacent residential land use is depicted in **Figure 3.4-28**, **Airpark Drainage Buffer**.
- (6) The drainage way in Planning Area L-2 will be designed to provide a pedestrian trail that connects with the project-wide trail system in accordance with Figure 3.4-21, Windrow/Trail Detail. A Class I Bike Path is located in this planning area on the north side of Avenue 66 as illustrated in Figure 3.1-10, Public Facilities.
- (7) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (8) Please refer to Section 3.1 Project Wide Development Standards.



Specific Plan Amendment No. 4

3.2-85 d Use, Planning & Development Standards

Substantial Conformance No. 3

Section 3.2

L-3: OPEN SPACE

Planning Area L-3 provides for the development of 1.1-4 acres of open space to be developed as part of the project storm drainage system.

Land Use and Development Standards

Please refer to Ordinance No. 348 (Section 2 – Specific Plan Zoning Ordinance).

Planning Standards

- (1) Planning Area L-3 is within Zone E of the CLUP for the Jacqueline Cochran Regional Airport. Development within this zone will comply with all applicable restrictions and requirements.
- (2) Golf course including clubhouse facilities, and/or recreational lakes (lakes, including those used for aesthetics, detention, recreation, water skiing, surfing, swimming, demonstrations, and non-potable irrigation water) are permitted uses in this planning area. Lakes shall incorporate the design guidelines set forth in Section 3.1.10 Airport Zones and Utility Easement Beltway for Airport Compatibility Design Guidelines for Lakes.
- (3) Planning Area L-3 is accessed from Polk Street.
- (4) A major project entry is located in the southwest corner of the planning area to be developed in accordance with **Figure 3.4-3**, **Major Project Entry**.
- (5) The drainage way in Planning Area L-3 will be designed to provide a pedestrian trail that connects with the project-wide trail system to be developed in accordance with Figure 3.4-21, Windrow/Trail Detail. A Class I Bike Path is located in this planning area on the west side of Polk Street as illustrated in Figure 3.1-10, Public Facilities.
- (6) The edge treatment for the interface with the planning areas drainage facilities and adjacent residential land uses is depicted in Figure 3.4-23, Drainage Canal Edge Condition.
- (7) Please refer to Section 3.3 Design Guidelines and Section 3.4 Landscape Design Guidelines for specific and other related design criteria.
- (8) Please refer to Section 3.1 Project Wide Development Standards.



ENVIRONMENTAL IMPACT REPORT NO. 396 ADDENDUM NO. 9

for

Tentative Tract Map No. 37269,
Plot Plan No. 180037,
Change of Zone 1900027 and
The Kohl Ranch Specific Plan No. 303,
Substantial Conformance No. 3



Prepared by:

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DATE: June 18, 2019

INTRODUCTION TO ENVIRONMENTAL IMPACT REPORT No. 396, ADDENDUM NO. 9

Project Background

On November 16, 1999, the County of Riverside approved The Kohl Ranch Specific Plan No. 303 (SP303, or "the Specific Plan"), which was prepared pursuant to the authority granted to the County by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Sections 655450 to 65457. SP303 included land uses which allow for development of approximately 7,161 single family residential dwelling units, as well as commercial and industrial land uses, and open space. In conjunction with its approval of SP303, the County of Riverside complied with CEQA by preparing and certifying Environmental Impact Report No. 396 (EIR396).

On January 28, 2003, SP303 was later modified under Amendment No. 1 (SP303A1) and EIR396, Addendum No. 1 (EIR396-A1) and adopted.

On April 7, 2010, the County of Riverside Planning Commission determined that a proposed race course was a land use that would be in aligned with the Heavy Industrial and Open Space zones within the Specific Plan.

On June 7, 2011, the County of Riverside approved and adopted Amendment No. 2 (SP303A2) and EIR396, Addendum No. 2 (EIR396-A2), which was modified to include a racetrack land use. This approval also included related entitlement applications for the Thermal Club Motorsports Track including Plot Plan 24690, Tentative Parcel Map 36315, and Tentative Parcel Map No. 36293. The Applicant requested revisions to the motorsports track including design modifications and construction phasing.

On April 1, 2014, the County approved and adopted Plot Plan No. 24690 Revised Permit No. 1 (PP24690R1), Minor Change to Tentative Parcel Map No. 36293 (PM36293M1), and EIR No. 396, Addendum No. 3 (EIR396-A3). Plot Plan No. 24690 included approval of a public kart racing track for development in Planning Area A-6 of SP303A2.

In September 2014, an approximately one mile driving instruction track with an approximately 49,087 square foot skid pad was found to be in substantial conformance with PP24690 (PP24690SC2). A grading permit was subsequently approved and grading of the track area took place.

On May 19, 2015, the County approved Plot Plan No. 25677 (PP25677) and EIR No. 396, Addendum No. 4 (EIR396-A4) which also covered Tentative Parcel Map No. 36735 (PM36735) which was approved July 15, 2015, providing entitlements allowing for development of the BMW Driver Training Facilities which includes a driver instruction track related to The Thermal Club Motorsports Park located in northern area of Planning Area A-6. PM36735 subdivided PA-6 into 9 parcels; one parcel located north of Jasper Lane for the BMW Facility and 8 parcels south of Jasper Lane for what are currently being proposed for development under Plot Plan No. 26120 and known as the Jasper Lots.

On March 24, 2015, the County of Riverside approved the Kohl Ranch Specific Plan No. 303, Amendment No. 3 (SP303A3) Change of Zone (CZ07852), Noise Exemption (NE06), and EIR396, Addendum No. 5 (EIR396-A5) to create new planning areas within the Thermal Club boundaries and change land use designations to mixed use and allow some overnight accommodations in the southern units around the track. The approved Noise Ordinance Exception (NE06) provides for a continuous event exception to the provisions of Ordinance No. 847 as outlined in Section 7 of the Ordinance to the uses within the boundaries of the Thermal Club because the track units contiguous to the track will be placed in an environment where noise is continually higher when racing and maintaining vehicles than is permitted by the Ordinance without such an exception. TR36851 created duplex units on certain lots within planning areas E-6 and was subsequently approved by the County July 21, 2015 but covered within EIR396-A5.

On July 31, 2017, the County of Riverside approved Plot Plan No. 26120 (PP26120) and Plot Plan No. 26121 (PP26121), and EIR396, Addendum No. 6 (EIR396-A6). PP26120 was approved for development of eight structures along Jasper Lane for warehouse and office use ranging in size from

13,600 squaree feet to 20,300 square feet for a total square footage of 135,549 square feet. PP No. 26121 was approved for development of fifteen structures for warehouse and office uses along Ascot Drive with structures ranging in size from 19,400 square feet to 64,500 square feet for a total square footage of 361,800 square feet.

On March 19, 2018, the County of Riverside approved Plot Plan No. 24690 Revision No. 2 and EIR396 – Addendum No. 7 (EIR396-A7). PP24690R2 was approved for development of a Member's Club located on an approximately 5.4 acre parcel located in Planning Area E-6 of SP303A3 consisting of a 3,354 square foot recreational center with three tennis and game courts, a 2,280 square foot adult pool, 3,578 square foot kids pool, plus 1,647 square foot fitness center with 1,420 square foot locker room, and six hotel suite buildings totaling 23,040 square feet (2,320 square feet per building) housing 8 suites inside each building. PP24690R2 was also approved for development of a trackside garage with a viewing deck located in Planning Area E-2 of SP303A3. The trackside garage was approved as two-story 7,040 square feet with viewing deck on an approximately 140 acre parcel.

On November 6, 2018, the County of Riverside approved The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP303A4), Change of Zone No. 07952 (CZ07952), and EIR396, Addendum No. 8 (EIR396-A8). SP303A4 and CZ07952 were approved to allow for two new planning areas (E-2A and E-2B) within the existing planning area E-2 allowing for "Racetrack Recreational Units" as an allowable use within these two new planning areas. Racetrack Recreational Units are a newly defined use allowing for overnight occupancy.

Summary of Previously Approved Documents

Environmental Impact Report No. 396 (SCH No. 1994112032)

Environmental Impact Report No. 396 (EIR396) was prepared for The Kohl Ranch Specific Plan No. 303 (SP303), certified by the County of Riverside November 16, 1999.

Environmental Impact Report No. 396, Addendum No. 1

Environmental Impact Report No. 396, Addendum No. 1 (EIR396-A1) was prepared for The Kohl Ranch Specific Plan No. 303, Amendment No. 1 (SP No. 303A1), approved by the County of Riverside January 28, 2003.

Environmental Impact Report No. 396, Addendum No. 2

Environmental Impact Report No. 396, Addendum No. 2 (EIR396-A2) was prepared for The Kohl Ranch Specific Plan No. 303, Amendment No. 2 (SP No. 303A2), approved by the County of Riverside June 7, 2011. In addition, Plot Plan 24690, Tentative Parcel Map 36315, and Tentative Parcel Map 36293 for the Thermal Racetrack were also approved by the County of Riverside June 7, 2011.

Environmental Impact Report No. 396, Addendum No. 3

Environmental Impact Report No. 396, Addendum No. 3 (EIR396-A3) was prepared for Plot Plan 24690 Revised Permit No. 1 (PP24690R1) and Tentative Parcel Map 36293, Minor Change No. 1 (PM36293M1), approved by the County of Riverside April 1, 2014.

Environmental Impact Report No. 396, Addendum No. 4

Environmental Impact Report No. 396, Addendum No. 4 (EIR396-A4) was prepared for Plot Plan 25677 (PP25677) and approved by the County of Riverside May 19, 2015. Tentative Parcel Map 36735 (PM36735) was subsequently approved by the County July 21, 2015 but covered within EIR396-A4.

Environmental Impact Report No. 396, Addendum No. 5

Environmental Impact Report No. 396, Addendum No. 5 (EIR396-A5) was prepared for Specific Plan Amendment No. 303, Amendment No. 3 (SP00303A3), Change of Zone (CZ07852), and Noise Exemption (NE06), approved by the County of Riverside March 24, 2015. TR36851 was subsequently approved by the County July 21, 2015 but covered within EIR396-A5.

Environmental Impact Report No. 396, Addendum No. 6

Environmental Impact Report No. 396, Addendum No. 6 (EIR396-A6) was prepared for Plot Plan No. 26120 (PP26120) and Plot Plan No. 26121 (PP26121) approved by the County of Riverside July 31, 2017.

Environmental Impact Report No. 396, Addendum No. 7

Environmental Impact Report No. 396 Addendum No. 7 (EIR396-A7) was prepared for Plot Plan No. 24690 Revision No. 2 approved by the County of Riverside March 19, 2018.

Environmental Impact Report No. 396, Addendum No. 8

Environmental Impact Report No. 396, Addendum No. 8 (EIR396-A8) was prepared for The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP No. 303A4) and Change of Zone No. 07952, approved by the County of Riverside November 6, 2018.

Proposed Project

The Applicant is proposing Substantial Conformance No. 3 to The Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP00303S3), Tentative Tract Map No. 37269 (TTM37269), Plot Plan No. 180037 (PP180037), and Environmental Impact Report No. 396, Addendum No. 9 (EIR396-A9), collectively referred to as the "proposed Project" or "Pending Applications."

Under the *State CEQA Guidelines*, Section 15162, if an Environmental Impact Report (EIR) has been prepared for a project, there is a strong presumption against requiring further environmental review. Public Resources Code 21166 provides that once an EIR has been completed, the lead agency may not require a subsequent or supplemental EIR unless:

- Substantial changes are proposed in the project that will require major revisions of the EIR;
- Substantial changes have occurred in the circumstances under which the project is being undertaken that will require major revisions in the EIR; or
- New information of substantial importance to the project that was not known and could not have been known at the time the EIR was certified as complete becomes available.

The State CEQA Guidelines further clarify these criteria by providing that further environmental review is required only if proposed changes to the project will require "major revisions" to the previously approved EIR because of new significant environmental impacts or a substantial increase in the severity of previously identified significant impacts (14 CCR 15162). Therefore, once an EIR has been approved, no subsequent EIR shall be prepared for that project unless the lead agency determines, on the basis of substantial evidence in the light of the whole record, one or more of the following:

- Substantial changes are proposed in the project which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.
- Substantial changes occur with respect to the circumstances under which the project is undertaken which will require major revisions of the previous EIR due to the involvement of new significant environmental effects or a substantial increase in the severity of previously identified significant effects.

- New information of substantial importance, which was not known and could not have been known with the exercise of reasonable diligence at the time the previous EIR was certified as complete, shows any of the following:
 - a) The project will have one or more significant effects not discussed in the previous EIR;
 - b) Significant effects previously examined will be substantially more severe than shown in the previous EIR;
 - c) Mitigation measures or alternatives previously found not to be feasible would in fact be feasible and would substantially reduce one or more significant effects of the project, but the project proponents decline to adopt the mitigation measure or alternative; or
 - d) Mitigation measures or alternatives which are considerably different from those analyzed in the previous EIR would substantially reduce one or more significant effects on the environment, but the project proponents decline to adopt the mitigation measure or alternative. (14 CCR 15162).

In processing the Pending Applications in conformity with CEQA, the following Environmental Assessment (EA) was conducted to determine if the changes proposed by the Project, will trigger any new or more severe significant environmental impacts as compared to those analyzed in the context of EIR396. For the purpose of the following discussion and analysis below, EIR396, EIR396-A1, EIR396-A2, EIR396-A3, EIR396-A4, EIR396-A5, EIR396-A6, EIR396-A7, and EIR396-A8 are jointly referred to as the "Previously Approved Project" or "Previous CEQA Documents."

The EA therefore classifies impacts in one of four ways:

□ Potentially Significant New Impact

This category is utilized for any potentially significant new impact that was not analyzed in Previous CEQA Documents.

☐ Less Than Significant New Impact with Mitigation Incorporated

This category is utilized for any new impacts which were not analyzed or found less than significant in Previous CEQA Documents but are nonetheless found to be less than significant with mitigation incorporated.

This category is also utilized to identify impacts which are equal to or less than the impacts found and analyzed Previous CEQA Documents that require revised or eliminated mitigation measures that are specific to the proposed Project.

Less Than Significant New Impact

This category is utilized for any new impacts which were not analyzed or found in Previous CEQA Documents but which are nonetheless less than significant.

□ No New Impact

This category is utilized for impacts which are equal to or less than the impacts found and analyzed in Previous CEQA Documents.

The result of the EA is that the environmental impacts of the proposed Project, as modified by the Pending Applications, do not require substantial changes to EIR396, will not create any form of significant environmental impacts which were not previously analyzed in the Previous CEQA Documents, nor will the impacts of the modified project be more severe than those already analyzed in the Previous CEQA Documents. Given that fact, the Riverside County Planning Department determined that an Addendum to EIR396 is the proper form of environmental review for the Pending Applications based on the following facts:

- No changes to the overall Specific Plan outer boundaries are being proposed. As a result, the environmental impacts to natural land resources that are associated with the physical boundary of the Project have already been analyzed. For example, potential impacts to agricultural resources, biological resources, cultural resources, geology and soils, hydrology/water quality, and mineral resources would be no greater than the effects that were previously analyzed.
- As demonstrated in detail in Section V. Environmental Issues Assessment of this document, the proposed Project would not require major revisions to the previously-certified EIR396 because the proposed Project would neither result in any new significant impacts to the physical environment that were not already disclosed in the EIR396 nor result in substantial increases in the severity of the environmental impacts previously disclosed in the EIR396.
- The proposed Project would not result in additional dwelling units or intensity than already analyzed in previous CEQA documents. As such, the proposed land uses were accounted for in the aggregate unit count that was used to prepare the Water Supply Assessment for EIR396-A2. Therefore, the proposed Project would not increase water demand beyond what was previously analyzed.
- No land uses are being proposed that will increase the intensity of the site. Therefore, the potential impacts to air quality are no worse than those previously analyzed.
- The proposed Project does not include any revisions to the approved Circulation Plan approved for SP No. 303A4.
- The proposed project will not result in an increase to the number of trips per day than those estimated in EIR396.
- The proposed Project will not substantially alter the present or planned land use of the area, and noise impacts from operations will be similar to those examined previously.
- Subsequent to the certification of EIR396-A8, no new information of substantial importance has become available which was not known or could not have been known at the time it was prepared.
- Mitigation measures identified in EIR396-A8, other than those that have been changed as a result of this EIR Addendum, remain appropriate and feasible for the proposed Project and will still be required, with some additional conditions, upon approval of the Project.

This Introduction, the EA and the mitigation monitoring program collectively make up the Environmental Impact Report No. 396, Addendum No. 9 (EIR396-A9), applicable to the Pending Applications, referred to from this point on as the proposed "Project."

COUNTY OF RIVERSIDE ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: CEQ180127

Project Case Type (s) and Number(s): Tentative Tract Map No. 37261 (Case No. TTM37261), Plot Plan No. 180037 (Case No. PP180037), and Specific Plan No. 303-Amendment No. 4-Substantial Conformance No. 3 (Case No. SP00303S3).

Lead Agency Name: Riverside County Planning Department

Address: P.O. Box 1409, Riverside CA 92502-1409 **Contact Person:** Jason Killebrew, Project Planner

Telephone Number: (951) 955-0314

Applicant's Name: Kohl Ranch Company, LLC

Applicant's Address: 11812 San Vicente Blvd, Suite 510, Los Angeles, CA 90049

I. PROJECT INFORMATION

Project Description:

The proposed Thermal Beach Club (TBC) Project involves development of approximately 123 acres of vacant land within the community of Thermal, County of Riverside, California as reflected in **Figure 1**, **Vicinity Map**. The TBC Project site consists of Assessor Parcel Numbers (APNs) 751-070-034 and is located within The Kohl Ranch Specific Plan No. 303, bound by Avenue 64 to the north, Polk Street to the east, and proposed "Spine Road" to the west and located north of Avenue 66. As discussed in further detail below, some improvements will encroach into the adjacent APN 751-070-033, so the environmental analysis will take into account impacts within an overall area of impact consisting of approximately 250 acres as presented in **Figure 2**, **Aerial Boundary Map**.

The Project proposes the following land use entitlements:

- The Kohl Ranch Specific Plan No. 303, Amendment No. 4, Substantial Conformance No. 3 (SP303S3);
- Tentative Tract Map No. 37269 (TTM37269); and
- Plot Plan No. 180037 (PP180037)
- Change of Zone No. 1900027

The TBC is a proposed private residential development intended for use as vacation homes. There may be some semi-public (non-commercial) events occurring from time to time, however, these events will consist of surfing demonstrations for TBC residents and their guests. The clubhouse, otherwise known as "the Village" will provide amenities to serve the TBC residents and their guests. Developer will be building and selling semi-custom homes to prospective residents. Lots will not be offered for sale individually without the home. Only TBC residents, their families and their guests will have access to the lagoon and surf for recreational purposes.

The proposed Project includes development of an approximately 117 acre site to include a private residential neighborhood surrounding a surfing lagoon with beach and village area. An approximately 30 acre area will provide for development of a surfing lagoon using Crystal Lagoon surf technology along with a village area to be used recreationally by the members of TBC and their guests. The lagoon will be capable of producing 6 waves per second with heights to seven feet.

The lagoon contains water cleaning technology from Crystal Lagoons which will allow the lagoon to remain crystal clear and blue at all times. The lagoon's filtration and monitoring system and patented cleaning process uses two percent of the energy and 100 times less chemicals than is needed by conventional swimming pool filtration systems. The crystal lagoon uses up to 30 times less energy than

a golf course and 50 percent less water than is required by a park of the same size. Additionally, the evaporation control film technology reduces water consumption and evaporation even further. The filtration system will be powered by electricity and will be located in an underground vault, similar to those used by golf courses and Home Owner's Associations throughout the desert. This allows for almost completely silent operation. Additionally, an approximately three acre reservoir will be developed to hold irrigation water to be used for the delivery and retention of canal water for recreational purposes within the surf lagoon. The surf system is an air pressure system that allows the creation of naturally occurring swells just as they occur in the ocean. The system uses commercial grade electric heating, ventilation, and air conditioning (HVAC) type fans to create the pressure changes in chambers that are necessary to create a swell mirroring the oceans natural swell. The system is powered by electricity and the fans are located in enclosed concrete chambers to control air pressure and sound levels.

The village area will allow for future development of various private club amenities including clubhouse, pool, spa, retail, office, and restaurant within four buildings consisting of approximately 34,400 square foot designed to encompass a village type feel and atmosphere. The remaining area of the site will be developed with private roads and private residential neighborhood that will include 326 residential dwelling units to be developed into single family homes, duplex and four-plex units. The development will consisting of 131 medium density dwelling units and 195 high density dwelling units. All landscaping in common area and residential unit yards (both front and back) will be installed and maintained by the TBC.

The TBC community will be designed to discourage use of cars so as to feel like a resort. Its design will encourage the use of walking, bicycles, and electric only golf carts. Each residence will have two to four parking spaces within garages. Some residences will have temporary parking allowed within driveways and all parking located outside of owner's spaces will be limited. The TBC will provide a staff driven golf cart shuttle for residents to be picked up and dropped off at the amenity of their choice. The TBC will also provide travel to offsite amenities such as golf courses to further discourage the need for automobile usage.

The Project site also lies within the Jacqueline Cochran Regional Airport Land Use Compatibility Plan; specifically Compatibility Zones D and E, with a small area in the northwest corner touching Compatibility Zone C as reflected in **Figure 3**, **Airport Compatibility Zones**. The area touching Compatibility Zone C lies within road right-of-way whereby the only roadway improvements will be made; no vertical development will take place. Migratory Geese, due to their size, may present potential impacts to aircraft and health hazards to residents due to the large amounts of fecal matter they leave behind. Thus, the Project includes a Wildlife Mitigation Plan in order to:

- Reduce threats to human health and safety;
- Ensure the health and safety of the residents of the Thermal Beach Club and the adjourning properties including the Jacqueline Cochran Regional Airport;
- Mitigate, as much as possible, the risk of bird strikes to aircraft on approach to and departure from the Jacqueline Cochran Airport;
- Reduce damage to property; and
- Remove birds and or encourage birds to seek other locations more safe and desirable for their occupation.

TBC will incorporate the following measures as part of the project through a Wildlife Mitigation Plan to minimize any potential impacts from geese or other wildlife as follows:

Reservoir

- Will be treated to reduce and or eliminate weeds and all organic matter that attracts birds.
- Floating fountains will be installed in reservoir to maintain water movement to prevent stagnation as this allows for growth of organic material.

Landscaping surrounding the lagoon will be maintained to discourage nesting.

Crystal Lagoon/Surf Lagoon

- Lagoon utilizes water cleaning technology which eliminates all organic matter.
- The crystal lagoon by its nature will not attract water fowl.
- Surf Generation equipment will be generating waves from 1 to 7 feet in height.
- Multiple people will be surfing and enjoying water based activities throughout the day.
- The wave and watersports activities, in combination with the Crystal Lagoon, will create an environment that is unfriendly to birds/water fowl.

Landscape Maintenance

- Landscaping throughout the entire property will be installed and maintained in a manner that will
 not allow nesting to start or provide food for migratory birds.
- Thermal Beach Club will be responsible for managing all landscaping, including all common area and the front and back yard landscaping of all residential units.

Bird Mitigation / Goose Depredation Methods

Bird Mitigation and Goose Depredation programs will follow all licensing requirements of the U.S. Fish & Wildlife Services and the California Department of Fish and Game. The program will utilize multiple methods of non-lethal abatement such as:

- Specially trained birds of prey Hawks and Falcons
- Specially trained dogs which are used in conjunction with the hawks and falcons to condition the Geese that the property is a hostile environment not suitable for nesting.
- Remote controlled devices such as boats are used to encourage the geese to seek water elsewhere.
- Use of Parabolic Speakers for bird harassment.
- Laser Conditioning shows a goose that every time they see a laser it means that a predator is on its way to the goose. The laser is pointed at the ground near the bird and the dog is released to chase the goose. Once the geese know this happens, the laser is extremely effective.
- Removal of nests will be by permit and within the legal limits of such permit.
- A no feeding policy strictly enforced within the community.
- Dedicated staff members employed and trained in bird mitigation tactics.
- Minimum of 5 staff cleaning crystal lagoon 8 hours per day, 7 days per week

In addition to the health and safety benefits of bird abatement, the residents of TBC will have the unique opportunity participate in educational programs relating to the use of Hawks and Falcons in the bird mitigation program where educational events and demonstrations may be provided to residents to enrichen the experience of the TBC residents and their children.

Off-Site Areas

The Project will require approximately 487,000 cubic yards (CY) of import which will be stockpiled just south of the proposed development west of Polk Street, east of "Spine Road" and north of Avenue 60. Approximately 250,000 CY will be obtained from a Coachella Valley Water District (CVWD) basin located approximately three miles to the north within the Kohl Ranch Specific Plan boundary. The haul route will occur along Polk Street which is partially paved. And additional 50,000 to 60,000 CY will be obtained from tribal land located outside of the Kohl Ranch Specific Plan boundary but directly to the east of the Project site. This soil will be pushed across Polk Street during the grading phase. The

remaining 177,000 to 187,000 CY will be obtained from within the Kohl Ranch Specific Plan boundary directly south of the proposed TBC site. This soil will be pushed across to the TBC site during grading.

Additionally, an interim retention basin will be located southeast of the TBC southern boundary just below the proposed "Off-Newport Estates" lots as reflected on TTM37269. The purpose of this interim basin is to retain the incremental increase of runoff from the 100-year storm event. A sand filter bed will be constructed in the bottom of the retention basin to allow percolation into the soil and be treated prior to entering the existing 16-inch tile drain system. Further, this basin will be designed to Riverside County standards to meet the incremental increase drainage.

Specific Plan No. 303, Substantial Conformance No. 3/Change of Zone No. 1900027:

The project entails minor modifications to The Kohl Ranch Specific Plan to allow for a re-configuration of planning areas J-1 through J-8, L-1, L-2, and L-3 to allow for development of the TBC as depicted in **Figure 4, Land Use Plan**. Each planning areas will maintain an acreage variance within 16 to 30 percent and changes to target dwelling unit within each planning area will be no more than 10 percent to maintain consistence with processing of a Substantial Conformance. No land use designation changes are proposed as part of this project.

Tentative Tract Map No. 37269

As reflected in **Figure 5, Tentative Tract Map No. 37269**, the Tract Map will subdivide APN 751-070-034 into 326 lots for residential development consisting of 131 medium density dwelling units and 195 high density dwelling units which will include single family home, duplex units and four-plex units; one lot for reservoir; one lot for a private lagoon with wave making capabilities and future village area, along with private internal streets.

Plot Plan No. 180037

As reflected in **Figure 6**, **Plot Plan No. 180037**, the Plot Plan will allow for development of an approximately 30 acre area for a private lagoon with wave making capabilities and future village area allowing for up to four buildings totaling approximately 34,400 square feet. The future village area will be for use by TBC members and their guests that may include development of spa, exercise and locker areas; pool and deck; retail; restaurant, kitchen and bars; dining area for members; and office area.

Figure 1, Vicinity Map

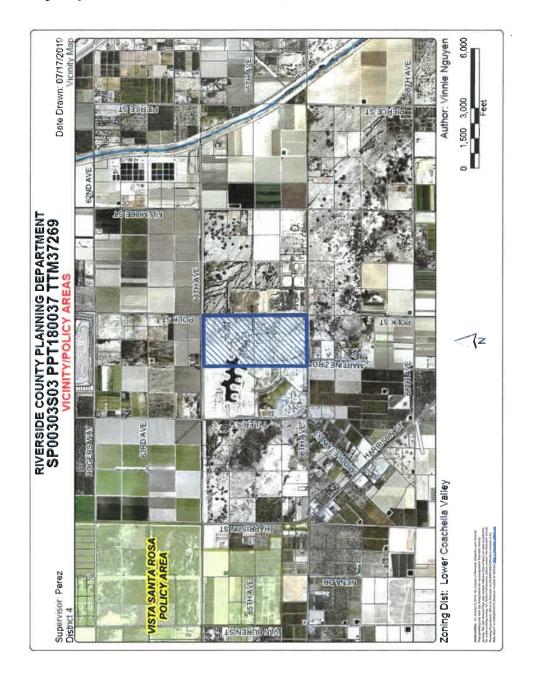


Figure 2, Aerial Boundary Map



Figure 3, Airport Compatibility Zones

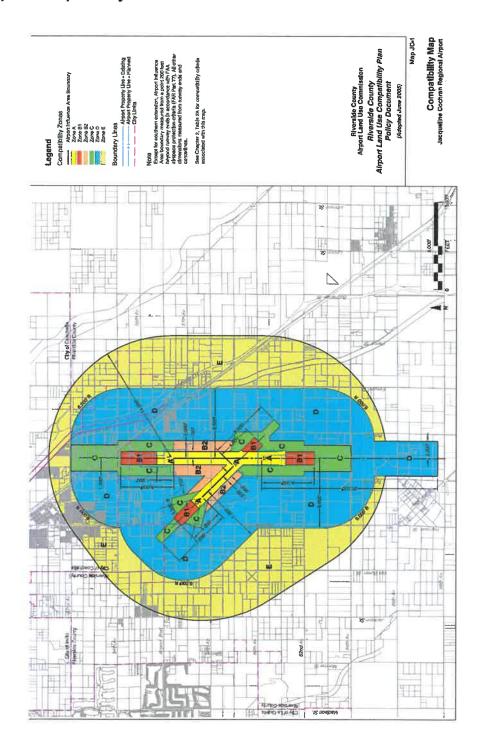


Figure 4, Land Use Plan

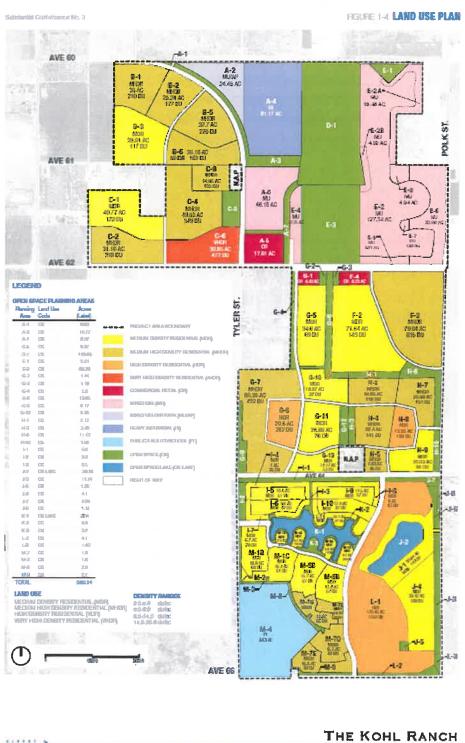




Figure5, TTM37269



Figure 6, PPT180037 (Clubhouse Village)



A.	Type of Project:	Site Specific ⊠;	Countywide ☐;	Community ☐;	Policy .
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B. Total Project Area: Approximately 250 acres as described in project description above.

Residential Acres: 87	Lots: 208	Units: 326	Projected No. of Residents: 1,6041
Commercial Acres: n/a	Lots: n/a	Sq. Ft. of Bldg. Area: n/a	Est. No. of Employees: n/a
Industrial Acres: n/a	Lots: n/a	Sq. Ft. of Bldg. Area: n/a	Est. No. of Employees: n/a
Other: See Project Description	on above		

C. Assessor's Parcel No(s): 751-070-033 and 751-070-034

Street References: The proposed Project is bound by Avenue 64 to the north, Polk Street to the east, proposed "Spine Road" to the west, and located north of Avenue 64, as reflected in **Figure 2**, above.

- D. Section, Township & Range Description or reference/attach a Legal Description: Section 9, Township 7 South, Range 8 East, San Bernardino Baseline and Meridian as reflected in Figure 7, USGS Topographic Map.
- E. Brief description of the existing environmental setting of the project site and its surroundings: The surrounding area is primarily vacant as depicted in Figure 2, above. The Project site is characterized as a vacant lot with elevations ranging from approximately 150 to 168 feet below sea level. The Project site is surrounded by a mix of developed and undeveloped agricultural lands to the north; vacant lands to the east; agricultural, vacant, and scattered sparse rural development to the south; and vacant lands to the east. The Las Palmitas Elementary, Toro Canyon Middle School, and Desert Mirage High Schools are located just under one half mile southwest of the site located at the corner of Tyler Street and Avenue 66. The Salton Sea is located approximately 6.5 miles southeast of the Project site.

¹ Person-per-dwelling unit generation factor of 4.92, per COR GP, Appendix E-2, p. 2.

Figure 7, USGS Topographic Map

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II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

- 1. Land Use: The proposed Project site is designated Community Development: High Density Residential (CD:HDR), Community Development: Medium Density Residential (CD:MDR), Open Space: Open Space (OS:OS), all as reflected on the Land Use Plan for Specific Plan No. 303, and Open Space: Open Space/Lake (OS:OS-Lake). The Project includes minor modifications to The Kohl Ranch Specific Plan No. 303 to allow for a re-configuration of planning areas J-1 through J-8, L-1, L-2, and L-3 to allow for development of the Thermal Beach Club. Per the Specific Plan, each planning areas will maintain an acreage variance that is within 16 to 30 percent and changes to target dwelling unit within each planning area will be no more than 10 percent to maintain consistency with the Kohl Ranch Specific Plan in order to process a Substantial Conformance. No land use designation changes are proposed as part of this Project. Therefore, the proposed Project will not conflict with any General Plan Land Use polices.
- **2. Circulation:** No circulation changes are proposed. Thus, no policies are applicable and the proposed Project will not conflict with any General Plan Circulation Element policies.
- 3. Multipurpose Open Space: The proposed Project will not conflict with areas identified for conservation, preservation, or reservation within the Multipurpose Open Space Element. The proposed Project is located within the boundaries of the Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) but is not located within any CVMSHCP conservation area. The proposed Project will not conflict with any General Plan Multipurpose Open Space polices.
- 4. Safety: The proposed Project site is not located within a Fault Zone but could be subjected to ground shaking, is within an active subsidence zone, and has a high potential for liquefaction. In addition, it is located within the Jacqueline Cochran Regional Airport Influence Policy Area. The propped Project is located within a 100-year flood plain but will be designed to accept conditions of a 100-year storm event. The proposed Project is located in an area considered to be at very low susceptibility for wildfire. All structures will be required to comply with all applicable local and state regulations including the California Building Code to ensure the health and safety.

There are no known hazardous waste sites in the area but the uses proposed within the proposed Project site and other sites within the vicinity that handle hazardous materials will be required to comply with all applicable state and local laws concerning the handling, storage and disposal of hazardous wastes. As the proposed Project lies directly south of the Jacqueline Cochran Regional Airport, it is within the influence area. The project is consistent will all ALUC Zone D requirements and has incorporated all of ALUC's recommended conditions. Thus, the project is consistent with the Jacqueline Cochran Regional Airport so does not conflict with any County of Riverside General Plan (GP) policies pertaining to airport hazards.

- 5. Noise: Noise impacts from the proposed Project will be generated during construction, from future on-site activities, and from future Project specific traffic that will occur as a result of the Project. During the lifetime of the Project, noise impacts to the Project site will be generated from vehicular-sourced noise from nearby roadways. Further, with implementation of mitigation measures the Project will not conflict with any General Plan Noise Element policies.
- **6. Housing:** Implementation of the proposed Project does not entail the displacement of significant numbers of existing housing nor does it create a need for new housing; thus, the proposed Project will not conflict with General Plan Housing Element policies

- 7. Air Quality: The proposed Project includes site preparation and construction-related activities. The proposed Project will comply with all applicable regulatory requirements to control fugitive dust during construction and grading activities and will not conflict with policies in the General Plan Air Quality Element.
- 8. Healthy Communities: The Project site is surrounded by a mix of developed and undeveloped land with agricultural lands to the north; vacant lands to the east; agricultural, vacant, and scattered sparse rural development to the south; and vacant lands to the east. The Las Palmitas Elementary, Toro Canyon Middle School, and Desert Mirage High Schools are located adjacent to the Project site at the corner of Tyler Street and 66th Avenue. The Project site is not adjacent to city or county boundaries. The Project is located within the Thermal Community but is not located within an established community that would be divided or disrupted by the Project. Nonetheless, the proposed Project will mitigate impacts to ensure Project will not conflict with any Heathy Community Element policies.
- 9. Environmental Justice (After Element is Adopted): N/A
- **B. General Plan Area Plan(s):** The proposed Project site is located within the Eastern Coachella Valley Area Plan (ECVAP).
- **C. Foundation Component(s):** The proposed Project site is located within the Community Development and Open Space Foundation Components.
- D. Land Use Designation(s): The Project's land use designations from SP303A4 are Community Development: High Density Residential as reflected on the Land Use Plan for Specific Plan No. 303 (CD:HDR), Community Development: Medium Density Residential as reflected on the Land Use Plan for Specific Plan No. 303 (CD:MDR), Open Space: Open Space (OS:OS), and Open Space: Open Space/Lake (OS:OS-Lake).
- E. Overlay(s), if any: N/A
- F. Policy Area(s), if any: N/A
- G. Adjacent and Surrounding:
 - 1. General Plan Area Plan(s): Eastern Coachella Valley Area Plan (ECVAP)
 - 2. Foundation Component(s): Community Development (CD) and Open Space (OS)
 - 3. Land Use Designation(s): General Plan adjacent and surrounding land use designations are as follows: Open Space: Open Space-Conservation (OS:OS-C) and Community Development: Medium Density Residential (CD:MDR) to the North as reflected on the Land Use Plan for Specific Plan No. 303; Community Development: Very High Density Residential (CD:VHDR), Community Development: Medium High Density Residential (CD:MHDR), Open Space: Open Space-Conservation (OS:OS-C), Community Development: Medium Density Residential (CD:MDR), Community Development: Commercial Retail (CD:CR), and Community Development: Public Facility (CD:PF) to the West as reflected on the Land Use Plan for Specific Plan No. 303; and Torres-Martinez Reservation to the East and South.
 - 4. Overlay(s), if any: NA
 - 5. Policy Area(s), if any: N/A
- H. Adopted Specific Plan Information
 - **1. Name and Number of Specific Plan, if any:** Kohl Ranch Specific Plan No. 303, Amendment No. 4 (SP303A4)
 - 2. Specific Plan Planning Area, and Policies, if any: Planning Areas J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1, L-2, and L-3
- I. Existing Zoning: Specific Plan (Kohl Ranch Specific Plan No. 303)

- J. Proposed Zoning, if any: No zone change proposed at this time, but the internal Specific Plan boundaries of the above-listed Planning Areas are being adjusted.
- K. Adjacent and Surrounding Zoning: Specific Plan (SP), Heavy Agriculture (A-2-10), and Light Agriculture (A-1-10).

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I find that although all potentially significant effects have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, some changes or additions are
necessary but none of the conditions described in California Code of Regulations, Section 15162 exist.
An ADDENDUM to a previously-certified EIR or Negative Declaration has been prepared and will be
considered by the approving body or bodies.
I find that at least one of the conditions described in California Code of Regulations, Section 15162
exist, but I further find that only minor additions or changes are necessary to make the previous EIR
adequately apply to the project in the changed situation; therefore a SUPPLEMENT TO THE
ENVIRONMENTAL IMPACT REPORT is required that need only contain the information necessary to
make the previous EIR adequate for the project as revised.
I find that at least one of the following conditions described in California Code of Regulations, Section 15162, exist and a SUBSEQUENT ENVIRONMENTAL IMPACT REPORT is required: (1)
Substantial changes are proposed in the project which will require major revisions of the previous EIR
or negative declaration due to the involvement of new significant environmental effects or a substantial
increase in the severity of previously identified significant effects; (2) Substantial changes have occurred
with respect to the circumstances under which the project is undertaken which will require major
revisions of the previous EIR or negative declaration due to the involvement of new significant
environmental effects or a substantial increase in the severity of previously identified significant effects;
or (3) New information of substantial importance, which was not known and could not have been known
with the exercise of reasonable diligence at the time the previous EIR was certified as complete or the
negative declaration was adopted, shows any the following:(A) The project will have one or more
significant effects not discussed in the previous EIR or negative declaration; (B) Significant effects
previously examined will be substantially more severe than shown in the previous EIR or negative
declaration; (C) Mitigation measures or alternatives previously found not to be feasible would in fact be
feasible, and would substantially reduce one or more significant effects of the project, but the project
proponents decline to adopt the mitigation measures or alternatives; or,(D) Mitigation measures or
alternatives which are considerably different from those analyzed in the previous EIR or negative
declaration would substantially reduce one or more significant effects of the project on the environment,
but the project proponents decline to adopt the mitigation measures or alternatives.
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9 9 2019
Signature
Jason Killebrew 9/9/2019
Printed Name

V. ENVIRONMENTAL ISSUES ASSESSMENT

analyzed in EIR396.

The County prepared the following Environmental Checklist as suggested by Section 15164(d) of the State CEQA Guidelines. The State CEQA Guidelines include a suggested checklist to indicate whether the conditions set forth in Section 15162 of the State CEQA Guidelines, which would require a subsequent or supplemental EIR, are met and whether there would be new significant impacts resulting from the Project not examined in the previously certified EIR396.

There are four possible responses to each of the environmental issues included on the Environmental Checklist.

Potentially Significant New Impact
This category is utilized for any potentially significant new impact that was not analyzed in EIR396.
Less than Significant New Impact with Mitigation Incorporated
This category is utilized for any new impacts which were not analyzed or found less than significant in EIR396, but are nonetheless found to be less than significant with mitigation incorporated.
This category is also utilized to identify impacts which are equal to or less than the impacts found and analyzed EIR396, that require revised or eliminated mitigation measures that are specific to the proposed Project.
Less than Significant New Impact
This category is utilized for any new impacts which were not analyzed or found in EIR396, but which are nonetheless less than significant.
No New Impact

The Environmental Checklist and accompanying responses provide the information and analysis necessary to assess relative environmental impacts of the proposed Project in the context of environmental impacts addressed for Kohl Ranch Specific Plan No. 303, Amendment No. 4, Substantial Conformance No. 3 (SP303S3) in the previously certified EIR531. In doing so, the County will determine the extent of additional environmental review, if any, for the current Project.

This category is utilized for impacts which are equal to or less than the impacts found and

Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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Source(s): CALTRANS, EIR396, GP

Findings of Fact:

- a) EIR396 Conclusion: No Impact. EIR396 determined that no scenic highway corridors would be affected by the project (EIR396, Appendix A, p. 9). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396. EIR396 and EIR396-A1 through EIR396-A8 are collectively referred to as "the prior CEQA documents."
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed. There are no scenic highways within the vicinity of the Project area (GP, Figure C-8). No new scenic highways have been designated in the vicinity since EIR531 was prepared. A section of State Route 111 that has been designated "Eligible State Scenic Highway Not Officially Designated" is approximately 3.3 miles east of the Project site (CALTRANS). Since this is not officially designated, this does not impact the Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.
- b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would not obstruct any prominent scenic vista or view open to the public, or result in the creation of an aesthetically offensive site open to public view (EIR396, Appendix A, p. 9). EIR396 determined, with the implementation of Mitigation Measure C13-1, there would be no impact to scenic resources (EIR396, pp. V-190 V-191). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed. The proposed Project contains no major rock outcroppings, trees, or unique or landmark features and continues to include Planning Standards and Design Guidelines which will ensure the proposed Project results in an aesthetically pleasing area and views of the surrounding scenic resources are not obstructed by the proposed Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would not obstruct any prominent scenic vista or view open to the public, or result in the creation of an aesthetically offensive site open to public view (EIR396, Appendix A, p. 9). EIR396 determined that the project would alter visual aspects of the project site, but Mitigation Measure C13-1 would ensure architectural and landscaping consistency in proposed projects by creating a unique and unifying theme throughout the area (EIR396, p. V-191).

No New Impact. The proposed Project lies within the same area as previously analyzed, and does not change the land use designations, zoning, or land use intensity of the site from what was analyzed in the prior CEQA documents. The Project is located in the community of Thermal, which is an unincorporated area of Riverside County. Per CEQA Guidelines Section 21071, an unincorporated area is considered urbanized area if it satisfies criteria (1) and (2) below.

- (1) The unincorporated area is either A or B below:
 - (A) Completely surrounded by one of more incorporated cities and both of the following are met:
 - The population of the unincorporated area and the population of the surrounding incorporated city or cities equals not less than 100,000 persons.
 - The population density of the unincorporated area at least equals the population density of the surrounding city or cities.
 - (B) Located within an urban growth boundary and has an existing residential population of at least 5,000 persons per square mile. An "urban growth boundary" means a provision of a locally adopted general plan that allows urban uses on one side of the boundary and prohibits urban uses on the other side.
- (2) The board of supervisors with jurisdiction over the unincorporated area has previously taken both of the following actions:
 - (A) Issued a finding that the general plan, zoning ordinance, and related policies and programs applicable to the unincorporated area are consistent with principles that encourage compact development in a manner that does both of the following:
 - Promotes efficient transportation systems, economic growth, affordable housing, energy efficiency, and an appropriate balance of jobs and housing.
 - Protects the environment, open space, and agricultural areas.
 - (B) Submitted a draft finding to the Office of Planning and Research at least 30 days prior to issuing a final finding, and allowed the office 30 days to submit comments on the draft findings to the board of supervisors.

The community of Thermal is surrounded by unincorporated communities to the west, east, and south. The only city adjacent to the community of Thermal is the City of Coachella to the north. Since Thermal does not meet criteria (1) above, Thermal is considered a non-urbanized area. Consistent with the findings of the prior CEQA documents, the proposed Project will not degrade the existing visual character or quality of the area or the surrounding properties. Mitigation Measure C13-1 remain in effect and ensure that the development of the Project site provides a visual character that is consistent with other developments within the Kohl Ranch SP. Thus, Mitigation Measure C13-1 remains in effect for the proposed Project to ensure impacts remain less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
Mitiga	ation:	All mitigation measures related to this issue to documents remain in effect as they are not affect				CEQA
<u>Monit</u>	oring:	Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.
2.	Mt. a)	Palomar Observatory Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?				
Sourc	ce(s):	EIR396, ORD 655, RCIT				
Findi	ngs c	of Fact:				
a)	imp C13	396 Conclusion: Less Than Significant with Mitigati acts would be less than significant with the implen 3-8, C13-11, and C13-12 (EIR396, pp. V-192 – ermined there to be no impacts beyond what was a	nentation of V-194). EIF	f Mitigation M R396-A1 thro	leasures C	:13-7,
	loca obs the Mea prev	New Impact. The proposed Project lies within the sated within Zone B of the Mt. Palomar Nighttime Light ervatory is approximately 43.4 miles southwest of the regulatory requirements of Ordinance No. 655 (OR asure C13-11 and C13-12, the proposed Project within analyzed. Therefore, no new or substant posed Project beyond those analyzed by the prior Cosed Project Button Project	nting Policy A he Project s RD 655) and ill not result ially increas	Area (RCIT); lite. Through implementat in impacts be sed impacts	the Mt. Pal compliance tion of Mitig eyond wha	lomar e with gation t was
Mitiga	ation:	All mitigation measures related to this issue t documents remain in effect as they are not affect				AQA
<u>Monit</u>	oring:	Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.
3.	Otho a)	er Lighting Issues Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?				\boxtimes
	b)	Expose residential property to unacceptable light levels?				
Sourc	e(s):	EIR396, ORD 655				
Findi	ngs o	f Fact:				
a-b)	imp. thro	396 Conclusion: Less Than Significant with Mitigatiacts would be less than significant with the impleingh C13-12 (EIR396, pp. V-192 – V-194). EIR396- e no impacts beyond what was analyzed in EIR396-	mentation o A1 through	f Mitigation N	Aeasures C	213-2
	doe refe	New Impact. The proposed Project lies within the s not result in an increase in intensity. Low prescrenced in Riverside County Ordinance No. 655 (Odential uses as well as to surrounding properties	ssure sodiui RD 655). Sj	m lighting wi pill of light on	II be utilize to the prop	ed as osed

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than significant levels by using hoods and other design features on light fixtures used within the proposed Project and through implementation of Mitigation Measures C13-2 - C13-9, C13-11, and C13-12, and as required through standard County conditions of approval, plan checks,

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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permitting procedures, and code enforcement. Daytime glare will be reduced through the implementation of Mitigation Measure C13-10. Thus, Mitigation Measures C13-2, and C13-9 through C13-12 remain in effect for the proposed Project to ensure impacts remain less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

AGF	RICUL	TURE & FOREST RESOURCES Would the project:		
4.	Agri	culture		
	a)	Convert Prime Farmland, Unique Farmland, or Farmland of Statewide Importance (Farmland) as shown on the maps prepared pursuant to the Farmland Mapping and Monitoring Program of the California Resources Agency, to non-agricultural use?		\boxtimes
	b)	Conflict with existing agricultural zoning, agricultural use or with land subject to a Williamson Act contract or land within a Riverside County Agricultural Preserve?		\boxtimes
	c)	Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?		
	d)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of Farmland to non-agricultural use?		\boxtimes

Source(s): DOC, EIR396, FMMP, RCIT

Findings of Fact:

- a) EIR396 Conclusion: Significant and Unavoidable. EIR396 determined that the project would result in the loss of Prime Farmland, Farmland of Statewide Importance, and Farmland of Local Importance (EIR396, p. V-74). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed. As depicted on the California Department of Conservation's Farmland Mapping and Monitoring Program (FMMP), the Project site is located only within Farmland of Local Importance. Since the Project site does not have any land designated as Prime, Unique, or Farmland of Statewide Importance, no conversion of Farmland to non-agricultural use will occur. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.
- b-d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would have significant impacts with the implementation of Mitigation Measures C2-1 through C2-3 (EIR396, pp. V-75 V-77). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
	Incorporated		

No New Impact. The proposed Project lies within the same area as previously analyzed and is located only in Farmland of Local Importance. No new areas will be affected or result in the loss of Farmland. No new Williamson Act contracts have been enacted within the proposed Project since 1996 and no active Williamson Act contracts currently exist within the site (DOC). The Project does not propose to change the zoning designations of the property. Per the Riverside County Map Viewer (RCIT), The Project is not located in a Riverside County Agricultural Preserve. With implementation of Mitigation Measures C2-1 through C2-3, the proposed Project would not result in impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

5.	For	est		
	a)	Conflict with existing zoning for, or cause rezoning of, forest land (as defined in Public Resources Code section 12220(g)), timberland (as defined by Public Resources Code section 4526), or timberland zoned Timberland Production (as defined by Govt. Code section 51104(g))?		
	b)	Result in the loss of forest land or conversion of forest land to non-forest use?		\boxtimes
	c)	Involve other changes in the existing environment which, due to their location or nature, could result in conversion of forest land to non-forest use?		

Source(s): EIR396

Findings of Fact:

a-c) EIR396 Conclusion: Not analyzed because these thresholds were not applicable at the time of EIR396. EIR396-A1 through EIR396-A8 determined there to be no impacts to forest land so there were no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and does not include areas of native tree cover or timber production and is not presently zoned to support this type of use. The Project does not propose to change the zoning of the property. The proposed Project would not result in impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. <u>Monitoring</u>: None required.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
ΔIR	QUA	LITY Would the project:				
6.		Quality Impacts				
	a)	Conflict with or obstruct implementation of the applicable air quality plan?				
	b)	Result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard?				
	c)	Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?				
	d)	Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?				

Source(s): EIR396, EIR396-A2, SCAQMD 2003, SCAQMD 2016, SCAQMD 402, WEBB-A,

Findings of Fact:

a) EIR396 Significant and Unavoidable. Even with the implementation of Mitigation Measures C6-11 and C6-14, there would still be significant impacts to the applicable South Coast Air Quality Management District's (SCAQMD) 1994 Air Quality Management Plan (AQMP) (EIR396, pp. V-113, V-122 – V-123, V-131). Short-term air quality impacts would still be significant even with the implementation of Mitigation Measures C6-1 through C6-5 (EIR396, pp. V-114 – V-116). Long-term air quality impacts would still be significant with the implementation of Mitigation Measures C6-6 through C6-10, and C6-12 (EIR396, pp. V-116 – V-118, V-125 – V-126). In addition to the above mentioned mitigation measures, EIR396-A2 identified Mitigation Measures MM Air 1 through MM Air 6 to help reduce impacts specifically for the Thermal Motorsports Park Race Track (analyzed in comparison to SCAQMD's more recent 2007 AQMP), however, impacts are still significant even with this additional mitigation (EIR396-A2, pp. 45-46). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed in the prior CEQA documents. The Project site is under the jurisdiction of SCAQMD. The SCAQMD has adopted a series of AQMPs to reduce air emissions in its jurisdiction. When EIR396 was certified, SCAQMD's 1994 AQMP was the applicable air quality plan, and the 2007 AQMP was considered in EIR396-A2. Since that time, SCAQMD has adopted several updates to the AQMP, including the 2016 AQMP which was approved in March 2017 and is in effect at this time (SCAQMD 2016). For purposes of evaluation and to determine whether the proposed Project may have the potential to result in any new or more severe air quality impacts than disclosed in the prior CEQA documents, consistency with the 2016 AQMP, which is applicable today, is discussed below.

The proposed Project lies within the same area as previously analyzed and does not propose to change the land use or increase the site intensity or number of dwelling units beyond what was already analyzed in the prior CEQA documents. The Project will not result in air pollutant emissions that were not anticipated by the 2016 AQMP and will not exceed the AQMP's long-term growth assumptions because the Project will implement the same land uses contemplated in the prior CEQA documents on the Project site. As such, the proposed Project was accounted for in the regional growth projections that were used to prepare the 2016 AQMP. Therefore, no

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new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Threshold did not previously exist, however at the time the Project site was located within the Southeast Desert Air Basin (SEDAB) under the jurisdiction of the South Coast Air Quality Management District (SCAQMD). The SEDAB, comprised of the eastern portion of San Bernardino, Riverside, Kern, Los Angeles and San Diego Counties, and all of Imperial County, continued to exceed state and national ambient air quality standards (NAAQS) on more than 150 days annually, despite efforts to control emissions from stationary pollutant sources and motor vehicles (EIR396, p. V-105). EIR396-A2 demonstrated that, after the incorporation of mitigation measures and with emissions reductions utilized in EIR396, projected short-term emissions from construction were below applicable SCAQMD daily regional thresholds. It also determined that the operational emissions would exceed SCAQMD operational thresholds for volatile organic compounds (VOCs), nitrogen oxide (NOx), and carbon monoxide (CO); thus, the Project's incremental contribution to criteria pollutant emissions for which the region is non-attainment, were also considered to be cumulatively considerable (EIR396-A2, p. 46).

Less than Significant New Impact with Mitigation Incorporated. An Air Quality Analysis was prepared by Albert A. Webb Associates dated June 12, 2019 (WEBB-A). WEBB-A was prepared to evaluate whether the expected criteria air pollutant emissions generated as a result of construction (short-term) and operation (long-term) of the proposed Project would cause exceedances of SCAQMD's thresholds for air quality in the Project area. The Project's applicable SCAQMD regional daily significance thresholds for construction and operation for criteria pollutants VOC, NO_x, CO, sulfur dioxide (SO₂), particulate matter 10 micrometers or less in diameter (PM-10), and particulate matter 2.5 micrometers or less in diameter (PM-2.5), are shown on Table 1 of WEBB-A. SCAQMD considers the thresholds for project-specific impacts and cumulative impacts to be the same (SCAQMD 2003). Consequently, projects that exceed project-specific significance thresholds are considered by SCAQMD to be cumulatively considerable. A discussion of the Project's potential short-term construction-period and long-term operational-period air quality impacts is provided below.

Construction Emissions

Construction emissions from Project construction were evaluated in WEBB-A using the California Emissions Estimator Model (CalEEMod) version 2016.3.2 and reflect a worst-case scenario for maximum daily construction emissions, meaning the Project emissions are expected to be equal to or less than the estimated emissions of SCAQMD criteria pollutants. The estimated construction period for the proposed Project is three consecutive phases over approximately five years, beginning no sooner than November 2019. Construction related emissions may result from construction activities involving: site preparation, stockpiling, grading, building construction, paving, and painting (architectural coatings) (WEBB-A, pp. 2-3).

Based on WEBB-A, peak daily construction emissions from the Project will not exceed any SCAQMD criteria pollutant thresholds for Phase 2 and Phase 3 of the Project's construction. In Phase 1, peak daily construction emissions of NO_x will exceed the SCAQMD threshold (WEBB-A, Table 2). However, the implementation of mitigation measures **MM AQ 1** and **MM AQ 3** will reduce NO_x emissions from Project construction:

MM AQ-1: Where physically and economically feasible, electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce

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associated construction emissions. Feasibility shall be determined by the Department of Building and Safety's Grading Division prior to issuance of grading permits.

MM AQ 2: To reduce potential fugitive dust emissions associated with the unpaved portions of the soil import haul road on Polk Street south of 62nd Avenue, the Project shall pave Polk Street prior to any soil hauling activities. The construction specifications shall be reviewed by the County's Building and Safety Department for compliance with this mitigation measure prior to issuance of grading permit.

MM AQ-3: To reduce NO_X emissions associated with off-road construction equipment during grading, heavy-duty construction equipment greater than 75 horsepower (i.e., scrapers, graders, and excavators) shall be certified to meet or exceed United States Environmental Protection Agency (USEPA) Tier 3 standards. Proof of compliance shall be reviewed by the Department of Building and Safety's Grading Division prior to issuance of a grading permit. An exemption from this requirements may be granted by Riverside County in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Riverside County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.

Construction-Related Localized Air Quality Impacts

As part of the SCAQMD's environmental justice program, attention has been focused on localized effects of air quality. Staff at SCAQMD has developed localized significance threshold (LST) methodology that can be used by public agencies to determine whether or not a project may generate significant adverse localized air quality impacts (both short- and long-term). LSTs represent the maximum emissions from a project that will not cause or contribute to an exceedance of the state ambient air quality standard, and are developed based on the ambient concentrations of that pollutant in the local area. According to the LST methodology, only onsite emissions need to be analyzed. Emissions associated with vendor and worker trips are mobile source emissions that occur off site, and thus are not included in the LST analysis. The emissions analyzed under the LST methodology are NO_x, CO, PM-10, and PM-2.5. The LST thresholds are estimated using the maximum daily disturbed area (in acres) and the distance of the Project to the nearest sensitive receptors (in meters) (WEBB-A, p. 7).

According to the LST methodology, LSTs only apply to the long-term (operational) impacts if a project includes stationary sources or attracts mobile sources that may spend long periods of time idling at the site, such as warehouse/transfer facilities. The proposed Project does not include such uses. Therefore, due to the lack of stationary source emissions or on-site mobile equipment, no long-term (operational) LST analysis is needed (WEBB-A, p. 9). The LST analysis described below is applicable to short-term (construction) emissions.

Per WEBB-A, peak daily emissions will not exceed SCAQMD's LST thresholds for Phase 2 and 3. In Phase 1, peak daily emissions of PM-10 will exceed its LST threshold (WEBB-A, Table 5 and Table 6). Implementation of mitigation measure **MM AQ 3** reduces LST emissions of PM-10 to be under its LST threshold (WEBB-A, pp. 10-12), and thus impacts are less than significant.

Operational Emissions

Potentially	Less than	Less	No
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Long-term (operational) emissions are evaluated at build-out of a project. The Project is assumed to be operational at the end of each phase in 2020 (Phase 1), 2022 (Phase 2), and 2024 (Phase 3). Operational activities associated with the proposed Project may result in emissions of SCAQMD criteria pollutants VOC, NO_X, CO, SO₂, PM-10, and PM-2.5. Operational emissions may be expected from area source emissions, energy source emissions, and mobile source emissions (WEBB-A, p. 6). Peak daily emissions from the Project's operation will not exceed SCAQMD thresholds (WEBB-A, Table 3 and Table 4), and thus impacts are less than significant.

In conclusion, the Project will not result in a cumulatively considerable net increase of any criteria pollutant for which the project region is non-attainment under an applicable federal or state ambient air quality standard. All mitigation measures from the prior CEQA documents remain in effect, with the exception of MM Air 1 through MM Air 6, which are only specifically applicable to the Thermal Motorsports Park Race Track as discussed in EIR396-A2 (EIR396-A2, pp. 45-46). With the incorporation of mitigation measures MM AQ-1 through MM AQ-3 impacts are less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed in the prior CEQA documents.

c) EIR396 Conclusion: Less Than Significant. EIR396 determined that impacts are less than significant with no mitigation measures required (EIR396, pp. V-119 – V-122). The project is not located within one mile of a point source emitter or significant point source emissions (EIR396, Appendix A, p. 7). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less than Significant New Impact with Mitigation Incorporated. As described in Threshold above. localized air quality impacts are analyzed SCAQMD's LST thresholds. The LST thresholds are estimated using the maximum daily disturbed area (in acres) and the distance of the Project to the nearest sensitive receptors (in meters). The closest existing sensitive receptors to the Project site are the existing residences approximately 270 feet (83 meters) south of 66th Avenue. However, there are several sensitive receptors located adjacent to the haul route along Polk Street. There is also a school at the corner of Tyler Street and 66th Avenue containing an elementary school, middle school, and high school approximately 250 meters west of the Project site and the stockpile area. Additionally, on-site residences (constructed during Phase 1) may also be occupied during construction of Phase 2 and 3 (WEBB-A, p. 7).

To provide a conservative analysis, the closest receptor distance was chosen. According to LST methodology, projects with boundaries closer than 25 meters to the nearest receptor should use the LSTs for receptors located at 25 meters. Therefore, a receptor distance of 25 meters (85 feet) was used (WEBB-A, pp. 7-8). Per WEBB-A, peak daily emissions will not exceed SCAQMD's LST thresholds for Phase 2 and 3. In Phase 1, peak daily emissions of PM-10 will exceed its LST threshold (WEBB-A, Table 5 and Table 6). Implementation of mitigation measure MM AQ 3 reduces LST emissions of PM-10 to be under its LST threshold (WEBB-A, pp. 10-12), and thus impacts are less than significant. The Project will not expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed in the prior CEQA documents.

d) EIR396 Conclusion: No Impact. EIR396 determined that no objectionable odors would be created (EIR396, Appendix A, p. 7). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially	Less than	Less	No
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Impact	with Mitigation Incorporated	New Impact	

No New Impact. The proposed Project lies within the same area as previously analyzed and does not change any land use designations or increase the Project site's land use intensity. Thus, the proposed Project does not add any sources of objectionable odors. The proposed Project may have the potential to produce odors during construction activities resulting from construction equipment exhaust, and/or the application of architectural coatings; however, standard construction practices will minimize the odor emissions and their associated impacts. Furthermore, any odors emitted during construction will be temporary, short-term, and intermittent in nature, and will cease upon the completion of the construction activities. In addition, construction activities on the Project site is required to comply with SCAQMD Rule 402, which prohibits the discharge of odorous emissions that would create a public nuisance (SCAQMD 402). Accordingly, the proposed Project will not create objectionable odors affecting a substantial number of people during construction, and short-term impacts will be less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed in the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the Mitigation Monitoring Report.

		CAL RESOURCES Would the project:	4		
7.	Wild a)	dlife & Vegetation Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?			\boxtimes
	b)	Have a substantial adverse effect, either directly or through habitat modifications, on any endangered, or threatened species, as listed in Title 14 of the California Code of Regulations (Sections 670.2 or 670.5) or in Title 50, Code of Federal Regulations (Sections 17.11 or 17.12)?			- 🗆
	c)	Have a substantial adverse effect, either directly or through habitat modifications, on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations, or by the California Department of Fish and Wildlife or U. S. Wildlife Service?			
	d)	Interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery sites?			
	e)	Have a substantial adverse effect on any riparian habitat or other sensitive natural community identified in local or regional plans, policies, and regulations or by the California Department of Fish and Game or U. S. Fish and Wildlife Service?		<u> </u>	\boxtimes

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
f)	Have a substantial adverse effect on State or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means?				
g)	Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?				

Source(s): DUDEK-A, DUDEK-B, EIR396, ORD 559

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant. EIR396 determined, at the time of its adoption, that the project was not located within any approved local, regional, or state conservation plan, or local policies or ordinances protecting biological resources (EIR396, p. V-80, V-88 – V-89). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. However, since the adoption of EIR396, Coachella Valley Multiple Species Habitat Conservation Plan (CVMSHCP) was adopted. The Project area is now located within the boundaries of the CVMSHCP. The CVMHSCP is a habitat conservation plan pursuant to Section 10(a) of the federal Endangered Species Act, which authorizes the issuance of take permits and establishes standards for the content of habitat conservation plans. It is also a natural community conservation plan pursuant to California Fish and Game Code Section 2835, which authorizes the California Department of Fish and Wildlife (CDFW) to permit the take of any covered species whose conservation and management are provided for in an approved natural community conservation plan. Compliance with the CVMSHCP (and associated permits) provides permittees with take authorization for covered species so long as the activity is covered by the CVMSHCP. Covered species include listed and non-listed species that are adequately conserved by the CVMSHCP. The proposed project is a covered activity under the CVMSHCP and would receive coverage for impacts to covered species. The project is not located within or adjacent to any designated Conservation Areas. The nearest Conservation Area is located approximately 2.1 miles east of the Project. The Project site is mapped as Agriculture in the CVMSHCP and is within a Specific Plan Zone as mapped by the County zoning ordinance. (DUDEK-A, p. 2).

A Biological Resources Assessment was prepared by Dudek in April 15, 2019 (DUDEK-A). The lead agency for this Project is the County of Riverside, which is a permittee of the CVMSHCP. Compliance with Sections 4.5, 9, and 10 of the CVMSHCP provides permittees with take authorization for Covered Species for all Covered Activities, which includes development outside of Conservation Areas. The Project area is outside of a Conservation Area so Avoidance, Minimization, and Mitigation Measures for Covered activities within Conservation Areas, defined under Section 4.4 of the CVMSHCP does not apply. (DUDEK-A, p. 10).

Section 4.5

Section 4.5 of the CVMSCHP provides Land Use Adjacency Guidelines for new land uses adjacent to Conservation Areas. The project is not located adjacent to a Conservation Area. Thus, these measures do not apply.

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Section 9

Section 9 of the CVMSHCP sets forth species-specific Conservation Goals and Objectives for each of the Covered Species. The following species was determined to have at least a moderate potential to occur within the study area and are Covered Species under the CVMSHCP: crissal thrasher. For this species, Section 9 of the CVMSHCP does not indicate any additional avoidance, minimization, or mitigation measures for areas outside of the Conservation Areas. Similarly, the permits do not provide any additional conditions for these species. The CVMSHCP shows modeled habitat overlapping a very small area located along the eastern edge of the Project area for crissal thrasher. As noted previously, Section 9 of the CVMSHCP does not identify any avoidance, minimization, or mitigation measures for areas outside of the Conservation Areas for crissal thrasher. Thus, the Project is consistent with Section 9.

Section 10

Section 10 of the CVMSHCP sets forth Conservation Goals and Objectives for each of the Covered Natural Communities. Covered natural communities present in the study area include arrowweed scrub, desert saltbush scrub, desert sink scrub, and mesquite hummocks. No measures are required outside of Conservation Areas for these communities. Payment of CVMSHCP development fee would provide coverage for sensitive natural communities that will be impacted. In addition, a fee is required for all projects located within the CVMSHCP Plan Area. Thus, with payment of this fee through implementation of mitigation measure C3-2, the Project would be consistent with the CVMSHCP Section 10. (DUDEK-A, pp. 10-11). Therefore, with implementation of mitigation already in effect, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b-c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Impacts to all endangered, threatened, candidate, sensitive, and/or special status species are less than significant, with the exception of the burrowing owl, which is a sensitive species. Mitigation Measure C3-1 reduces potential impacts to the burrowing owl and any other potentially sensitive species to less than significant (EIR396, pp. V-91 – V-93). EIR396-A2 added Mitigation Measure C3-2 to ensure payment of CVMSHCP fees (EIR396-A2, p. 171). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. The proposed Project lies within the same area previously analyzed. A Biological Resources Assessment was prepared by Dudek in April 15, 2019 (DUDEK-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer, totaling approximately 309 acres as depicted in Figure 2 above. As discussed in the prior CEQA documents, Burrowing owl (*Athene cunicularia*), a California Species of Special Concern, has the potential to occur on site. Potential for occurrence is considered low due to the absence of suitable burrows and soils, however this species is known to occur within the vicinity of the Project and to use the Project area for foraging (DUDEK-A, p. 12). Burrowing owl is covered under the CVMSHCP, and it is also protected under the Migratory Bird Treaty Act and the California Fish and Game Code (Section 3516) protecting nesting birds; therefore, a preconstruction burrowing owl survey is recommended (DUDEK-A, p. 12). To ensure impacts remain less than significant, mitigation measure C3-1 will be revised as follows:

Mitigation Measure C3-1 - Pre-construction surveys for nesting burrowing owls shall be conducted in the early spring that precedes the time when clearing or grading is

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

anticipated. If potential nest-sites are discovered, they shall be plugged or fenced to discourage nesting within the project impact zone when construction crows are on site completed in accordance with the Staff Report on Burrowing Owl Mitigation, with the first survey no less than 14 days prior to initiation of project-related activities, and the second within 24 hours of project-related activities. If an active burrowing owl burrow is detected within 500 feet of the project site, avoidance and minimization measures shall be implemented in accordance with the California Department of Fish and Game 2012 guidelines, including implementation on a non-disturbance buffer and monitoring of the nest to ensure activities are not adversely affecting the nest. If the project will occur within this zone, then work must occur outside the nesting season, or until it can be shown that they have finished nesting, and then passive relocation may occur. The proposed process must be documented in a burrowing owl relocation plan and submitted to the Coachella Valley Association of Governments at least 30 days in advance of the proposed activity.

Further, the Project area is under the jurisdiction of the federal Migratory Bird Treaty Act and implementation of mitigation measure **MM BIO-1** will ensure impacts remain less than significant:

MM BIO-1: To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, should ground disturbance and/or vegetation clearance activities be scheduled to occur during the avian nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist within the project footprint and a 300-foot buffer around the project footprint. Surveys shall be conducted within 3 days prior to initiation of activity and shall be conducted between dawn and noon.

If an active nest is detected during the nesting bird survey, avoidance buffers shall be implemented as determined by a qualified biologist. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. All nests shall be monitored as determined by the qualified biologist until nestlings have fledged and dispersed or it is confirmed that the nest has been unsuccessful or abandoned.

No federally or state-listed wildlife species has potential to occur within the study area. One non-listed special-status species has moderate potential to occur within the study area: — crissal thrasher (*Toxostoma crissale*). However, crissal thrasher is a covered species under the CVMSHCP and because of the prevalence of suitable habitat surrounding the Project site and the preservation of suitable habitat through the CVMSHCP, impacts would be less than significant (DUDEK-A, p. 12).

As discussed in threshold 7.a above, three vegetation communities that are considered special-status vegetation communities will be permanently impacted from implementation of the proposed Project: arrowweed scrub, desert saltbush scrub, and desert sink scrub. However, these species are covered under the CVMSHCP. Thus, compliance with the CVMSHCP including payment of the CVMSHCP development mitigation fee through implementation of mitigation measure C3-2, ensures impacts to these special-status vegetation communities are reduced to less than significant (DUDEK-A, pp. 11-12).

A Special Status Plant Survey was conducted April 27, 2018 to determine the absence or presence for gravel milk-vetch; a species ranked as 2B, which states that it is rare, threatened, or endangered in California, but more common elsewhere. This species was not detected during the April 2018 focused survey. Below-average rainfall in winter 2017 and 2018, and spring 2018,

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	Potentially	Less than	Less	No
	Significant	Significant	Than	New
	New	New Impact	Significant	Impact
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may have limited the number of annual rare plant species that germinated this year and limited the blooming period of those that did. However, a threat rank of 2B indicates that 20 to 80 percent of occurrences are threatened, with a moderate degree and immediacy of threat. While the Project would remove approximately 9.62 acres of disturbed habitat (e.g., dirt roads, gravel) potentially suitable for this species, due to the limited amount of suitable habitat on site, the presence of suitable habitat surrounding the Project site, and the preservation of habitats through the CVMSHCP, potential impacts to this species would be less than significant. No other special-status plant species were identified (DUDEK-A, pp. 3, 9, and 12).

Therefore, with the implementation of mitigation already in effect and as revised and added, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

- d) EIR396 Conclusion: Less Than Significant. EIR396 concluded that the project site does not contain habitats or natural features that would contribute to use of the site as a wildlife corridor (EIR396, p. V-82 – V-86). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - No New Impact. The proposed Project lies within the same area previously analyzed. Wildlife corridors are linear features that connect large patches of natural open space and provide avenues for the migration of animals. Habitat linkages are small patches that join larger blocks of habitat and help reduce the adverse effects of habitat fragmentation; they may be continuous habitat or discrete habitat islands that function as stepping stones for wildlife dispersal. Wildlife movement within the project site is unlikely due to the fence that currently lines the dirt road along the western portion of the proposed project footprint; however, the remainder of the study area and the surrounding environment consist of rural development, agricultural areas, and open scrub habitat that likely function as open habitat, but do not function as a corridor for wildlife. Furthermore, the CVMSHCP addresses regional wildlife linkages and crossings, and the Project site is not within a designated linkage. (DUDEK-A, p. 10). The site currently does not function as a wildlife corridor and does not support any wildlife nursery sites (DUDEK-A, p. 13). Thus, no wildlife crossings are identified by the CVMSHCP within the project site or vicinity so the Project would not interfere substantially with the movement of any native resident or migratory fish or wildlife species or with established native resident or migratory wildlife corridors, or impede the use of native wildlife nursery site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- e) EIR396 Conclusion: Less Than Significant. EIR396 concluded that the project site does not support sensitive riparian species, riparian habitat, or other sensitive natural community (EIR396, p. V-82 V-86). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area previously analyzed. The proposed Project site lacks riparian resources (DUDEK-A, p. 12). There are no other sensitive natural communities identified in local or regional plans, policies, regulations, or by the California Department of Fish and Wildlife or U. S. Fish and Wildlife Service within the Project site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- f) EIR396 Conclusion: Less Than Significant. EIR396 determined that the project site does not contain any blue-line streams or jurisdictional wetlands (EIR396, p. V-86). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incomprated		

No New Impact. The proposed Project lies within the same area previously analyzed. A *Jurisdictional Delineation* was prepared by Dudek in January 2019 (DUDEK-B) for the "study area" which consists of the Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer, as depicted in Figure 2 above to determine the site's potential for jurisdictional impacts (DUDEK-B, p. 1).

Army Corps of Engineers (ACOE)

Title 33 of the Code of Federal Regulations (CFR), Chapter 2, Part 328.3, defines waters of the United States with an amendment published in the Federal Register on June 29, 2015, effective on August 28, 2015. The newly modified Section 328.3(a) defines waters of the United States as follows:

- All waters which are currently used, or were used in the past, or may be susceptible to use in interstate or foreign commerce, including all waters which are subject to the ebb and flow of the tide;
- 2) All interstate waters, including interstate wetlands;
- The territorial seas;
- 4) All impoundments of waters otherwise identified as water of the United States under this section;
- 5) All tributaries, as defined in this section;
- 6) All waters adjacent to a water identified in 1 through 5 above:
- Additional waters (as defined in the section) where they are determined, on a casespecific basis, to have a significant nexus to a water in 1 through 3 above.

For non-tidal waters of the United States, the lateral limits of ACOE jurisdiction extend to the ordinary high water mark (OHWM) when no adjacent wetlands are present. As defined in Title 33 of the CFR Chapter 2, Part 328.3(c)(6), the OHWM is "that line on the shore established by the fluctuations of water and indicated by physical characteristics such as [a] clear, natural line impressed on the bank, shelving, changes in the character of soil, destruction of terrestrial vegetation, the presence of litter and debris, or other appropriate means that consider the characteristics of the surrounding areas." If adjacent wetlands are present, the jurisdiction extends to the limit of the wetlands. (DUDEK-B, p.2).

Wetlands are those areas that are inundated or saturated by surface water or groundwater at a frequency and duration sufficient to support, and that under normal circumstances do support, a prevalence of vegetation typically adapted for life in saturated soil conditions as per Title 33 Code of Federal Regulations Chapter 2, Part 328.3. Wetlands are jurisdictional if they meet this definition as well as the definition of waters of the United States. Three criteria must be satisfied to classify an area as a wetland under ACOE jurisdiction: (1) a predominance of plant life that is adapted to life in wet conditions (hydrophytic vegetation); (2) soils that saturate, flood, or pond long enough during the growing season to develop anaerobic conditions in the upper part (hydric soils); and (3) permanent or periodic inundation or soils saturation, at least seasonally (wetland hydrology). The ACOE uses the methodology in the Regional Supplements to the Corps of Engineers Wetland Delineation Manual to determine whether an area meets these three criteria. In the project area the supplement for the Arid West Region (ACOE 2008a) is used. (DUDEK-B, p. 2).

Regional Water Quality Control Board (RWQCB)

Potentially Less than No Less Significant Significant Than New New **New Impact** Significant Impact Impact with New Mitigation Impact Incorporated

Section 401 of the Clean Water Act requires that any applicant for a federal permit for activities that involve a discharge to waters of the United States shall provide the federal permitting agency a certification from the state in which the discharge is proposed that states that the discharge will comply with the applicable provisions under the federal Clean Water Act. Therefore, in California, before the ACOE will issue a Section 404 permit, applicants must apply for and receive a Section 401 Water Quality Certification or waiver from the Regional Water Quality Control Board (RWQCB). Under Section 401 of the Clean Water Act, the RWQCB regulates at the state level all activities that are regulated at the federal level by ACOE. The RWQCB also regulates actions that would involve "discharging waste, or proposing to discharge waste, within any region that could affect the quality of the waters of the state" (California Water Code, Section 13260(a)), pursuant to provisions of the state Porter-Cologne Water Quality Control Act. "Waters of the state" are defined as "any surface water or groundwater, including saline waters, within the boundaries of the state" (California Water Code, Section 13050(e)). Under the Porter-Cologne Water Quality Control Act, the RWQCB regulates all such activities, as well as dredging, filling, or discharging materials into waters of the state, that are not regulated by the ACOE due to a lack of connectivity with a navigable water body. (DUDEK-B, p,3).

California Department of Fish and Wildlife (CDFW)

CDFW jurisdiction includes ephemeral, intermittent, and perennial watercourses (including dry washes) and lakes characterized by the presence of (1) definable bed and banks and (2) existing fish or wildlife resources. Furthermore, CDFW jurisdiction extends to riparian habitat and may include oak woodlands in canyon bottoms. Historical court cases have further extended CDFW jurisdiction to include watercourses that seemingly disappear, but reemerge elsewhere. Under the CDFW definition, a watercourse need not exhibit evidence of an OHWM to be claimed as jurisdictional. The CDFW does not have jurisdiction over ocean or shoreline resources. Under California Fish and Game Code, Sections 1600–1616, the CDFW has the authority to regulate work that will substantially divert or obstruct the natural flow of, or substantially change or use any material from, the bed, channel, or bank of any river, stream, or lake. The CDFW also has the authority to regulate work that will deposit or dispose of debris, waste, or other material containing crumbled, flaked, or ground pavement where it may pass into any river, stream, or lake. This regulation takes the form of a requirement for a Lake or Streambed Alteration Agreement and is applicable to all projects. (DUDEK-B, pp. 3-4).

Discussion

The study area is located within the Guadalupe Creek–Whitewater River Watershed, specifically within the Indio Hydrologic Subarea of the Coachella Hydrologic Area within the Whitewater River Hydrologic Unit. The Whitewater River is the major drainage course within the Coachella Valley. According to the Water Quality Control Plan for the Colorado River Basin, the constructed downstream extension of the Whitewater River, known as the Coachella Valley Storm Water Channel, serves as a drainage way for irrigation return flows, treated community wastewater, and storm runoff. Furthermore, groundwater is unconfined except in the lower areas of the Coachella Valley. A clay aquitard resulting from past sedimentation in the old lakebed extends from the Salton Sea to west of Indio, overlying the domestic-use aquifers. (DUDEK-B, p. 9).

Three soil series are mapped within the study area: Gilman silt loam, wet (0 - 2 percent slopes); Indio very fine sandy loam, wet; and Salton silty clay loam. A total of nine vegetation communities and land cover types occur within the study area consisting of five vegetation communities that include arrowweed scrub, desert saltbush scrub (including disturbed forms),

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	,
	Mitigation	Impact	
	Incorporated	-	

desert sink scrub, mesquite hummocks, and tamarisk thickets, and four land covers that include agriculture, disturbed habitat, open water, and urban/developed. (DUDEK-B, p. 6).

A playa, two canals (northern and southern), a man-made drainage, a man-made trough, five erosional features, and an artificial lake were recorded within the study area (DUDEK-B, p. 10). The study area has indicators of soft playa throughout including friable soils, puffy surface, and salt crystals. The study area was completely cleared and modified in 2006 in preparation for development that was thereafter delayed. Portions of the study area in the southwestern corner have compacted soils that were assumed to be the result of the site grading in 2006. Additionally, a berm was constructed at this time on the southern boundary oriented west to east, as well as one approximately 470 feet long and oriented north to south in the southern portion of the study area. This area is a topographic low point with berms on two sides and compacted soils resulting in periodic ponding from rainfall and localized runoff. Due to the presence of soft playa, the study area was assessed for federal and state wetlands. A total of 23 data stations were assessed within the study area. (DUDEK-B, p. 12). To determine the presence of wetlands within the study area, the following identifies the presence of hydrophytic vegetation, hydric soils, and wetland hydrology.

Hydrophytic Vegetation

The study area supports obligate and facultative wetland species including arrowweed (facultative wetland), seepweed (obligate), and iodine bush (facultative wetland). Of the 23 total data stations, eight included a dominance of hydrophytic vegetation. (DUDEK-B, p. 13).

Hydric Soils

Of the 23 total data stations, two included evidence of hydric soils. (DUDEK-B, p. 14).

Wetland Hydrology

The majority of the study area contained hydrology indicators including aquatic invertebrates, soil cracks, salt crust, drainage patterns, saturation, and/or standing water. However, not all indicators were considered indicative of wetland hydrology. The vestige shells of aquatic invertebrates are remnant of the ancient Lake Cahuilla and are known to occur throughout the valley (Singer 1998), including where the study area is located. As such, they were not considered functioning evidence for a current wetland hydrology indicator. Additionally, much of the study area contains surface soil cracks and a salt crust, According to Delineating Playas in the Arid Southwest: A Literature Review, soils cracks and a salt crust within softer playa are typically the result of capillary rise from groundwater, not the result of inundation. Salt crusts are "typically reflecting the combination of relatively high water tables, salinity, sodicity, and high evaporative demand of an arid environment" (ACOE 2001). As such, in portions of the study area with soft playa, these indicators were not determined to function as wetland hydrology indicators. Other wetland hydrology indicators, present in 13 of the 23 total data stations, included surface soil cracks and a salt crust in areas with compacted soils, as well as drainage patterns, saturation, and standing water. (DUDEK-B, pp. 13-14).

Of the 23 data stations, eight include a dominance of hydrophytic vegetation; two of which also supported wetland hydrology indicators. However, none of the data stations supported all three parameters. Thus, no wetland waters are present within the study area. (DUDEK-B, pp. 12, 14).

The following discussion reviews the jurisdictional potential of the northern and southern canals, man-made drainage feature, man-made trough, the five erosional features, and artificial lake.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

Playa

The review of aerial imagery and the site visits confirmed that isolated ponding occurs within the study area following storm events. Ponding within the study area is isolated. Thus, due to a lack of connectivity to traditional navigable waters, these features are not considered non-wetland waters of the United States under the jurisdiction of the ACOE. Furthermore, the isolated ponding within the study area is not contributing to a substantial beneficial use within the region; therefore, these features would not be considered isolated waters of the state under the jurisdiction of RWQCB. Finally, due to the lack of a defined bed and bank, these features are not streambeds under the jurisdiction of CDFW. Due to the absence of all three wetland parameters, the soft playa is not wetland waters of the United States or wetland waters of the state. (DUDEK-B, p. 14).

Man-Made Troughs

Man-made troughs comprise a series of parallel troughs on the northeastern side of the project site. These features appear to have been created between 2009 and 2011 and stem from the northeastern corner of the study area. They travel approximately 0.26 miles south to their terminus on the eastern side of the study area. Because the start of these troughs is directly south of the Northern Canal (described below) where the concrete is broken, it is hypothesized that these troughs may have been installed in order to control seepage from the canal. This is further supported by the higher cover of iodine bush at the terminus of the troughs. The data station at the terminus of these troughs where higher cover of iodine bush was observed; however, this data station did not result in all three wetland parameters being met. As such, no wetland waters are located in this portion of the study area. Further, the troughs do not contain OHWM indicators, nor do they appear to convey water in a way that contributes to the stated beneficial uses in the region. Percolating water in this feature may contribute to stated beneficial use of groundwater recharge, but this beneficial use is equally contributed to by the multitude of agricultural activities surrounding the study area. This isolated feature does not contain the presence of an OHWM indicator, lacks connectivity to a water of the United States, and is not contributing to a substantial beneficial use within the region. Thus, it was determined that these man-made troughs are not a water under the jurisdiction of ACOE or RWQCB. And finally, this feature does not contain defined beds and banks, so is not a streambed under the jurisdiction of CDFW. (DUDEK-B, pp. 14-15).

Erosional Features

The study area contains five erosional features. Three of the features are located within the northern portion of the study area and appear to be associated with the dirt road that has been created in conjunction with the Coachella Valley Water District facility. These features appear to collect runoff from the road and terminate within the project site. The other two features are located along the berm on the southern boundary of the study area. They both appear to stem from road runoff and convey water south to north into the lower elevation area north of the berm, where water from each feature appears to then percolate or evaporate. Neither feature of these two features are evident from Avenue 66, nor are any culverts located in the southern portion of the project site. Further, erosional features are not considered to be jurisdictional waters for ACOE, RWQCB, or CDFW. Thus, it was determined that these man-made troughs are not a water under the jurisdiction of ACOE, RWQCB, or CDFW. (DUDEK-B, p. 15).

Northern Canal

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	·
	Mitigation	Impact	
	Incorporated	-	

The northern canal is a trapezoidal, concrete-lined canal that appears to originate west of Tyler Street and crosses beneath Tyler Street before continuing east into the western end of the study area, east of Tyler Street. It continues east outside of the study area for approximately 1.6 miles until its confluence with the Whitewater River, which continues to flow southeast approximately 7.1 miles, ultimately flowing into the Salton Sea, An OHWM is evident throughout the canal with a defined bed/bank. The OHWM averages 8 feet in width. Flowing water is present and sediment was observed within the bed of the canal that is supporting seaweed. Fish were observed within the canal. The trapezoidal banks of the canal are approximately 9 feet in height. The concrete within the northern canal has broken and is missing on the southern bank of its eastern side. As such, there appears to be seepage from the canal into the northern portion of the study area. This is evident based on the saturated soils found within this area, as well as the presence of the man-made troughs. discussed above, that flow south from the seepage location towards an area that contains a higher vegetation cover within the central eastern side of the study area. In addition, a culvert comprising two PVC pipes approximately 6-inches in diameter is located on the western side of the canal and extends to the project site to the south. These pipes appear to convey water from the canal during overflow events to preserve the road south of the canal from washing out. Due to absence of hydric soils and hydrophytic vegetation, and based on the presence of an OHWM and connectivity to the Whitewater River, which ultimately terminates into the Salton Sea, the northern canal was determined to be nonwetland waters of the United States under the jurisdiction of ACOE and the RWQCB, but considered a streambed under the jurisdiction of CDFW. (DUDEK-B, p. 11).

Southern Canal

The southern canal is an earthen-lined canal that appears to originate just south of the intersection of Avenue 66 and Tyler Street, flowing east for approximately 0.5 miles, where it enters the western end of the study area. It continues east for approximately 1.4 miles to just south of the intersection of Fillmore Street and Avenue 66. From there, it continues in a southeasterly direction for approximately 1.6 miles through Pierce Street until turning east for approximately 0.5 miles to its confluence with the Whitewater River, which continues approximately 4.4 miles southeast to the Salton Sea. An OHWM is evident throughout the canal with a defined bed and bank, but with an absence of vegetation. The OHWM averages 3 feet in width and flowing water is present. The southern canal contains earthen, trapezoidal banks approximately 8 feet in height. Due to absence of hydric soils and hydrophytic vegetation, and based on the presence of an OHWM and connectivity to the Whitewater River, which ultimately terminates into the Salton Sea, the southern canal was determined to be non-wetland waters of the United States under the jurisdiction of ACOE and the RWQCB, but considered a streambed under the jurisdiction of CDFW. (DUDEK-B, pp. 10-11).

Artificial Lake

An artificial lake associated with an adjacent development is located west of the TBC site and north of the proposed access road. This lake is isolated with a defined bed and bank. The associated banks are vegetated with both tamarisk and cattail (obligate). Due to the dominance of hydrophytic, obligate vegetation and wetland hydrology, hydric soils were assumed to be present for the vegetated portions of this constructed artificial lake. The artificial lake serves as the largest waterbody in the immediate area. As such, it demonstrates the following beneficial uses as described for ephemeral streams in the region:

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated	•	

freshwater replenishment, groundwater recharge, non-contact water recreation, and wildlife habitat. Based on the presence of all three wetland parameters, substantial beneficial use, an OHWM, and lack of connectivity to waters of the United States, this feature may be considered waters of the state. Additionally, CDFW may assert jurisdiction over this feature as a lake. (DUDEK-B, p. 15).

Man-Made Drainage

When the Las Palmitas Elementary School, Toro Canyon Middle School, and Desert Mirage High School complex was constructed in 2004, a drainage channel was created that let out into the natural drainages immediately to the east of the study area. When the artificial lake on the site located west of the proposed TBC development was constructed in 2006, the drainage was redirected into this artificial lake. This drainage exhibits an OHWM approximately 33 feet wide, a defined bed and bank, and is dominated by salt cedar. Because this feature connects with the artificial lake, it contributes to the following beneficial uses listed for ephemeral streams in the region: freshwater replenishment, groundwater recharge, non-contact water recreation, and wildlife habitat. Due to the presence of an OHWM indicator, substantial beneficial use, and a lack of connectivity to waters of the United States, this feature was determined to be isolated non-wetland waters of the state under the jurisdiction of the RWQCB and a streambed under the jurisdiction of CDFW. (DUDEK-B, p. 15).

As discussed above, there are four features within the area considered to be jurisdictional under the ACOE, RWQCB, and/or CDFW. However, the proposed Project is not expected to impact any of these jurisdictional features. Thus, the Project will not have a substantial adverse effect on state or federally protected wetlands (including, but not limited to, marsh, vernal pool, coastal, etc.) through direct removal, filling, hydrological interruption, or other means. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

g) EIR396 Conclusion: Less Than Significant. EIR396 determined, at the time of its adoption, that the project was not located within any local policies or ordinances protecting biological resources (EIR396, p. V-80, V-88 – V-89). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. Riverside County Ordinance No. 559 (ORD 559) pertains to regulating the removal of native trees. No trees have been identified as being present at the Project site (DUDEK-A, pp. 4-10). Thus, the Project will not involve the removal of native trees so will not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as revised and added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
CU	LTURAL RESOURCES Would the project:		L VIII LIII	15 m 11 "	Jangji
8.	Historic Resources a) Alter or destroy a historic site?				\boxtimes
	 b) Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, Section 15064.5? 				

Source(s): AE-A, EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant. EIR396 determined that there were no cultural resources on the project site that meet the CEQA criterion of an historic resource or site (EIR396, pp. V-182 – V-183). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area previously analyzed. A Cultural Resource Assessment was prepared for the Project by Applied Earthworks dated October 2018 (AE-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer as depicted in Figure 2 above to determine the potential for historical and archaeological resources.

A historical resource is considered when included in a local register of historical resources or is listed in or determined eligible for listing on the California Register of Historical Resources (CRHR) under any one of the following criteria (Title 14, California Code of Regulations [CCR], § 15064.5):

- 1) Is associated with events that have made a significant contribution to the broad patterns of California's history and cultural heritage;
- 2) Is associated with the lives of persons important in our past;
- 3) Embodies the distinctive characteristics of a type, period, region, or method of construction, or represents the work of an important creative individual, or possesses high artistic values; or,
- 4) Has yielded, or may be likely to yield, information important in prehistory or history. Compliance with CEQA's cultural resource provisions typically involves several steps. Briefly, archival research and field surveys are conducted, and identified cultural resources are inventoried and evaluated in prescribed ways. Prehistoric and historical archaeological sites as well as built-environment resources (e.g., standing structures, buildings, and objects) deemed historically significant must be considered in project planning and development. (AE-A, pp. 1, 4).

On August 27, 2018, prior to the field survey of the Project area, the Eastern Information Center (EIC) of the California Historical Resource Information System (CHRIS), housed at the University of California, Riverside was contacted to complete an archaeological literature and records search. The two-fold objective of this records search was to determine: 1) whether any previous cultural resource investigations have been completed; and 2) whether any prehistoric or historical cultural resources are previously recorded within an area encompassing a one mile wide radius of the study area. The records search indicated no fewer than 27 cultural resource studies have been conducted previously within the study area. Three of these involved portions of the study area. One hundred percent of the study area has been surveyed previously as a result of these studies. (AE-A, p. 13).

Potentially Significant	Less than Significant	Less Than	No New
New Impact	New Impact with Mitigation	Significant New Impact	Impact
	Incorporated	impact	

The 1904 Indio 30-minute USGS topographic quadrangle map, the 1941, 1943, and the 1956 Coachella 15-minute USGS topographic quadrangle maps, and the 1956 and 1972 Valerie 7.5-minute USGS topographic quadrangle maps were also consulted to assess historical land use in the study area. A northwest/southeast oriented levee crosses the study area in two locations on the 1956 and 1972 Valerie 7.5-minute USGS topographic quadrangle maps. No other structures, roads, or other features of interest are shown within, or in the vicinity of, the study area on any of the other historical maps. (AE-A, p. 17).

An intensive pedestrian survey was conducted between September 4 and September 7, 2018 covering the study area. Due to the extensive surface disturbance within the study area, wide transects (25 to 30 meters apart) were utilized. (AE-A, p. 19). Two potentially historic resources were acknowledged that had been previously identified in the study area.

The first resource (33-014739) is located in the southwestern corner of the study area. It is a mid-twentieth-century refuse scatter. No CRHR eligibility recommendation is included for this resource. (AE-A, pp. 16-17)

The second resource (CA-RIV-9202H/33-017762) is a segment of a historical earthen drainage channel and remnants of a cement box culvert and headwall along Avenue 66. This resource was recommended as not eligible for listing on the National Register of Historic Places (NRHP) or CRHR. (AE-A, p. 17).

Field surveys of the Project area concluded that 33-014739 was no longer present in the Project area and was likely destroyed during prior grading and farming (AE-A, p. 20). CA-RIV-9202H/33-017762 was still present within the study area, with no changes from its previous identification (AE-A, p. 21). No surface remnants of the former levee as depicted on the 1956 and 1972 Valerie 7.5-minute USGS topographic quadrangle maps were observed.

One new site was identified during the field survey (AE-3925-1H). This resources is a midtwentieth-century refuse scatter adjacent to or partially overlapping a segment of the former levee in the southern portion of the study area. This historical refuse scatter covers approximately 95 by 134 feet. Artifacts noted in the refuse scatter include fragments of domestic household items (i.e., beverage and medicinal bottles, and tableware ceramics). This discrete concentration appears to be the result of a single dumping event. Although the age of the site is uncertain, date ranges on the temporally diagnostic items range from the 1950s through 1970s. The area in and around the artifact concentration has been extensively impacted by previous mechanical grading and agricultural activities, resulting in poor site preservation. All material within the concentration was fragmentary and surface examination of the artifact scatter suggested the deposit does not extend into the subsurface. Archival research on this location and surrounding parcels to determine if the refuse scatter could be associated with a place or person. The land within the Project area was originally part of the 132,303 acres in the Coachella Valley granted to the Southern Pacific Railroad from the federal government in 1866. The Project area was vacant from 1904 until circa 1953 when the levee (now gone) and a few dirt access roads were constructed. No structures, roads, or other features of interest are shown within the study area on any of the historical maps. Historically, there were three farm properties in the vicinity but, all were outside of the study area. Two farm properties were extant from at least 1944 to circa 1996 on the east side of Tyler Street where the school complex is now located. The third farm property was located along Avenue 66 and appears to have been extant between at least 1953 until 2014. This resource does not meet the criteria for listing on the CRHR so is not considered a significant historical or archeological resource. (AE-A, pp. 21-24).

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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Although terrain throughout the entire study area has been disturbed by mechanical grading, previous agricultural cultivation, and off-road recreation vehicles, no potentially significant historic resources were identified. Therefore, no new or substantially increased impacts result

Mitigation: None required. Monitoring: None required. Archaeological Resources \boxtimes Alter or destroy an archaeological site? b) Cause a substantial adverse change in the significance of an archaeological resource, M pursuant to California Code of Regulations, Section 15064.5? Disturb any human remains, including those X interred outside of formal cemeteries?

from the proposed Project beyond those analyzed by the prior CEQA documents.

Source(s): AE-A, EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 identified three archeological sites at the project site, two of which could be potentially significant resources. Mitigation Measures C12-1 and C12-2 reduce potential impacts to these resources to less than significant, and Mitigation Measure C12-3 reduces potential impacts to any areas not examined for archeological resources in the project site (EIR396, pp. V-179 – V-182). Note that Mitigation Measure C12-2 had been revised in EIR396-A2 to reflect planning area numbering in SP303A2. EIR396-A2 also added Mitigation Measure C12-8 to ensure that archeological monitoring previously recommended in EIR396 is accomplished (EIR396-A2, p. 52). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. The proposed Project lies within the same area previously analyzed. A Cultural Resource Assessment was prepared for the Project by Applied Earthworks dated October 2018 (AE-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer as depicted in Figure 2 above to determine the potential for archaeological resources (AE-A, p. 1). Terrain throughout the entire study area has been disturbed by mechanical grading, previous agricultural cultivation, and off-road recreation vehicles, Geological and archaeological data indicate that undisturbed sediments within the study area have a high potential for buried prehistoric archaeological resources, particularly those locations associated with former Lake Cahuilla. Deeper excavations (11 to 20 feet below ground surface) may extend to undisturbed lacustrine deposits that may yield intact and historically significant buried archaeological deposits. Thus, full-time cultural resource monitoring by of those portions of the study area within native soils is recommended. In the event that potentially significant archaeological materials are encountered during construction, all work must be halted in the vicinity of the discovery until a Qualified Archaeologist can visit the site of discovery and assess the significance of the find. If significant archaeological remains are encountered, the impacts of the Project must be mitigated appropriately. Any such discoveries, and subsequent evaluation and treatment, must be documented in a cultural resource report that would be submitted to the EIC for archival purposes. (AE-A, p. 27).

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
A		Incorporated		

Implementation of mitigation measure MM CR-1 will ensure impacts remain less than significant:

MM CR-1: Full-time cultural resource monitoring by both a Qualified Archaeologist and Tribal Monitor of those portions of the Project area within native soils.

Thus, with implementation of mitigation measure **MM CR-1** and mitigation measure C12-8 that is already in effect, impacts are less than significant. Therefore, with implementation of mitigation already in effect and **MM CR-1**, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

c) EIR396 Conclusion: EIR396 Conclusion – Less Than Significant with Mitigation Incorporated. The entire surface of the Project area has been disturbed by past and on-going agricultural activities. Soil preparation has consistently disturbed at least the top sixty inches of the Project area and irrigation and leach lines have been installed to a depth of up to seven feet. All ground disturbing activities occurring below the plow zone (below five feet), should be monitored by a qualified archaeologist. Mitigation Measures C12-1 through C12-3, and C12-8 would reduce impacts to a less than significant level (EIR396, pp. V-179 – V-181).

No New Impact. The proposed Project occupies the same area as previously analyzed and is not located on a known formal or informal cemetery. In the event that unknown human remains are uncovered during construction activities, Sections 7052 and 7050.5 of the California Health and Safety Code (HSC) require that the Riverside County Coroner's Office must be contacted within 24 hours and all work shall be halted until a clearance is given by that office and any other involved agencies. If human remains are discovered, the County shall comply with the requirements of Public Resources Code Section 5097.98, as amended. Potential impacts with respect to disturbing human remains are not expected but will be less than significant with adherence to these existing laws and codes. The Project will comply with all regulations mandating the process to be followed in the unlikely event of an accidental discovery of human remains in a location other than a dedicated cemetery (AE-A, p. 27). Thus, with regulatory compliance, potential impacts with respect to disturbing human remains are not expected and will be less than significant. Therefore, with implementation of mitigation, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

ENERGY Would the project:							
10.	Ene	rgy Impacts					
	a)	Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?				\boxtimes	
	b)	Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?		\boxtimes			

Source(s): CARB 2012, CEC 2015, COR CAP, EIR396 WEBB-B, WEBB-C

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project would, at its full buildout, require approximately 126,059,763 kilowatt hours per year

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	Potentially	Less than	Less	No
	Significant	Significant	Than	New
	New	New Impact	Significant	Impact
	Impact	with	New	
		Mitigation	Impact	
		Incorporated		

(kWh/yr) of electricity and 68,713,569 cubic feet per month (cf/month) of natural gas. The project does not conflict within an adopted energy conservation plan. The GP contains policies to reduce the demand of energy resources and to consider alternatives to conventional sources of energy. The programs affecting the project in order to reach these goals, include reducing energy consumption and implementing building design standards to encourage alternative energy sources. The site is currently utilized for agricultural use which is not an energy intensive use therefore, energy demands will increase as a result of residential, commercial, business and industrial land uses. Mitigation Measures C9-1 and C9-2 would reduce energy use to make energy conservation impacts less than significant (EIR396, pp. V-161 – V-163). EIR396-A2 replaced Mitigation Measure C9-1 with Mitigation Measure MM GHG 1 (EIR396-A2, p. 74). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and is subject to current GP policies and requirements regarding energy efficiency. The Project will not add new land uses to the Project site nor increase the site's land use intensity. Energy Consumption Calculations were prepared by Albert A. Webb Associates in June 2019 (WEBB-B). The Project's electricity and natural gas consumption during its operation are approximately 10,749,486 kWh/yr and 6,017,918 kilo-british thermal units per year (kBTU/yr), respectively (WEBB-B, Table 3). This is well under EIR396's assumed buildout consumption of approximately 126,059;763 kWH/yr of electricity and 824,562,828 kBTU/yr of natural gas² (EIR396, p. V-162).

The Project will promote building energy efficiency through compliance with Title 24 building energy efficiency standards. Title 24 building energy efficiency standards are updated approximately every three years (CEC 2015), meaning the standards have been updated since EIR396 was written current standards at the time of development may be even more energy efficient. Therefore, the Project buildings' energy efficiency will be as or more efficient than assumed in the prior CEQA documents.

The Project's proposed lagoon will be designed to be energy efficient. The lagoon's filtration system and HVAC system will be powered by electricity. The lagoon's filtration and monitoring system and patented cleaning process uses two percent of the energy that is needed by conventional swimming pool filtration systems. The lagoons energy requirements were considered within the Project's energy calculations (WEBB-B); as stated above, the energy consumption of the Project is well within what was assumed in the prior CEQA documents.

The Project also reduces vehicle fuel usage due to compliance with regulatory programs. Specifically, the Project will comply with the following regulations, among others, to reduce fuel usage:

 AB 1493 ("the Pavley Standard") requires reduction in GHG emissions from noncommercial passenger vehicles and light-duty trucks of model year 2009 and thereafter (COR CAP, p. 1-8).

 $^{^2}$ EIR396 expressed this as 68,713,569 cf/month. 12 months = 1 year, so 68,713,569 cf/month x 12 months = 824,562,828 cf/year. 1 cf = 1000 british thermal units (BTU), which can be expressed as 1 kBTU. Thus, 824,562,828 cf/year = 824,562,828 kBTU/year.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with Mitigation Incorporated	New Impact	

- Executive Order S-01-07 went into effect in 2010 and requires a reduction in the carbon intensity of transportation fuels used in California by at least 10 percent by 2020 (COR CAP, p. 4-3). It imposes fuel requirements on fuel that will be sold in California that will decrease GHG emissions by reducing the full fuel-cycle and the carbon intensity of the transportation fuel pool in California.
- The Advanced Clean Cars program, introduced in 2012, combines the control of smog, soot causing pollutants and greenhouse gas (GHG) emissions into a single coordinated package of requirements for model years 2017 through 2025 (CARB 2012).

The Project is a proposed private residential development intended for use as vacation homes. Since vacation homes are typically not occupied as frequently as primary residences, traffic at the Project site will be less intensive than assumed in EIR396, which did not assume residential land uses would be used as vacation homes (EIR396, p. V-24). The Project will be designed to discourage use of cars; its design will encourage the use of walking, bicycles, and electric only golf carts. The Project will provide a staff driven golf cart shuttle for residents to be picked up and dropped off (as opposed to residents using their cars) at the amenity of their choice. The Project will also provide travel to offsite amenities such as golf courses to further discourage the need for automobile usage.

The proposed Project will also consume energy during its construction. Construction equipment and heavy duty trucks generally requires diesel as the fuel source whereas worker trips consume gasoline (WEBB-B, Tables 2 and 3). Fuel energy consumed during construction would be temporary in nature and would not represent a significant demand on energy resources. Construction equipment is also required to comply with regulations limiting idling to five minutes or less (CCR Title 13 §2449(d)(3)). Furthermore, there are no unusual characteristics of the proposed Project that would necessitate the use of construction equipment that would be less energy-efficient than at comparable construction sites in other parts of the State. Therefore, it is expected that construction-related fuel consumption associated with the Project would not be any more inefficient, wasteful, or unnecessary than at other construction sites in the region.

As discussed under Threshold 20a-b, the Project will comply with the County of Riverside Climate Action Plan (CAP), which sets County-wide GHG emissions targets consistent with state reduction goals in Assembly Bill (AB) 32. The CAP includes energy efficiency measures within its GHG Screening Table in order to meet its GHG emission reduction goals (COR CAP, Appendix F, p. 1). Per mitigation measure **MM GHG-8** (as described under Threshold 20a-b), the Project will comply with the CAP by implementing at least some of these measures, in order to achieve at least 100 points from the GHG Screening Table. The Project's GHG Screening Table, by Albert A. Webb Associates in June 2019 (WEBB-C), has been included in this addendum.

Compliance with regulatory programs, implementation of the Riverside County CAP Screening Table measures (per mitigation measure **MM GHG-8**), and the Project's design that is energy efficient, ensures that the Project would not result in the inefficient, unnecessary, or wasteful consumption of energy during construction or operation. All existing mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact		
-							
	DLOGY AND SOILS Would the project directly or indirect Alquist-Priolo Earthquake Fault Zone or County	tly:			1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
	Fault Hazard Zones a) Be subject to rupture of a known earthquake fault, as delineated on the most recent Alquist-Priolo Earthquake Fault Zoning Map issued by the State Geologist for the area or based on other substantial evidence of a known fault?						
Sour	ces: EIR396, RCIT, SE-A, SE-B, and SE-C						
Find	ings of Fact:						
a)	EIR396 Conclusion: Not specifically addressed in the that the Project was not located within an Alquist-Priolo Zone (EIR396, Appendix A, p. 6). EIR396-A1 throug impacts beyond what was analyzed in EIR396.	Earthquake	Fault or Coul	nty Fault Ha	azard		
Mitiga	No New Impact. The proposed Project lies within the same area as previously analyzed. A Geotechnical Investigation was completed for the Project site by Sladden Engineering dated September 14, 2016 (SE-A). The purpose of the investigation was to evaluate subsurface soil and geologic conditions to ensure conditions have not changed from what was previously analyzed in a manner that may pose potentially significant impacts beyond what was originally analyzed. An Updated Geotechnical Investigation was prepared by Sladden Engineering January 25, 2019 (SE-B) to provide an update to Project design and construction recommendations for the currently proposed Project. An Updated Geotechnical Investigation was also prepared by Sladden Engineering April 13, 2019 (SE-C) to provide Project design and construction recommendations specifically pertaining to the proposed lagoon. Seismic activity is expected in southern California (SE-A, p. 4). However, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone (RCIT). The closest active faults are the San Andreas – Coachella and San Andreas – Southern faults, which are 10.6 kilometers away from the Project site (SE-A, p. 4-5). The Project will be required to implement all requirements of the current edition of the California Building Standards Code (CBC), applicable to the Project, which provides criteria for the seismic design of buildings. Seismic design criteria account for peak ground acceleration, soil, profile, and other site conditions; furthermore, they establish corresponding design standards intended to primarily protect public safety and secondly to minimize property damage. In addition, the Project will implement all the design and construction recommendations given in the geotechnical investigations (SE-A, pp. 9-14, SE-B, SE-C). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.						
	·						
	toring: None required.						
12.	 Liquefaction Potential Zone a) Be subject to seismic-related ground failure, including liquefaction? 				\boxtimes		

Source(s): EIR396, EIR396-A2, RCIT, SE-A, SE-B, SE-C

Findings of Fact:

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 completed a geotechnical report for the project, and found that liquefaction potential is minimal. Mitigation Measure C4-1 is required to mitigate the impact of any future discovery of soils with liquefaction potential at the project site (EIR396, p. V-96). EIR396-A2 revised the language of Mitigation Measure C4-1 to specify that it applies to implementing projects and to require project design to conform to applicable earthquake standards (EIR396-A2, pp. 57-58). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The geotechnical investigation completed for the Project found that there is a potential risk of liquefaction due to the general uniformity of the soil and groundwater conditions (SE-A, pp. 6-8), which is also confirmed in the Riverside County Map Viewer (RCIT). This potential impact is less than significant with the implementation of the geotechnical investigations project design and construction recommendations (SE-A, pp. 6-8, SE-B, SE-C). Mitigation Measure C4-1 remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

13.	Gro	und-shaking Zone			
	a)	Be subject to strong seismic ground shaking?	Ш		\bowtie
_					

Source(s): EIR396, SE-A, SE-B, SE-C

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 found that the project lies within Groundshaking Zones III-C and IV-C per the GP, which is a potentially significant impact. Mitigation Measure C4-2 reduces this impact to less than significant (EIR396, pp. V-96 – V-97). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project boundary is within the same area as previously analyzed. The geotechnical investigation completed for the Project found that the Project site could be subjected to ground shaking due to seismic activity in the region. This impact is less than significant with the implementation of the geotechnical investigations project design and construction recommendations (SE-A, pp. 6-8, SE-B, SE-C). Mitigation Measure C4-2 remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
44	1	J.P.A. Ph. I				
14.	a)	dslide Risk Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in onor off-site landslide, lateral spreading, collapse, or rockfall hazards?				
Sour	ce(s):	EIR396, SE-A, SE-B, SE-C				
Findi	ings o	of Fact:				
a)	thai sub	396 Conclusion: Not specifically addressed in the the Project was not subject to landslide risk, soil sidence (EIR396, Appendix A, p. 6). EIR396-A1 in the impacts beyond what was analyzed in EIR396.	ls with shri	nk/swell pote	ential, or gr	ound
No New Impact. The proposed Project is within the same area as previously analyzed. geotechnical investigation found no signs of slope instability in the form of lateral spread landslides, rockfalls, earthflows or slumps, and considers these risks to be low (SE-A, pp. 6). The Project will be required to follow the project design and construction recommendati outlined in the geotechnical investigations (SE-A, pp. 7-8, SE-B, and SE-C). Thus, the Prowill not result in on- or off-site landslide, lateral spreading, collapse, or rockfall hazal Therefore, no new or substantially increased impacts result from the proposed Project beythose analyzed by the prior CEQA documents.						ding, . 6-7) itions roject ards.
Mitiga	ation:	None required.				
<u>Monit</u>	toring:	None required.				
15.	Gro (a)	and Subsidence Be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and potentially result in ground subsidence?				\boxtimes

Source(s): EIR396, RCIT, SE-A, SE-B, SE-C

Findings of Fact:

a) EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the Project was not subject to landslide risk, soils with shrink/swell potential, or ground subsidence (EIR396, Appendix A, p. 6). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is within the same area as previously analyzed. The geotechnical investigation found no signs of geologic instability, and considers this risk to be low (SE-A, pp. 6-7). The geotechnical investigation found that the Project site is located within an active subsidence zone (SE-A, pp. 7-8), which is confirmed by the Riverside County's Map Viewer (RCIT). While the surrounding region (the Coachella Valley) has been subjected to groundwater withdrawal related subsidence, no fissures or other evidence of subsidence was observed at the Project site. The Project will be required to follow the project design and construction recommendations outlined in the geotechnical investigations (SE-A, pp. 7-8, SE-B, and SE-C). Thus, the Project will not result in geologic instability or subsidence. Therefore, no

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact		
new or substantially increased impacts result from by the prior CEQA documents.	the proposed P	roject beyond	I those ana	lyzed		
Mitigation: None required.						
Monitoring: None required.						
 16. Other Geologic Hazards a) Be subject to geologic hazards, such as sei mudflow, or volcanic hazard? 	che,					
Source(s): EIR396, SE-A						
Findings of Fact:						
a) EIR396 Conclusion: No Impact. Not analyzed of However, these issues were analyzed in the geo other geologic hazards were identified. No volcani there are no active volcanoes located within south from such hazards will affect the project. EIR396-A no impacts beyond what was analyzed in EIR396.	technical report c hazards are m ern California. Ti A1 through EIR3	prepared for entioned in Ei herefore, no p	EIR396 ai IR396, how ootential im	nd no vever, pacts		
geotechnical investigation considered these haza 7-8). Therefore, no new or substantially increas	No New Impact. The proposed Project lies within the same area as previously analyzed. The geotechnical investigation considered these hazards as low risk for the Project site (SE-A, pp. 7-8). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.					
Mitigation: None required.						
Monitoring: None required.						
17. Slopes						
 a) Change topography or ground surface r features? 	elief			\boxtimes		
b) Create cut or fill slopes greater than 2:1 or high	gher					
c) Result in grading that affects or neg- subsurface sewage disposal systems?	ates					

Source(s): EIR396, ORD 457

Findings of Fact:

a-c) EIR396 Conclusion: Less than Significant with Mitigation Incorporated. EIR396 determined that the Project would not change topography or ground surface relief features, create cut or fill slopes greater than 2:1 or higher than 10 feet, or result in grading that affects or negates subsurface sewage disposal systems (EIR396, Appendix A, p. 6). EIR396's geotechnical report did make grading recommendations, which are captured in Mitigation Measures C1-1 through C1-7. EIR396 also refers to Mitigation Measures C6-1, C7-1, and C7-2 as related to grading. No significant impacts from on-site grading are anticipated (EIR396, pp. V-58 – V-59). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project is not located within an area of steep slopes. No slopes will be greater than 10

	Potentially Significant New Impact	Less than Significant New Impact with	Less Than Significant New	No New Impact
		Mitigation	Impact	
3		Incorporated		

feet in height; although some will be greater than 2:1. However, all slopes will comply with ORD 457 and have been designed in accordance with the California Building Code and per the recommendations of the Geotechnical Report so as not to create any significant impacts. Grading is designed to conform to the drainage conveyance requirements while following existing topographical patterns. All mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

All mitigation measures related to this issue that were identified in the prior CEQA Mitigation: documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

18.	Soil	S		
	a)	Result in substantial soil erosion or the loss of topsoil?		\boxtimes
	b)	Be located on expansive soil, as defined in Section 1802.3.2 of the California Building Code (2007), creating substantial direct or indirect risks to life or property?		
	c)	Have soils incapable of adequately supporting use of septic tanks or alternative waste water disposal systems where sewers are not available for the disposal of waste water?		

Source(s): EIR396, SE-A, SE-B, SE-C

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Erosion from wind has a moderate to severe potential to occur on the project. EIR396 refers to Mitigation Measure C6-1 to reduce impacts from wind erosion to less than significant (EIR396, p. V-59). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is located within the same area as previously analyzed and will experience the same issues regarding soil erosion from wind as was analyzed in EIR396. So, the Project does not result in impacts related to soil erosion beyond those previously analyzed. All mitigation remains in effect. The Project's construction activities have the potential to result in soil erosion or the loss of topsoil. However, erosion will be addressed through the implementation of existing State and Federal requirements, and minimized through compliance with the National Pollutant Discharge Elimination System (NPDES) general construction permit which requires that a Stormwater Pollution Prevention Plan (SWPPP) be prepared prior to construction activities and implemented during construction activities. The SWPPP will identify Best Management Practices (BMPs) to address soil erosion. Upon compliance with these standard regulatory requirements, the proposed Project is not anticipated to result in substantial soil erosion or the loss of topsoil so impacts will be less than significant. Therefore, no new or substantially increased significant effects result from the Project beyond those analyzed by the prior CEQA documents.

EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined b-c) that the project was not subject to expansive soils and EIR396 did not include a threshold related

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
	to use of septic tanks or alternative waste systems (through EIR396-A8 determined there to be no impacts			,	
	No New Impact. The proposed Project is located with The Project sits on soils that are considered to have a of structural damage caused by volumetric changes in (SE-A, p. 7). The Project will follow the project desoutlined in the geotechnical investigations to ensure the B, and SE-C). No septic tanks are proposed as part located on expansive soil creating substantial direct or not have soils incapable of adequately supporting use disposal systems where sewers are not available for the are proposed. Therefore, no new or substantially inceproject beyond those analyzed by the prior CEQA documents.	medium exp the subgrad sign and consis risk is les t of the Projon r indirect risk of septic tar e disposal of reased impa	pansion pote e soil is cons nstruction re s than signific ect. Thus, the s to life or pronks or alterna waste water	ntial and the idered mode commendate cant. (SE-Ander Project is operty and tive waster because ne	e risk lerate ations a, SE- s not does water either
<u>Mitiga</u>	ation: All mitigation measures related to this issue documents remain in effect as they are not affect				EQA
Monito	oring: Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docum	ents.
19.	Wind Erosion and Blowsand from project either on or off site a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?				\boxtimes
Sourc	ce(s): EIR396, ORD 742				
Findir	ngs of Fact:				
a)	EIR396 Conclusion: Less Than Significant. EIR396 within a Blowsand Hazard Zone as defined in the GIEIR396-A8 determined there to be no impacts beyond	P (EIR396, _I	o. <i>V-57). EIR</i>	396-A1 thi	
	No New Impact. The proposed Project lies within the County adopted Ordinance 742 (ORD 742) relating corresponding PM-10 emissions in the Coachella enforcement regulations were added to ORD 742. The Ordinance. Potential impacts related to wind erosion a significant levels through the implementation of Coachella construction dust control mitigation measures iden (Mitigation Measure C6-1). Therefore, no new or substance of Project beyond those analyzed by the prior of the Coachella control mitigation measures iden (Mitigation Measure C6-1).	to the con Valley in e proposed nd blowsand ordinance 7- tified in the	trol of fugitive 1994. In 2 Project will be can be reduced and from the Air Quality eased impact	ve dust and the control of the contr	d the ficant of this than to the to bove
Mitiga	ation: None required.				
Monito	oring: None required.				
	ENHOUSE GAS EMISSIONS Would the project:		Money 18	1975 1187	
20.	Greenhouse Gas Emissions a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment? 		\boxtimes		

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?				\boxtimes

Source(s): COR CAP, EIR396, EIR396-A2, WEBB-C

Findings of Fact:

a-b) EIR396 Conclusion: Not analyzed due to lack of such questions in EIR396. EIR396-A2 used information from EIR396 to answer this threshold, stating it would have a significant impact and be mitigated by mitigation measures already present in EIR396: C6-2 through C6-11, C9-1, C9-2, D2-8 through D2-13, D2-15, D2-16, and D7-9 (EIR396-A2, pp. 66-69). EIR396-A2 also proposed new Mitigation Measures MM GHG 1 through MM GHG 7 in order to reduce impacts to less than significant. Mitigation Measure MM GHG 1 replaced Mitigation Measures C9-1 and D7-9 (EIR396-A2, p. 74-77). EIR396-A1 through EIR396-A8 determined that with mitigation there were no impacts beyond what was analyzed in EIR396.

Less than Significant Impact with Mitigation. A Greenhouse Gas (GHG) Analysis was not performed at that time EIR396 was certified as none was required. However, all the information necessary to evaluate GHG emissions generated by the Project was available in EIR396, and was subsequently utilized in GHG report prepared for EIR396-A2, as described above.

The proposed Project will not alter the present or planned land use of this area, and impacts from GHG emissions from the proposed land uses, short-term, long-term and cumulative, are similar or less than those examined previously in EIR396. Moreover, the Project will comply with the County of Riverside CAP, updated in July 2018, which sets County-wide GHG emissions targets consistent with state reduction goals in Assembly Bill (AB) 32. The CAP provides guidance on how to analyze GHG emissions and determine significance during the CEQA review of proposed development projects within the County of Riverside. The CAP includes measures developed in order to reduce GHG emissions from new development by 2020. (COR CAP, Appendix F, p. 1)

Mitigation of GHG emissions impacts during the development review process of projects provides a cost effective way of implementing the GHG reduction strategies for reducing community-wide emissions associated with new development. (COR CAP, Appendix F, p. 1).

The County's development review process is streamlined by 1) applying an emissions level that is determined to be less than significant for small projects, and 2) utilizing Screening Tables to mitigate project GHG emissions. Projects have the option of preparing a project-specific technical analysis to quantify and mitigate GHG emissions in lieu of the utilizing the Screening Tables. A review standard of 3,000 MT (metric tons) CO₂E (carbon dioxide equivalents) per year is used to identify projects that require the use of Screening Tables or a project-specific technical analysis to quantify and mitigate project emissions (COR CAP, Appendix F, p. 1).

Projects that exceed the 3,000 MTCO₂E per year are required to either achieve a minimum 100 points per the Screening Tables or prepare a project-specific technical analysis to quantify and mitigate project emissions. Consistent with CEQA guidelines, such projects would be determined to have a less than significant individual and cumulative impact for GHG emissions (COR CAP, Appendix F, p. 7).

Due to the Project's size, its GHG emissions are presumed to exceed to the 3,000 MTCO2e per year threshold and as such the Screening Table approach has been utilized to demonstrate consistency with the County CAP. The Project's GHG Screening Table, prepared by Albert A.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
	Significant New	Significant Significant New New Impact Impact with Mitigation	Significant Significant Than New New Impact Significant Impact with New Mitigation Impact

Webb Associates dated June 2019 (WEBB-C), has been included in this addendum. Mitigation measure **MM GHG-8**, provided below, requires that the Project implement measures totaling a minimum of 100 points from the Screening Tables.

MM GHG-8: Prior to issuance of building permits, the Project applicant shall provide documentation to the County of Riverside Building and Safety Department demonstrating that the following measures or any other combination thereof are incorporated from the County's 2018 Greenhouse Gas Emissions Screening Tables, shown in Appendix F of the Riverside County Climate Action Plan, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.

Because the Project will implement at least 100 points from the Screening Tables (WEBB-C), the Project is consistent with the CAP and its GHG impacts are less than significant. Additionally, because the proposed Project will not measurably increase GHG emissions beyond those previously evaluated and will meet the AB32 reduction target per its consistency with the County CAP, it will not conflict with an applicable plan, policy, or regulation adopted for the purpose of reducing the emissions of GHG. Therefore, with implementation of this mitigation, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the Mitigation Monitoring Report.

HAZ	ZARD	S AND HAZARDOUS MATERIALS Would the project	ect:		
21.	Haz	ards and Hazardous Materials			
	a) 	Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?			
	b)	Create a significant hazard to the public or the environment through reasonably foreseeable upset and accident conditions involving the release of hazardous materials into the environment?			\boxtimes
	c)	Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?			\boxtimes
3	d)	Emit hazardous emissions or handle hazardous or acutely hazardous materials, substances, or waste within one-quarter (1/4) mile of an existing or proposed school?			\boxtimes
	e)	Be located on a site which is included on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5 and, as a result, would it create a significant hazard to the public or the environment?			×

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with Mitigation Incorporated	New Impact	

Source(s): EIR396, SE-D

Findings of Fact:

a, b, d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 found that, while planned residential land uses on the project site had little potential for storage or use of toxic substances, proposed industrial, business, and commercial uses could potentially store, handle, or generate toxic substances in the future. Buffers between these uses and residential uses will protect future residents from exposure to toxic substances, and none of the commercial or industrial land uses are proposed within one-quarter mile of any existing school site. The project will also comply with all laws and regulations relating to hazardous materials. Complying with Mitigation Measures C11-1 through C11-3 will reduce impacts to less than significant (EIR396, pp. V-169 – V-170). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The Project is less than one-quarter mile away from three school sites: Desert Mirage High School, Toro Canyon Middle School, and Las Palmitas Elementary School. However, the Project is unlikely to emit hazardous emissions, materials, substances, or waste that effect the schools because the Project is residential and open spaces land uses, which have little potential for the use or storage of toxic substances, and will not include business, commercial, or industrial uses, which have a greater potential for toxic substances.

A Phase I Environmental Site Assessment was prepared by Sladden Engineering September 7, 2018 (SE-D) to evaluate areas of potential environmental concern that may be present as a result of past hazardous materials use, handling or storage on or near the Project. The environmental site assessment found no evidence of site conditions that would indicate or cause an existing release, a part release, or threat of a future release of hazardous substances or petroleum products into structures, the ground, groundwater or surface water on the Project site (SE-D, p. 2, 8-9). As stated in prior CEQA documents, the Project will comply will all laws and regulations related to the storage, transport, and use of hazardous materials. The separation of land uses and existing control regulations reduces impacts to less than significant levels. Mitigation measures C11-1 through C11-3 and C11-5 remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

- c) EIR396 Conclusion: Not specifically addressed because EIR396 determined that the project does not involve possible interference with an emergency response plan or emergency evacuation plan (EIR396, Appendix A, p. 7).
 - **No New Impact.** The proposed Project lies within the same area analyzed so will not impair the implementation of, or physically interfere with, an emergency response plan and/or emergency evacuation plan as access to emergency vehicles will be allowed at all times and the design of roads and driveways will be designed to meet County standards for safety and access. Thus, the proposed Project does not result in impacts to an adopted emergency response plan or an emergency evacuation plan. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- e) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 found that prior agricultural operations at the project site may mean hazardous materials could be present in site soils. Mitigation Measures C11-5 reduce the impact to less than significant (EIR396, pp. V-170

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

 V-172). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and is not located on a list of hazardous materials sites compiled pursuant to Government Code Section 65962.5. The environmental site assessment found five sites of potential environmental concerns within 1 mile of the Project, but determined upon further analysis that none of these sites pose a significant environmental impact on the Project (SE-D, pp. 4-6). No new areas will be affected or result in exposure to hazardous materials. Mitigation measures C11-3 and C11-5 remain in effect for the proposed Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

22.	Airp a)	orts Result in an inconsistency with an Airport Master Plan?	\boxtimes	
	b)	Require review by the Airport Land Use Commission?		
	c)	For a project located within an airport land use plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport, would the project result in a safety hazard for people residing or working in the project area?	\boxtimes	
	d)	For a project within the vicinity of a private airstrip, or heliport, would the project result in a safety hazard for people residing or working in the project area?		
		hazard for people residing or working in the		

Source(s): BASH, EIR396, RCALUC

Findings of Fact:

a-d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 states that the development of the project is consistent with the Thermal (Jacqueline Cochran) Airport Master Plan development, and supports the development goals of the airport by improving circulation in the area. Portions of the project are within five safety zones of the airport, and the project's land uses would be compatible with the requirements for these zones. Mitigation Measures D12-1 and D12-2 would reduce impacts to less than significant (EIR396, pp. V-362 – V-365). In addition, Mitigation Measure D12-5 will ensure the project complies with the airport's building height guidelines (EIR396, pp. V-366 – V-367). Mitigation Measure D12-2 has been revised in EIR396-A2 to include the name change of the airport from "Thermal Airport" to "Jacqueline Cochran Regional Airport" (EIR396-A2, p. 84). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less Than Significant New Impact with Mitigation Incorporated. The Project site lies within the Jacqueline Cochran Regional Airport Land Use Compatibility Plan; specifically Compatibility Zones D and E, with a small area in the northwest corner touching Compatibility Zone C

Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
1	ew Impact with	ew Impact Significant with New Mitigation Impact

(RCALUC, Compatibility Map) as reflected in **Figure 3**. The area touching Compatibility Zone C lies within road right-of-way whereby only roadway improvements will be made; no vertical development will take place. Mitigation measures D12-1, D12-2, and D12-5 remain in effect for the proposed Project to ensure impacts remain less than significant.

Additionally, Riverside County Airport Land Use Commission (ALUC) requested an evaluation of the Project to determine any potential hazards to aviation caused by wildlife that may be attracted to the Project site. In response, a Wildlife Hazard Site Visit and Management Plan Review was completed for the Project site by BASH Incorporated, dated March 2019 (BASH).

A total of 111 species of birds and 13 species of mammals, or their sign, were observed during the two day site visit which is only a fraction of the over 400 bird species and dozens of mammal species recorded and documented within the Coachella Valley. Current habitat conditions at the Project site are such that very few birds or other wildlife species were observed. The vast majority of species were found in the surrounding areas where more suitable habitat occurs, which may indicate presence in the vicinity, including migratory birds that pass through and overwinter in the Coachella Valley. Special consideration was given to observations on lakes, ponds, canals, and other water sources in the area, including the adjacent property to the west, as these might all indicate the potential to attract birds and other wildlife to the Thermal Beach Club lagoon when constructed.

The convoluted shoreline and dense emergent vegetation of the approximately 20 acre lake just to the west of the Project site, makes this impoundment particularly attractive to birds. However, a relatively small numbers of birds, with coots being most numerous, were observed.

The most significant water feature in the entire Coachella Valley is the Salton Sea. It is the major attraction and determines the migratory route for birds each fall and spring and holds many thousands of wintering birds each year. The presence of the Thermal Beach Club development will have no impact on these large-scale movement patterns. During the site visit it was noted that several very large flocks of gulls (primarily Ring-billed Gulls) would leave the Sea and forage in the agricultural fields and seek fresh water in the nearby area. None of these flocks were specifically noted near the Thermal Beach Club site as most remained two or more miles to the south. Hence, there may be potential of birds flocking to the site due to the presence of a new freshwater lake. However, there are dispersal methods as noted in the mitigation below that may be used to encourage these birds to move on from the site.

The proposed Project changes the orientation of the lake as previously approved which eliminates the convoluted shoreline, eliminates the shoreline vegetation, and implements a high-tech water treatment regime. The change in orientation will have no effect whatsoever on its potential attractiveness to wildlife. However, all the other measures (i.e. lack of vegetation, water treatment), in and of themselves will act as a deterrent to wildlife making the facility much less attractive than the adjacent property lake or of many of those in the surrounding area. Also important is the fact that there are numerous other water features in the surrounding area, as birds deterred or dispersed from the project site will have ample alternative sites in which to relocate.

The proposed Project will incorporate the following measures as part of the project through a Wildlife Mitigation Plan to minimize any potential impacts from geese or other wildlife as follows:

Reservoir

Will be treated to reduce and or eliminate weeds and all organic matter that attracts birds.

_				
	Potentially	Less than	Less	No
	Significant	Significant	Than	New
	New	New Impact	Significant	Impact
	Impact	with	New	
		Mitigation	Impact	
		Incorporated		

- Floating fountains will be installed in reservoir to maintain water movement to prevent stagnation as this allows for growth of organic material.
- Landscaping surrounding the lagoon will be maintained to discourage nesting.
 Crystal Lagoon/Surf Lagoon
- Lagoon utilizes water cleaning technology which eliminates all organic matter.
- The crystal lagoon by its nature will not attract water fowl.
- Surf Generation equipment will be generating waves from 1 to 7 feet in height.
- Multiple people will be surfing and enjoying water based activities throughout the day.
- The wave and watersports activities, in combination with the Crystal Lagoon, will create an environment that is unfriendly to birds/water fowl.

Landscape Maintenance

- Landscaping throughout the entire property will be installed and maintained in a manner that will not allow nesting to start or provide food for migratory birds.
- Thermal Beach Club will be responsible for managing all landscaping, including all common area and the front and back yard landscaping of all residential units.

Bird Mitigation / Goose Depredation Methods

Bird Mitigation and Goose Depredation programs will follow all licensing requirements of the U.S. Fish & Wildlife Services and the California Department of Fish and Game. The program will utilize multiple methods of non-lethal abatement such as:

- Specially trained birds of prey Hawks and Falcons
- Specially trained dogs which are used in conjunction with the hawks and falcons to condition the Geese that the property is a hostile environment not suitable for nesting.
- Remote controlled devices such as boats are used to encourage the geese to seek water elsewhere.
- Use of Parabolic Speakers for bird harassment.
- Laser Conditioning shows a goose that every time they see a laser it means that a predator is on its way to the goose. The laser is pointed at the ground near the bird and the dog is released to chase the goose. Once the geese know this happens, the laser is extremely effective.
- Removal of nests will be by permit and within the legal limits of such permit.
- A no feeding policy strictly enforced within the community.
- Dedicated staff members employed and trained in bird mitigation tactics.
- Minimum of 5 staff cleaning crystal lagoon 8 hours per day, 7 days per week

In addition to the health and safety benefits of bird abatement, the residents of TBC will have the unique opportunity participate in educational programs relating to the use of Hawks and Falcons in the bird mitigation program where educational events and demonstrations may be provided to residents to enrichen the experience of the TBC residents and their children.

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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Implementation of mitigation measure MM HAZ-1 will ensure impacts remain less than significant:

MM HAZ-1: The project developers shall implement a Bird Mitigation/Management Plan utilizing industry standard best management practices to identify both passive and active measures to reduce potential risks to operating aircraft from wildlife.

Further, the proposed Project is not located within the vicinity of a private airstrip or helipad. The proposed Project was reviewed by the ALUC on June 13, 2019 and July 11, 2019 where the Project was determined to be consistent/conditionally consistent with the Jacqueline Cochran Regional Airport Master Plan, and all of ALUC's recommendations have been incorporated into the project and its conditions. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

		OGY AND WATER QUALITY Would the project:				
23.	Wat	er Quality Impacts				
	a)	Violate any water quality standards or waste				
		discharge requirements or otherwise substantially				\bowtie
		degrade surface or ground water quality?				
	b)	Substantially decrease groundwater supplies or				
		interfere substantially with groundwater recharge				[2]
		such that the project may impede sustainable		L !	Ш	
		groundwater management of the basin?				
	c)	Substantially alter the existing drainage pattern of				
		the site or area, including through the alteration of				\boxtimes
		the course of a stream or river or through the			ш	
	۹/	addition of impervious surfaces? Result in substantial erosion or siltation on-site or				
	d)	off-site?				\boxtimes
	e)	Substantially increase the rate or amount of				
	<i>C)</i>	surface runoff in a manner which would result in				
		flooding on-site or off-site?	Ш			\bowtie
	f)	Create or contribute runoff water which would				
	٠,	exceed the capacity of existing or planned				
		stormwater drainage systems or provide				\boxtimes
		substantial additional sources of polluted runoff?				
	g)	Impede or redirect flood flows?				
	h)	In flood hazard, tsunami, or seiche zones, risk the				
	11)	release of pollutants due to project inundation?				\boxtimes
_	i)	Conflict with or obstruct implementation of a water				
	')	quality control plan or sustainable groundwater				
		management plan?			Ш	\bowtie
		· · · · · · · · · · · · · · · · · · ·				

Source(s): CVWD, CVWD-A, CVWMP, EIR396, FEI-A, FEI-B, FEMA, FEMA FZ, FEMA LOMR, RCIT, SE-A

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Residential, commercial, office and industrial land uses associated with the project may impact beneficial uses of surface drainage waters, including the Coachella Valley Stormwater Channel, through an increase in nonpoint source pollution. The project incorporates several features that would reduce the impacts of urban nonpoint source pollution, including a catch basin and storm drain system. Urban storm runoff from the project would have reduced levels of pollutants due to detention in lakes and ponds. The project would result in the elimination of agricultural sources of pollution to surface and ground waters in the project vicinity. Implementation of Mitigation Measures C7-3 through C7-5 would reduce impacts to less than significant (EIR396, pp. V-136 – V-138). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. Water quality standards may be affected by the Project discharging sediment or other materials during construction as activities associated with the construction of the proposed Project would include grading and site preparation, which may have the potential to release pollutants (e.g., oil from construction equipment) and silt off-site which could impact water quality. However, the developer will be required to prepare a Stormwater Pollution Prevention Plan (SWPPP) pursuant to the statewide General Construction Permit (NPDES General Permit No. CAS000002, Waste Discharge Requirements, Order No. 2009-0009-DWQ, adopted September 2, 2009 and effective as of July 2, 2010) issued by the State Water Resources Control Board (SWRCB) for construction projects. Compliance with the SWPPP in combination with existing regulations will result in a less than significant impact with regard to violation of water quality standards. A project-specific Preliminary Water Quality Management Plan and Preliminary Hydrology Report were prepared by Feiro Engineering dated April 10, 2019 (FEI-A and FEI-B, respectively).

Development of the Project site will add impervious surfaces associated with parking, residential structures, village area, and private roads. During Project operation, the Project has the potential to introduce potential sources of water pollution from vehicles, trash, debris, and pesticides. The project prepared a project-specific WQMP as required to treat post-construction stormwater runoff. The Project site is divided into two drainage areas: Drainage Management Area (DMA) 1 and DMA2. Drainage will be collected via catch basins and storm drain pipes which will direct flow to a proposed interim retention basin which will permit storm water percolation into the soil and into the proposed 16-inch tile drain that will connect to the existing 16-inch tile drain pipe. The bottom of this basin will contain at least two feet of sand to function as a san filter to treat stormwater prior to entering the tile drains. As required per Riverside County, the proposed interim retention basin will retain the incremental increased drainage while two emergency overflows will permit the rest of the storm water in these two DMA's to flow out of the property. The irrigation reservoir will collect and reuse stormwater for the northern portion of the project site. (FEI-A, pp. 1-3, 1-4).

The existing site drains by sheet flow onto the vacant lot immediately to the south (which is also part of The Kohl Ranch). The ultimate discharge point to public property is in the southeast corner of the adjacent southerly property where two 30-inch reinforced concrete pipes (RCP) convey the drainage across Avenue 66 to an existing drainage channel. Further, the site is bounded on the north by an evacuation channel. At the northeast corner of the site, at the intersection of Polk and Avenue 64, a weir and future drainage pump station are proposed. These facilities are part of the regional drainage system and control the runoff from Martinez

Potent Signific Nev Impa	cant Significa New Imp	ant Than p <mark>act Significant New</mark> on Impact	No New Impact
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Canyon, the mouth of which is approximately 5 miles to the southwest. Part of the regional system exists, part will be constructed as part of this Project, and part will be constructed by other developments within Kohl Ranch. The system is currently (and will ultimately be) maintained by Coachella Valley Water District (CVWD). No stormwater from the developed Project is intended to comingle with this regional drainage, except possibly in the event of an emergency. (FEI-B, p. 3).

The proposed Project incorporates source control and treatment control best management practices (BMPs) to address storm water runoff. Thus, through BMPs, in addition to compliance with existing regulations, the proposed Project will not violate water quality standards or waste discharge requirements. With implementation of Mitigation Measures C7-3 through C7-5, the proposed Project would not result in impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project could impact groundwater supplies in the vicinity, as the groundwater table in the lower Coachella Valley has already being depleted. Mitigation Measures D2-1 through D2-16 ensure impacts will be less than significant (EIR396, pp. V-299 – V-302). EIR396-A2 determined that Mitigation Measures D2-2 and D2-3 are no longer applicable to the project due to an agreement with the CVWD (EIR396-A2, p. 101). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed.

Coachella Valley Water District (CVWD) is the water provider for the site and relies primarily on groundwater for potable water supplies. For non-potable water supplies, CVWD uses recycled water and imported Colorado River water (CVWD, pp. ES-6 – ES-7). CVWD's 2015 Urban Water Management Plan indicated it has sufficient supply to meet customer demand based on existing demand and projected demand based on land use projections from jurisdictions within its service area (CVWD, pp. 1-2-1-3, 3-11-3-12). Development of the Project site was accounted for in CVWD's planning efforts.

The original intent of the drainage within SP303 (Kohl Ranch) was to infiltrate or reuse stormwater; although reuse is still a design intent, infiltration is no longer a viable option. Groundwater replenishment in this area over the last 10 years has resulted in a rise of groundwater throughout the east Coachella Valley. Much or most of Kohl Ranch now has groundwater within 10-15 of the surface which prohibits the use of infiltration basins as these need 10 feet of soil between bottom of basin and groundwater. (FEI-B, p. 1-3).

However, development of the Project will not negatively impact sustainable groundwater management of the basin as groundwater is so abundant that additional groundwater replenishment is prohibited. Further, CVWD has prepared a Water Budget Analysis dated [DATE] (CVWD-A) and determined there is sufficient water supply to serve the Project site and will not deplete current groundwater supplies or impact ground water recharge efforts Mitigation measures from the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Avenue 64 and Avenue 66 convey stormwater flows, eventually collecting in the Coachella Valley Stormwater Channel (Whitewater River). Mitigation Measure C5-8 ensures impacts to drainage patterns will be less

Potentially Significant <mark>New</mark> Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

than significant (EIR396, pp. V-102 – V-104). In addition, EIR396-A2 includes drainage development standards to be incorporated into project drainage design (EIR396-A2, pp. 88-89).

No New Impact. The proposed Project lies within the same area as previously analyzed. While the project will add impervious surfaces, it will not alter the existing drainage pattern of the site, stream or river. The Project's drainage is designed to reflect existing pre-development conditions. The Project site will be designed to handle 3-hour, 6-hour and 24-hour duration, 100-year frequency storms. If the Project site is subjected to an event greater than the design storm, or in case of emergency, the retention basin will be designed to overflow to the east into the earthen trap channel. If, during review of the final Hydrology and Water Quality Management Plan (WQMP), it is determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2000 linear feet to the evacuation channel on 64th Avenue. This will mostly be determined by the flowrate CVWD allows into the tile drain system (FEI-A, p. 5). All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

- d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Development and construction of the project could potentially create short-term downstream impacts related to erosion and sedimentation, as well as rainfall impacts and sheet erosion. Mitigation Measures C1-6 and C7-1 through C7-4 would reduce these potential impacts to less than significant (EIR396, pp. V-59 V-60).
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed and is still subject to the NPDES permit requirements which includes preparation and implementation of a SWPPP for the prevention of runoff during construction. Erosion, siltation and other possible pollutants associated with long-term implementation of the Project are addressed as part of the project-specific Preliminary WQMP and grading permit process. The Project is required to be in compliance with the NPDES general construction permit which requires that a SWPPP with Best Management Practices (BMPs) be prepared prior to the commencement of construction activities and incorporate water quality design features to address potential erosion and siltation impacts. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the prior CEQA documents.
- e-f) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The proposed development would substantially alter the project site by replacing primarily agricultural uses with roadways, walkways, parking and buildings. Because the majority of the project site is undeveloped land, these impervious surfaces would reduce the infiltration of rainfall and increase stormwater runoff volumes. In order to approximate existing historical runoff conditions, the difference between the on-site developed and undeveloped runoff flows would be controlled by use of on-site retention basins. Mitigation Measures C5-1 through C5-8 would reduce impacts to less than significant (EIR396, pp. V-101 V-104). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and will add impervious surfaces which may substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site. Further, due to the increased impervious surfaces, there is potential the Project may create or contribute runoff water which would exceed the capacity of existing or planned stormwater drainage systems or provide substantial additional sources of polluted runoff.

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	Impact
Impact	with	New	•
	Mitigation	Impact	
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The existing site drains by sheet flow onto the vacant lot immediately to the south (also part of the overall Kohl Ranch site). The ultimate discharge point to public property is in the southeast corner of the adjacent property to the south where two 30-inch reinforced concrete pipes (RCP) convey the drainage across Avenue 66 to an existing drainage channel at the intersection of Polk Street and Avenue 66. An evacuation channel is also located on the northern boundary along Avenue 64. At the intersection of Polk and Avenue 64, a weir and future drainage pump station are proposed. These facilities are part of the regional drainage system and control the runoff from Martinez Canyon, the mouth of which is approximately five miles to the southwest. Part of the regional system exists, part will be constructed as part of this project, and part will be constructed by other developments within Kohl Ranch. The system is currently and will ultimately be maintained by CVWD. No stormwater from the proposed Project site is intended to comingle with this regional drainage, except in the event of an emergency. The evacuation channel carries the runoff from Martinez Canyon and directs it easterly across Polk Street. East of Polk Street, the channel is narrow and can only contain a portion of the flow. The weir is intended to accept additional flows, above the capacity of the channel east of Polk Street, and direct the flows southerly into the earth trap channel. The trap channel is essentially level (at both top and bottom of the channel) from Avenue 64 to Avenue 66 and once full, will release the flow easterly, spreading out across Polk Street which will function as a weir. The intent is to spread and return flows to the predevelopment condition. In the event that the earthen trap is unable to infiltrate the stormwater remaining after significant events, a drainage pump will meter the flow back into the evacuation channel to flow easterly to the Salton Sea. (FEI-B, pp. 3-4).

The site, as identified in Threshold 23a above, is divided into two drainage areas: DMA1 and DMA2. The irrigation reservoir and surf bays will "self-retain" meaning that all stormwater falling on to them and their shores will remain in the lakes. Drainage for DMA1 and DMA2 will be collected via catch basins and storm drain pipes that will direct the flow to the proposed interim retention basin. The high groundwater at the site will prevent percolation into the native soils so the stormwater will filter through a sand bed filter into a proposed 16-inch tile drain that will connect to an existing 16-inch tile drain pipe that is maintained by CVWD. This tile drain system flows to the Salton Sea. CVWD may require this flow be metered such that a maximum flowrate into the pipe would be allowed. In such case, the flow would be controlled by pipe size from the basin to the existing 16-inch tile drain. (FEI-B, p. 4).

There is potential that run-on to the Project site may occur from the residential development located to the west (the partially constructed TTM 33487, also known as "Quintana"). TTM 33487 was designed for all stormwater to be retained in a large onsite lake that has already been constructed. In the event of a storm greater than the design storm, or in case of emergency, this lake may overflow at its most easterly point onto the adjacent proposed "Spine Road" and onto the Project site. The Project will be designed to accept this potential overflow and route it through the Project, above ground, and into the proposed retention basin (FEI-B, pp. 4-5).

Should an event greater than the design storm occur or in the event of an emergency, the interim retention basin will be designed to overflow to the east into the earthen trap channel along Polk Street. If, determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2,000 linear feet to the evacuation channel located along Avenue. This will be determined by the flowrate that CVWD allows into the tile drain system (FEI-A, p. 5).

The Project site will be designed to handle 3-hour, 6-hour, and 24-hour duration, 100-year frequency storm events. The total incremental increase of stormwater runoff between pre and

Potentially	Less than	Less	No
Significant	Significant	Than	New
New	New Impact	Significant	impact
Impact	with	New	
	Mitigation	Impact	
	Incorporated		

post-development conditions is 10.23 acre-feet (AF). However, the proposed basin volume is designed for 15.5 AF. In the event of a storm greater than the design storm or in an emergency, the basin would overflow at an elevation of 277 feet above mean sea level (AMSL) into the earthen trap channel along Polk Street. The lowest proposed pad elevation is 283.2 which would provide six feet of freeboard. All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

g) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Regional flows approaching and passing through the project site occur in a west to east pattern. Development would require the collection of flood flows along the western boundary and conveyance of those flows through the project to ensure the protection of the developed properties from a 100-year flood. In addition, the storm flows would have to be redispersed along the eastern boundary to approximate the existing flow conditions, in order to avoid adversely impacting the downstream properties. Mitigation Measures C5-2 through C5-8 would reduce impacts to less than significant (EIR396, pp. V-102 – V-104). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The Project would construct residential structures which may have the potential to impede or redirect flows. However, the Project's drainage is designed to reflect existing pre-development conditions. The Project site will be designed to handle 3-hour, 6-hour and 24-hour duration, 100-year frequency storms. If the Project site is subjected to an event greater than the design storm, or in case of emergency, the retention basin will be designed to overflow to the east into the earthen trap channel. If, during review of the final Hydrology and Water Quality Management Plan (WQMP), it is determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2,000 linear feet to the evacuation channel on Avenue 64. This will be determined by the flowrate that CVWD allows into the tile drain system (FEI-A, p. 5). All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

h) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The property has not been mapped by the Federal Emergency Management Agency (FEMA). The area is designated as Flood Zone D, an area of undetermined but possible flood hazards. Per discussions with CVWD Flood Control Engineers, the project site is not subject to concentrated flood hazard due to protection from the Eastside Levee, and would not be conditioned by the District to perform FEMA mapping. Therefore, the project site is only subject to sheet flows generated from the tributary area between the Eastside Levee and the project site. According to the GP, the project site is not located within a 100-year floodplain, dam inundation area, or area drainage plan. As stated in threshold 26.d, the difference between the on-site developed and undeveloped runoff flows would be controlled by use of on-site retention basins. There will also be dispersal basins along the eastern boundary of the project to avoid adverse impacts to downstream properties. Flood-related hazards would be mitigated via Mitigation Measures C5-2 through C5-8, to reduce impacts to less than significant (EIR396, pp. V-100 – V-104).

Tsunami and seiche zone hazards were not analyzed due to lack of such a question in EIR396. However, these issues were analyzed in the geotechnical report prepared for EIR396. According to the Earth Systems Geotechnical Report (1993), based on the Project site's geologic location

Potentially	Less than	Less	No
Significant	Significant	Than	New
New Impact	New Impact with Mitigation Incomprated	Significant New Impact	

and topography, the probability of secondary seismic geologic hazards that may result from an earthquake (including tsunamis and seiches) is negligible (EIR396's Geotechnical Report, p. 7). Therefore, no potential impacts from such hazards will affect the project. EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The Project lies within the same area as previously analyzed. As defined by FEMA, the Project site is located within an area of 1 percent annual chance flood with average depth less than one foot (FEMA); a 1 chance flood is also referred to as the base flood or a 100-year flood (FEMA FZ). The Project site is also partially in an area of reduced flood risk due to a levee; however, FEMA does not specify the amount of protection from flood risk in this area (FEMA LOMR); in order to be conservation, it is assumed that there is no significant reduced flood risk. . However, the Project site will be designed to handle 3-hour, 6-hour and 24-hour duration, 100-year frequency storms. Should the Project site be subjected to an event greater than the design storm, or in case of emergency, the interim retention basin located south of the site will be designed to overflow to the east into the earthen trap channel. If, during review of the final Hydrology and Water Quality Management Plan (WQMP), it is determined that the proposed basin is unable to drain within 72 hours, a drainage pump station will be designed to pump the stormwater from the basin northerly approximately 2000 linear feet to the evacuation channel on 64th Avenue. This will mostly be determined by the flowrate CVWD allows into the tile drain system (FEI-A, p. 5). The Project site is not located near the Pacific Ocean so is not subject to tsunami and has a low risk of seiche hazard (SE-A, p. 7). All mitigation measures identified in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed by the prior CEQA documents.

i) EIR396 Conclusion: Not specifically analyzed because this threshold was not applicable at the time of EIR396. However, adequate information is provided in EIR396 to make an impact determination. The project is located within the regulatory boundaries of the Water Quality Control Plan for the Colorado River Basin, which covers water quality issues for the project vicinity, including surface water and groundwater (EIR396, pp. V-131, V-133 – V-134). In order to reduce water quality impacts from the project to a less than significant level, mitigation measures C7-3 through C7-5 are incorporated (EIR396, pp. V-136 – V-138). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The Project lies within the same area as previously analyzed. The Project is located within the CVWD jurisdiction. The CVWD outlines its water quality and groundwater management issues and goals in its Coachella Valley Water Management Plan Update (CVWMP). The CVWMP states that its goal is for groundwater recharge to increase (CVWMP, pp. 2-4 - 2-5, 6-32 - 6-35). The CVWMP also identified water quality as a significant issue, particularly for concerns like salinity and water pollutants such as metals and arsenic (CVWMP, pp. 6-35 - 6-39). A site specific Preliminary Water Quality Management Plan dated April 10. 2019 was prepared by Feiro Engineering Inc. (FEI-B, Appendix E). It contains Project-specific recommendations for compliance with water-quality standards, waste discharge requirements, and BMPs for maintaining water quality (FEI-B, pp. I-20 - I-25), which address CVWMP's water quality concerns. The Project is required to be in compliance with the NPDES general construction permit which requires that a SWPPP be prepared prior to construction activities and implemented during construction activities. The SWPPP will BMPs that achieve Best Control Technology (BCT) and Best Available Technology (BAT) performance standards. Regarding groundwater recharge, FEI-B states that the original intent of the drainage within SP303 was to infiltrate or reuse stormwater; although reuse is still a design intent, infiltration is

F	otentially	Less than	Less	No
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	New	New Impact	Significant	Impact
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no longer a viable option. Groundwater replenishment in this area over the last 10 years has resulted in a rise of groundwater throughout the east Coachella Valley. Much or most of SP00303S3 now has groundwater within 10-15 of the surface. This prohibits the use of infiltration basins which need 10 feet of soil between bottom of basin and groundwater. The Substantial Conformance application, submitted as part of this project, will describe this and update the wording of SP00303S3 WQMP (FEI-B, p. 1-3). Development of the Project will not negatively effect sustainable groundwater management of the basin as groundwater is so abundant that additional groundwater replenishment is prohibited. The Project will also not conflict with or obstruct implementation of a water quality control plan, per the Project's Preliminary Water Quality Management Plan and compliance with the NPDES general construction permit. All mitigation measures from the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

LAN	LAND USE/PLANNING Would the project:						
24.	Lan	d Use					
	a)	Cause a significant environmental impact due to a conflict with any land use plan, policy, or regulation adopted for the purpose of avoiding or mitigating an environmental effect?				\boxtimes	
	b)	Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?					

Source(s): EIR396 Findings of Fact:

a) EIR396 Conclusion: Significant and Unavoidable. Land uses already present on the project site at the time of EIR396's certification were primarily agricultural uses and vacant land, with limited residential uses along the project periphery and Avenue 61 (EIR396, pp. V-47 – V-50). Development of the project will change the existing land use from agricultural land uses and vacant land to a mixed used residential, commercial, industrial, open space and recreational development resulting in a significant unavoidable impact. Mitigation and monitoring measures for land use compatibility were established for the potential of land use conflicts between agricultural and proposed urban uses in EIR396 to reduce impacts to less than significant. Other impacts resulting from loss to agricultural land uses were found to be significant and unavoidable (EIR396, pp. V-74 – V-79). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

The Thermal Airport (now referred to as the Jacqueline Cochran Regional Airport) is located immediately north of the project site. The Torres-Martinez Indian Reservation also lies adjacent to the southern portion of the project site. The Project will be compatible with all of the existing and surrounding land uses. Each of the six land use concepts presented in SP303 were analyzed in EIR396 for consistency with the policies of the Eastern Coachella Valley Plan. All concepts were found to have less than significant impacts assuming that edge treatment, buffering and streetscapes in the SP303 Design Guidelines are incorporated into the project

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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(EIR396, pp. V-41 – V-44, V-47 – V-52). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as was previously analyzed. Development of the Project proposes development of 326 lots for residential development consisting of 131 medium density dwelling units and 195 high density dwelling units which will include single family home, duplex units and four-plex units; one lot for an irrigation reservoir; one lot for a private lagoon with wave making capabilities and future village area consisting of up to 34,400 square feet of development. SP00303S3 entails minor modifications to The Kohl Ranch Specific Plan to allow for a re-configuration of planning areas J-1 through J-8, L-1, L-2, and L-3 to allow for development of the Project. Each planning areas will maintain an acreage variance within 16 to 30 percent and changes to target dwelling unit within each planning area will be no more than 10 percent to maintain consistence with processing of a Substantial Conformance. No land use designation changes are proposed as part of the Project; the Project does not contain any land uses that have not already been allowed for and considered in SP303A4 and analyzed in the prior CEQA documents. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA document.

b) EIR396 Conclusion: Not specifically addressed in EIR396 because EA36750 determined that the Project did not disrupt or divide the physical arrangement of an established community (including a low-income or minority community. EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is located within an undeveloped area with no established community and lies within the same area as previously analyzed. Thus, the Project will not disrupt or divide an established community (including a low-income or minority community). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. <u>Monitoring</u>: None required.

MIN	ERA	L RESOURCES Would the project:	4	
25.	Min	eral Resources		
	a)	Result in the loss of availability of a known mineral resource that would be of value to the region or the residents of the State?		\boxtimes
	b)	Result in the loss of availability of a locally- important mineral resource recovery site delineated on a local general plan, specific plan or other land use plan?		\boxtimes
	c)	Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?		\boxtimes

Source(s): EIR396, GP

Findings of Fact:

a-c) EIR396 Conclusion: Not specifically addressed in the EIR396 because EA36750 determined that the project was not located within a mineral resource zone (MRZ) (EIR396, Appendix A, p.

New No Impact	Less than Significant New Impact with Mitigation ncorporated	Less Than Significant New Impact	No New Impact
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8). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and does not lie within an MRZ. It falls within an unstudied area (GP, Figure OS-6). The proposed Project will not result in the loss of availability of a known mineral resource in an area classified or designated by the State that would be of value to the region or the residents of the State. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: None required. Monitoring: None required.

NOI	SE Would the project result in:	Transle	πη Yu
26.	Airport Noise a) For a project located within an airport land use		
	plan or, where such a plan has not been adopted, within two (2) miles of a public airport or public use airport would the project expose people residing or working in the project area to excessive noise levels?		
	b) For a project located within the vicinity of a private airstrip, would the project expose people residing or working in the project area to excessive noise levels?		

Source(s): DBF, EIR396, Project Description, RCALUC

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project lies south of and adjacent to the Jacqueline Cochran Regional Airport (formerly referred to as the Thermal Airport), a general aviation airport that serves business and leisure aircraft. Although the airport does not have an Air Traffic Control Tower to keep operational statistics, it is estimated that 85 percent of these operations occurred during the daytime, with 15 percent in the evening and 5 percent at night. This results in 60 community noise equivalent level (CNEL) noise contours that extend 6,000 feet north of the higher use runway and 9,000 feet to the south onto the project. The 65 CNEL contours extend 6,500 feet to the south onto the project, but the 70 and 75 CNEL contours remain on the airport property. The lower use runway (12-30) has 60 CNEL contours which extend 6,000 feet to the south. The 65 and 70 CNEL contours for this runway are within the airport boundaries (EIR396, pp. V-144 – V-146).

The proposed land uses on site could be impacted by noise emanating from Jacqueline Cochran Regional Airport and area roadways. Within the airport's 65 CNEL contour, lies Open Space, Air Park/Mixed Use, and Heavy Industrial land use designations. According to the Land Use Guidelines for Noise Compatibility for airport uses, these land uses are satisfactory with little noise impact and require no special noise insulation for new construction. Within the airport's 60 CNEL contour is proposed Open Space, Air Park/Mixed Use, Office, Heavy Industrial, Light Industrial, Residential Low and Residential High uses. With the exception of residential, the other land use categories would be considered compatible. Residential uses are generally discouraged within the 60 CNEL contour. New residential construction should be undertaken

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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only after an analysis of noise reduction requirements is made and noise insulation included in the design. Given the location of these residential uses, the analysis will also need to address the combined impact of motor vehicle noise from adjacent roadways. The area within the 70 and 75 CNEL contours on site are designated for Open Space uses which should not be impacted by aircraft noise. However, recreational uses should be limited to those that do not involve concentrations of people. Mitigation Measure C8-4 and C8-5 reduce potential impacts to less than significant (EIR396, pp. V-159 – V-161). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. A Noise Analysis Report was prepared by dBF Associates, Inc., on June 13, 2019 (DBF). The analysis concluded that the existing and future (year 2022) noise level from the Jacqueline Cochran Regional Airport is less than 60 a-weighted decibels (dBA) CNEL at the Project site (DBF, p. 17). Per the GP, exterior noise levels up to 60 dBA CNEL are considered Normally Acceptable at Residential-Low Density (which is what the Project site is considered) (DBF, p. 10). Therefore, DBF concludes that impacts from airport noise are less than significant (DBF, p. 17). Additionally, the Project site is located outside of any CNEL noise contour for aircraft and does not conflict with any General Plan policies related to airports. Since the Project is located in Compatibility Zones C and D as identified in the Project Description, avigation easements will be required as part of the sale of any unit (RCALUC). Avigation easements notify property owners that the unit is located within the vicinity of an airport and as such, the property may be subject to annoyances and inconveniences associated with airport operations. Thus, the proposed Project does not result in impacts from airport-related noise beyond those previously analyzed and no further analysis is necessary. Furthermore, the project does not lie within the vicinity of a private airstrip. All mitigation measures from the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

27.	Noi a)	se Effects by the Project Generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies?		×
	b)	Generation of excessive ground-borne vibration or ground-borne noise levels?		

Source(s): DBF, EIR396

Findings of Fact:

a) EIR396 Conclusion: Significant and Unavoidable. Permanent noise increases related to the project identified in Table V-30 of EIR396 range up to 7.0 A-weighted decibels (dBA) along existing links (roadway segments). Twelve of the analyzed links would experience noise increases of 3.0 decibels or greater. This change in noise level is considered "audible" to the human ear and therefore has the potential to create significant impacts. Additionally, there is an

Potentially Significant New	Less than Significant New Impact	Less Than Significant	No New Impact
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	Mitigation Incorporated	Impact	

increase in noise greater than 1.0 dBA but less than 3.0 dBA along twenty-seven roadway links. These noise increases are considered "potentially audible" (EIR396, pp. V-156 – V-159). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Temporary short-term acoustic impacts are those associated with construction activities necessary to implement the proposed land uses on site. The noise levels would be higher than the ambient noise levels in the project vicinity today, but would subside once construction is completed. Two types of noise impacts should be considered during the construction phase. First, the transport of workers and equipment to the construction site would incrementally increase noise levels along site access roadways. The increase should not exceed 1.0 dBA when averaged over a 24-hour period, and should therefore be inaudible to adjacent noise receptors. The second is related to noise generated by the construction operations on site. Construction activities are carried out in discrete steps, each of which has its own mix of equipment, and consequently its own noise characteristics. These sequential phases would change the character of the noise levels surrounding the construction site as work progresses. Despite the variety in the type and size of construction equipment, similarities in the dominant noise sources and patterns of operation allow noise ranges to be categorized by work phase. Mitigation Measures C8-1 through C8-3 would reduce short-term noise impacts to less than significant (EIR396, pp. V-150 - V-151).EIR396-A2 added Mitigation Measures MM Noise 1 through 2 to help further mitigated impacts to the project-adjacent school sites and nearby residences (EIR396-A2, pp. 120-121). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

The proposed uses are generally compatible with the surrounding environment since they were developed with recognition of the noise contours surrounding Jacqueline Cochran Regional Airport. Special noise concerns exist with the more sensitive residential and school uses that are proposed in proximity to motor vehicle noise, and the requirement to meet the state interior noise standards for multifamily dwellings (EIR396, p. V-159). Within the airport's 65 CNEL contour lies Open Space, Air Park/Mixed Use and Heavy Industrial land use designations. According to the Land Use Guidelines for Noise Compatibility for airport uses, these land uses are satisfactory with little noise impact and require no special noise insulation for new construction. Within the airport's 60 CNEL contour is proposed Open Space, Air Park/Mixed Use, Office, Heavy Industrial, Light Industrial, Residential Low and Residential High uses. With the exception of residential, the other land use categories would be considered compatible. Residential uses are generally discouraged within the 60 CNEL contour. New residential construction should be undertaken only after an analysis of noise reduction requirements are made and noise insulation included in the design. Given the location of these residential uses. the analysis will also need to address the combined impact of motor vehicle noise from adjacent roadways. The area within the 70 and 75 CNEL contours on site are designated for Open Space uses which should not be impacted by aircraft noise. However, recreational uses should be limited to those that do not involve concentrations of people (EIR396, p. V-159).

Sensitive land uses are proposed within the project including residences and possibly schools under the Public Facilities designation. Residential uses proposed adjacent to Avenue 62, Avenue 66, Tyler Street and Polk Street may be subject to noise levels in excess of 65 CNEL before mitigation. Additionally, future noise levels generated along on-site roadways, residences and schools adjacent to A Street, B Street, and C Street may also be impacted by noise in excess of 65 CNEL prior to mitigation (EIR396, p. V-160).

Potentially Significant New Impact	Less than Significant New Impact with	Less Than Significant New	No New Impact
	Mitigation Incorporated	Impact	

These areas would be considered "conditionally acceptable" according to the County of Riverside standards, indicating that noise studies are required to ensure appropriate sound attenuation is incorporated into project design. Since noise barriers can reduce sound by up to 12 dBA, sound walls should be sufficient to reduce motor vehicle noise to acceptable levels for residential and school uses. However, it is more likely that a combination of techniques including site design and setbacks is required to ensure a compatible noise environment. With mitigation, an exterior environment of 65 dBA CNEL could be achieved. This would ensure that the 45 dBA interior noise standard for multifamily uses is met, since typical building construction practices result in a 20-25 dBA exterior-to interior reduction. Mitigation Measures C8-4 and C8-5 will ensure impacts are less than significant, and Mitigation Measures D12-3 and D12-4 will ensure project development is compliant with the Jacqueline Cochran Regional Airport's noise guidelines (EIR396, pp. V-160 – V-161, V-365 – V-366). EIR396-A2 added Mitigation Measures MM Noise 3 through 9 to further mitigated impacts (EIR396-A2, pp. 124-125). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. A Noise Analysis Report was prepared by dBF Associates, Inc, on June 13, 2019 (DBF). DBF outlined the applicable standards for noise level impacts. Per the GP, exterior noise levels up to 60 dBA CNEL are considered Normally Acceptable at Residential-Low Density (which is what the Project site is considered); exterior noise levels up to 70 dBA CNEL are considered Conditionally Acceptable. Exterior noise levels up to 75 dBA CNEL are considered Normally Acceptable at Industrial, Manufacturing, Utilities and Agriculture land uses. These standards are codified in Riverside County Code Section 9.52.040 and 9.52.020. Normally Acceptable means that the specified land use is satisfactory based upon the assumption that any buildings involved are of normal conventional construction, without any special noise insulation requirements. Conditionally Acceptable means new construction or development should be undertaken only after a detailed analysis of the noise reduction requirements is made and needed noise insulation features included; conventional construction, but with closed windows and fresh air supply systems or air conditioning will normally suffice (DBF, pp. 10-12).

DBF concluded that roadway noise levels at the Project site would range from below 60 dBA CNEL to approximately 66 dBA CNEL, which means noise levels would by Conditionally Acceptable. As discussed in Threshold 26a and 26b above, airport noise (from the Jacqueline Cochran Regional Airport, the closest airport to the Project site) would generate noise less than 60 dBA CNEL on the Project site, meaning this noise level is Normally Acceptable (DBF, p. 17)

Construction of the Project would generate a short-term temporary increase in noise in the Project area. The primary noise from Project construction would be from site grading, which would require the use of heavy equipment. No blasting would be necessary. This Project would implement conventional construction techniques and equipment. Standard equipment such as scrapers, graders, backhoes, loaders, tractors, cranes, and miscellaneous trucks would be used for construction of the Project. To reduce potential noise impacts, construction activity and delivery of construction materials and equipment is limited to daytime hours (between 7:00 a.m. and 7:00 p.m.), Monday through Saturday (DBF, p. 19). The Project would be required to comply with this ordinance ensuring impacts from construction noise are less than significant.

The Project would have the following operational noise sources: residential HVAC systems, mechanical systems to operate the wave machine, and bird harassment devices. Noise from the Project's HVAC systems would be less than 45 dBA at all occupied property. All water cleaning and surf system mechanical equipment would be located in underground enclosed chambers; above-ground noise would not be audible. Noise from mechanical equipment would

Potentially	Less than	Less	No
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be less than 45 dBA at all occupied property. The bird harassment systems are handheld directional speaker devices, and would be used during daytime only. Noise from occasional use of bird harassment systems is not expected to exceed 55 dBA at any occupied property. These operational noise levels are below the 60 dBA CNEL limit per the GP, and thus operational noise impacts are less than significant (DBF, p. 20).

The Project would also generate traffic (and traffic noise) on roadways in the Project area. Land uses along Project area roadways include agricultural land and residences. The GP considers noise levels up to 70 dBA CNEL to be Conditionally Acceptable at residences, and noise levels up to 80 dBA CNEL to be Conditionally Acceptable at agricultural uses. Since sound level variations of less than 3 dba are not considered detectable by people, impacts from traffic noise would only be considered significant if Project traffic would increase the noise level by 3 dBA CNEL or more to over 70 dBA CNEL at an outdoor use area of a residence, or to over 80 dBA CNEL at agricultural land. Based on the analysis in DBF, the addition of Project traffic would increase noise levels by up to approximately 17 dBA CNEL, but the resultant noise levels would not exceed approximately 61 dBA CNEL. The impact of project-generated traffic noise would be less than significant (DBF, pp. 21-23).

Thus, the proposed Project's potential impacts generation of a substantial temporary or permanent increase in ambient noise levels in the vicinity of the project in excess of standards established in the local general plan, noise ordinance, or applicable standards of other agencies are no different from those previously analyzed and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Not Analyzed. This question was not included in EIR396. EIR396-A2 identified that ground-born vibration and ground-borne noise is usually only potentially significant if a sensitive receptor is located adjacent to a large source of such vibration such as a railroad track (EIR396-A2, p. 125). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. A Noise Analysis Report was prepared by dBF Associates, Inc, on June 13, 2019 (DBF). DBF found that impacts related to vibration from Project operation and construction would be less than significant. Operational vibrations are generated by vehicular traffic and mechanical equipment operation. Vehicular traffic vibrations are so minor that they are considered barely perceptible. All mechanical equipment would be located over 25 feet from vibration-sensitive structures, and will be installed with using vibration-dampening resilient isolators to ensure that vibration levels are lower than applicable Caltrans thresholds (DBF, p. 24). Construction-related vibration are temporary and scattered over the site as construction phases are implemented. The proposed Project will not incorporate the use of pile-driving. The highest construction-related vibration levels would occur during Project grading. Based on the construction equipment that will be used for the Project site, vibrations would be considered barely perceptible and less than significant (DBF, p. 25).

There are no railroad tracks adjacent to the Project site. Additionally, groundborne vibration and groundborne noise are not associated with any of the uses proposed by the proposed Project. As the proposed Project occurs within the same footprint as previously analyzed, it will not result in an increase of ground-borne vibration or ground-borne noise levels. Therefore, no new or

Potentially Significant	Less than Significant	Less Than	No New
New	New Impact	Significant	Impact
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substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

PALE	ONTOLOGICAL RESOURCES:	AS IN BUILD		Market -	
	Paleontological Resources a) Directly or indirectly destroy a unique paleonto- logical resource, site, or unique geologic feature?		\boxtimes		

Source(s): AE-B, EIR396

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. EIR396 determined that the project site has been heavily disturbed, and recovery of paleontological resources within 7 feet of the surface is unlikely. Mitigation Measures C12-4 through C12-7 will reduce impacts of any potential future construction excavation on the project site to less than significant (EIR396, pp. V-183 – V-184). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Less than Significant New Impact with Mitigation Incorporated. The proposed Project area lies within the same area as previously analyzed. A Paleontological Technical Memorandum was completed for the Project site by Applied Earthworks dated September 18, 2018 (AE-B, Appendix B). The analysis of paleontological resources contained within AE-B refers to the "project area" which is approximately 250 acres of land containing and surrounding the Project site (AE-B, p. 1).

AE-B conducted a record search of paleontological resources in the vicinity of the project area. AE-B found that there were no known paleontological fossil localities within the project area. The nearest known localities exist northwest of the project area, on both sides of Madison Street north of Avenue 58, which is approximately 6.5 miles away from the Project site. While there are no known paleontological resources located in the project area, the project area has a high paleontological sensitivity rating per the GP's Paleontological Sensitivity Map. As a result, mitigation measures as described below are intended to mitigate potentially significant impacts to paleontological resources if they are present. The inclusion of these mitigation measures will reduce potentially significant impacts if paleontological resources are present to less than significant (AE-B, pp. 4-6). Paleontological monitoring of the site will still be required to ensure impacts to paleontological resources during ground disturbing activities remain less than significant. To ensure impacts remain less than significant, Mitigation measures C12-4, C12-5, C12-6, and C12-7-A remain in effect. Mitigation measures C12-5, C12-6, and C12-7 will be revised as follows to ensure impacts remain less than significant:

Mitigation Measure C12-5 – Initially, full-time monitoring shall be conducted during all earth moving activities that extend below 5 feet within native sediments in Sections 4 and 9 (T.7S, R.8E). Full-time monitoring shall not be required for areas of artificial fill or ground disturbing activities that do not yield observable sediments, such as augering if the diameter of the auger is very small (less than 12 inches or 0.3 meter). In this case, matrix sampling of the spoils piles for small-fraction fossils shall be conducted at the discretion of the Project Paleontologist. Otherwise, Wet screening for small vertebrates

Potentially	Less than	Less	No
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New	New Impact	Significant	Impact
Impact	with Mitigation Incorporated	New Impact	

shall will-be conducted in the appropriate sediments and a representative sample of fossils shall be collected. Recent (Holocene) alluvial materials or sands have a low paleontologic sensitivity and will not require monitoring. If fossils are found, monitoring requirements shall will be increased accordingly; if no fossils are encountered, monitoring efforts shall will be reduced in these sediments. If an adequate sample is collected from the sensitive sediments, the Paleontologist may reduce or eliminate monitoring requirements.

Part-time monitoring may occur when ground disturbances impact artificial fill underlying the Project Area. The frequency and duration of part-time monitoring shall be determined by the Riverside County Project Paleontologist and shall be dependent on the nature and extent of on-site excavations. The number of qualified paleontological monitors on site shall be increased or decreased at the discretion of the Riverside County Qualified Project Paleontologist to ensure adequate and complete coverage of all construction impacts to paleontologically sensitive units.

The frequency of monitoring may be reduced at the discretion of the Riverside County Qualified Project Paleontologist in accordance with SVP guidelines (2010), if, after 50 percent of the grading is completed in a specific area or stratigraphic unit, no fossil resources of any kind are encountered. Paleontological monitors shall remain on call should construction personnel observe fossil resources. Once all ground-disturbing activities have been completed in native sediments within the Project Area, monitoring shall cease.

Mitigation Measure C12-6 — Specimens collected shall be prepared in a properly equipped paleontology laboratory (to a point of identification and curation) which shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to a regionally-accredited museum repository, such as the NHMLAC in Los Angeles, for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the landowner, identified and curated into a suitable repository that has a retrievable storage system, such as the San Bernardino County Museum.

Mitigation Measure C12-7 – A final report summarizing findings shall be prepared at the end of earth moving activities, and shall include a summary of the field methods, laboratory methods (if any), an overview of the geology and paleontology of the construction site, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations an itemized inventory of recovered fossils and appropriate stratigraphic and locality data. If the monitoring efforts produce fossils, this report shall be sent to the Lead Agency, signifying the end of mitigation. Another copy shall accompany the fossils, along with field logs and photographs, to the designated repository.

Implementation of mitigation measure **MM PALEO-1** will further ensure impacts remain less than significant:

MM PALEO-1: Prior to the start of construction within a given development site within the Project Area, all field personnel shall be briefed regarding the types of fossils that could be found and the procedures to follow should paleontological resources be encountered. Training shall 1) provide a description of the fossil resources that may be encountered; 2) outline steps to follow in the event that a fossil discovery is made; and 3) provide contact information for the Qualified Paleontologist and on-site monitor(s).

Potentially Significant New	Less than Significant New Impact	Less Than Significant	No New Impact
Impact	with Mitigation Incorporated	New Impact	

The training shall be developed by the Riverside County Qualified Paleontologist and may be conducted concurrently with other environmental training (e.g., biological awareness training, cultural and natural resources awareness training, safety training, etc.).

Therefore, with the implementation of mitigation already in effect and as revised, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as revised and added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

POF	POPULATION AND HOUSING Would the project:							
29.	Ηοι	ısing						
	a)	Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?				\boxtimes		
	b)	Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?		a 🗆				
	c)	Induce substantial unplanned population growth in an area, either directly (for example, by proposing new homes and businesses) or indirectly (for example, through extension of roads or other infrastructure)?						

Source(s): EIR396 Findings of Fact:

EIR396 Conclusion: No Impact. EIR396determined that the project will not displace existing housing that would necessitate the construction of replacement housing elsewhere, would not create a demand for additional housing, and would not alter the location, distribution or growth rate of the human population (EIR396, Appendix A, p. 5). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is within the same area as previously analyzed and contains no existing housing. Thus, it would not displace any housing or people, as none are present on the Project site. The Project includes residential development and will not change any land uses nor increase the overall intensity of land uses beyond what was analyzed in the prior CEQA documents. No use that would create a demand for affordable housing are proposed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

c) EIR396 Conclusion: Less Than Significant. Per EIR396, development of the project will be representative of approximately 4.3 percent of the housing growth expected by 2015 and 7.5 percent of the population growth expected by 2010 for the Coachella Valley region (EIR, p.V-386). The project will induce substantial population growth in an area that is relatively uninhabited. The project lies within the Coachella Valley Enterprise Zone, which considers the maximum growth permitted within the zone and the creation of jobs that would result from that

Potentially	Less than	Less	No
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New	New Impact	Significant	Impac
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growth. The project supports County planning policies through availability of road improvements and infrastructure that would occur within this enterprise zone. Development of the project will result in growth inducement in the enterprise zone. However, because this is consistent with County policy, any growth resulting from development of a specific plan is considered less than significant (EIR396, p. 446). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project is within the same area as previously analyzed. The proposed Project will not change or increase the intensity of land uses or the number of designated dwelling units within SP303A4. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: None required.

Monitoring: None required.

PUBLIC SERVICES Would the project result in substantial adverse physical impacts associated with the provision of new or physically altered government facilities or the need for new or physically altered governmental facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for any of the following public services:

30. Fire Services

Sources(s): EIR396, RCFD

Findings of Fact:

30) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project site is located within the jurisdiction of the Riverside County Fire Department (RCFD). Three stations will provide service for the project. The project would result in substantial demands on RCFD to provide acceptable levels of service. Mitigation Measures D3-1 through D3-7 will reduce this impact to less than significant (EIR396, pp. V-315 – V-319). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and all mitigation remains in effect. The fire risks associated with the proposed Project and its associated uses remain as they were previously analyzed. The closest fire stations remain the same as analyzed in the prior CEQA documents (RCFD). Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

documents remain in elect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

31. Sheriff Services

Source(s): EIR396, RCSD

Findings of Fact:

31) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the jurisdiction of the Riverside County Sheriff's Department (RCSD). The Indio Station, located approximately eight miles from the project, is the closest provider to the project. The

	Potentially Less than Less No Significant Significant Than New New Impact Significant Impact Impact with New Mitigation Impact Incorporated
levels of service. Implementation o modifications to D4-2 as described in to	nands on the Sheriff Department to provide acceptable Mitigation Measures D4-1 through D4-5 (with the see Final EIR) would make impacts to sheriff services less -322, VI-27). EIR396-A1 through EIR396-A8 determined as analyzed in EIR396.
closer RCSD station than the Indio St located at 86625 Airport Blvd, Therma site (RCSD). However, all mitigation fro effect. The proposed Project includes	lies within the same area; however, there is currently a stion that serves the Project area: The Thermal Station, CA 92274, approximately 4.0 miles north of the Project m the prior CEQA documents remains applicable and in the same types of allowable uses as previously analyzed. The eased impacts result from the proposed Project beyond uments.
	to this issue that were identified in the prior CEQA by are not affected by the proposed Project.
	ures remain as identified in the prior CEQA documents.
32. Schools	
Source(s): EIR396, RCIT	
Findings of Fact:	
within the boundaries of the Coachella the project would result in an increase CVUSD will be reduced to a less than a pp. V-323, V-325 – V-327). Since EIR3 project that was designated for Public Palmitas Elementary School, Toro Ca (EIR396-A2, pp. 130-131). EIR396-A1 beyond what was analyzed in EIR396. No New Impact. The proposed Project	cant with Mitigation Incorporated. The project is located Valley Unified School District (CVUSD). Development of of school age children in the area. Potential impacts to significant impact with Mitigation Measure D5-1 (EIR396, 96 was certified, the area in the southwest corner of the Facilties is owned by CVUSD and now houses the Lastryon Middle School, and Desert Mirage High School through EIR396-A8 determined there to be no impacts the tiles within the same area as previously analyzed, still in remains in effect. The Project does not propose any
changes to approved allowable uses the	at would increase the overall future intensity of the site.

Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

33. Libraries

Source(s): EIR396

Findings of Fact:

33) EIR396 Conclusion: Significant and Unavoidable. The project would be served by the Riverside City and County Public Library System (RCCPLS). The closest two branches are located in Coachella and Mecca. The project would adversely impact existing library services. The

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
	to ina (Eli	rease in population to be serviced would require an maintain the current level of service, but the cu dequate. Even with Mitigation Measure D11-1, impa R396, pp. V-356, V-358 – V-360). EIR396-A1 throug pacts beyond what was analyzed in EIR396.	irrent level cts would be	of services e significant a	is substai and unavoi	ntially dable
	doe inte imp	New Impact. The proposed Project lies within the es not propose any changes to approved allowable urnsity of the site. All mitigation remains in effect. The eacts beyond what was previously analyzed. There eacts result from the proposed Project beyond those	ses that wou e proposed l efore, no ne	uld increase t Project does w or substai	he overall f not result in ntially incre	uture n any ased
Mitiga	ation:	All mitigation measures related to this issue t documents remain in effect as they are not affect				EQA
Monit	toring	: Monitoring for all mitigation measures remain as	identified in	the prior CE	QA docume	ents.
34.	Hea	Ith Services				
Sourc	ce(s):	EIR396				
Findi	ings c	of Fact:				
о <i>ч</i> ,	4) EIR396 Conclusion: Less than Significant. The project is located near two hospital facilities located in Indio and Rancho Mirage. There are also two clinic facilities located in Indio and La Quinta to provide urgent care and general medical services to the residents of the development. The project would result in the increased need for medical services and facilities. In accordance with the GP, Riverside County will coordinate with health service providers to accommodate this demand. EIR396 also concluded that the size of the medical community is anticipated to increase commensurate with the increase in population in the area; thereby resulting in no adverse impacts as a consequence of the increase in demand for health services so impacts would be less than significant (EIR396, pp. V-354 – V-355). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.					
	doe inte pre	New Impact. The proposed Project lies within the is not propose any changes to approved allowable us not type of the site. The proposed Project does not reviously analyzed. Therefore, no new or substantitions of Project beyond those analyzed by the prior Country in the prior Country in the proposed Project beyond those analyzed by the prior Country in the proposed Project beyond those analyzed by the prior Country in the proposed Project lies within the proposed Project lie	ses that wou esult in any ally increas	ald increase to y impacts be sed impacts	he overall for	uture was
Mitiga	ation:	None required.				
Monit	toring:	None required.				
REC	REA	TION Would the project:	1 7 1 81			19:51
35.		Include recreation Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?				
	b)	Increase the use of existing neighborhood or regional parks or other recreational facilities such that substantial physical deterioration of the facility would occur or be accelerated?				

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact		
	c)	Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?				\boxtimes		
Source	ce(s):	COR EDA, EIR396						
Findi	ngs c	of Fact:						
a-b)	facional fac	1396 Conclusion: Less Than Significant with Mitigation are under the jurisdiction of the Riverside Contrict (RPOSD) and the Coachella Valley Recreation and the Coachella Valley Recreated and the Coachella Valley Recreation Recoachella Valley Recoa	ounty Reginand Parks Incres developments of the control of the con	onal Parks a District (CVRI oped local pa is. The CVRP elopment of t site. The project open space. at Lake Cal nificant (EIR3 hanges made irt Recreation mined there to	nd Open-SPD). The Corkland per PD also use the project will incorp Additionally 196, pp. V-3 a within EIF of be no imposed to the project will a be no imposed to the project within EIF of the project within the project w	Space ounty 1,000 s this vould oosed orate v, the vation 327 – 3396- DRD) pacts		
	and ana sub	New Impact. The proposed Project lies within the s does not increase the intensity of the site or change lyzed in the prior CEQA document. All mitigation restantially increased impacts result from the propose r CEQA documents.	e the land ι emains in	use from what effect. There	t was previ	ously ew or		
c)	Rive (nov dev	396 Conclusion: Less Than Significant. The projecterside Park and Open Space District and the Coach with the Desert Recreation District), which will requelopment of project (EIR396, pp. V-327 – V-328). Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be no impacts beyond what was analyzed in Elforto be not be not be no impacts beyond what was analyzed in Elforto be not be	ella Valley iire payme R396-A1 th	Parks and Re nt of approp	ecreation Di riate fees	istrict upon		
	for t Rec from requ incre	No New Impact. The proposed Project lies within the same area as previously analyzed and is located within the Thermal #125 Street Lighting County Service Area, a special district formed for the purposes of providing street lighting to the Project and within the jurisdiction of the Desert Recreation District (COR EDA). The Project does not change the land uses or land use intensity from what was analyzed in the prior CEQA documents, and thus the Project still meets Quimby requirements as determined in the prior CEQA documents. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.						
Mitiga	<u>ıtion</u> :	All mitigation measures related to this issue the documents remain in effect as they are not affected				EQA		
Monit			dentified in	the prior CE	QA docume			
36.	Recr	eational Trails				\square		

			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
	a)	Include the construction or expansion of a trail system?				
Sour	ce(s):	EIR396				
	' '	of Fact:				
a)	rega trail acq Mea (EII bey	1396 Conclusion: Less Than Significant with Mitiguional trails along Avenue 60 and Avenue 66. Class its were also identified on the Eastern Coachella Valuisitions for trail linkages were deemed necessary to assure D6-3 and D6-5 were provided in EIR396 to re R396, pp. V-327 – V-333). EIR396-A1 through EIR39 and what was analyzed in EIR396. New Impact. The proposed Project lies within the same proposed Project lies within the project lies within the proposed Project lies within the project lie	I Bike Pat alley Plan meet incre educe this in 96-A8 deter	hs located a Regional Tra eased deman mpact to less mined there t	djacent to t nils Map. F d and Mitig than signi to be no im	these future gation ficant pacts
Mitiga	miti ded	gation remains in effect. The Project lies within the sagation remains in effect. The Project will be require ications as identified in the approved SP303A4. The acts result from the proposed Project beyond those all mitigation measures related to this issue the documents remain in effect as they are not affected.	ed to comp refore, no n analyzed by nat were id	ly with trail in ew or substa y the prior CE dentified in t	nprovementially incre QA docum	nts as eased nents.
Moni	toring:	•				ents.
TRA	NSPO	DRTATION Would the project:	- T- 1			1, 1,000
37.		sportation		The state of the s		-110
	a)	Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?				
	b)	Conflict with an applicable congestion management program, including, but not limited to level of service standards and travel demand measures, or other standards established by the county congestion management agency for designated roads or highways?				
	c)	Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?				
	d)	Cause an effect upon, or a need for new or altered maintenance of roads?				
	e)	Cause an effect upon circulation during the project's construction?				\boxtimes

Source(s): EIR396, WEBB-D

Findings of Fact:

Result in inadequate emergency access or access to nearby uses?

 \boxtimes

Potentiall Significan New Impact		Less Than Significant New Impact	No New Impact
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a-b) EIR396 Conclusion: Less than Significant with Mitigation Incorporated. The GP lists four objectives related to circulation: 1) monitor land use and economic trends so that Riverside County Transportation Department can propose modifications to the Circulation Plan; 2) maintain the existing transportation network, while providing for expansion and improvement based on travel demand and the development of alternative travel modes; 3) encourage the use of road improvement financing mechanisms which equitably distribute the cost of road improvements; and 4) provide bike routes and related bicycle facilities which will form a network in connecting the various communities of Riverside County and forming an overall bikeway system of the State of California (EIR396, p. V-220).

Study area intersections are projected to achieve Level of Service (LOS) "C" or better during peak hours for GP Year 2010 Buildout conditions with improvements. LOS "D" is allowable in urban areas only at intersections of any combination of Major Streets, Arterials, Expressways, or conventional State Highways within one mile of a freeway interchange and also freeway intersections (EIR396, p. V-252).

The project has been designed to use a network of local streets for neighborhood traffic, and nearby highways (including Avenue 60, Avenue 62, Avenue 66, Harrison Street and Polk Street) for through traffic. Cross-sections and ultimate alignments would be designed to meet Riverside County Transportation Department requirements (EIR396, p. V-252). The project development is projected to generate a total of approximately 110,000 trip-ends per day (EIR396, pp. V-221 - V-222).

Access locations along GP highways have been recommended to minimize conflicting turning movements along routes serving through traffic and to provide safe intersections. To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to State Route 86S (SR-86S), a portion of the commercial parking areas should be designated for Park-N-Ride use on weekdays between 6:00 a.m. and 6:00 p.m. (EIR396, p. V-252).

The GP's Bicycle Routes Plan depicts that the project is in the vicinity of GP Class I and Class II bikeway facilities, and potential bus turn-out locations and design features have been recommended. The commercial portion of the project should provide on-site bike racks to encourage the use of bicycles as an alternative means of transportation and encourage site plans that are easily accessible to bicycles (EIR396, pp. V-252 – V-255).

EIR396 determined that Mitigation Measures D1-1 through D1-53 would reduce the impacts to less than significant (EIR396 pp. V-229, V-232, V-239 – V-240, V-247 – V-248, V-255 – V-258, V-271 – V-272). EIR396-A2 revised Mitigation Measures D1-21, D1-24, D1-26, D1-27, D1-38, and D1-39; added new Mitigation Measures Trans MM 1 and Trans MM 2; and eliminated Mitigation Measures D1-1, D1-3 through D1-9, D1-12 through D1-15, D1-25, D1-28 through D1-37, and D1-40 through D1-53 no longer apply to the project due to roadway reconfiguration within the project and/or land use concepts 2 through 6 being eliminated from consideration (EIR396-A2 pp. 144 and 151).

Therefore, applicable mitigation measures for the prior CEQA documents are: MM Trans 1 and MM Trans 2 (added by EIR396-A2); D1-2, D1-10, D1-11, D1-16 through D1-24, D1-26, D1-27, D1-38, and D1-39 (with D1-21, D1-24, D1-26, D1-27, D1-38, and D1-39 being modified in EIR396-A2). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to SR-86S, a portion of the commercial parking areas should be designated for Park-N-Ride use

Potentially	Less than	Less	No
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	Incorporated		

on weekdays between 6:00 a.m. and 6:00 p.m. The GP's Bicycle Routes plan depicts that the project is in the vicinity of GP Class I and Class II bikeway facilities. Potential bus turn-out locations and design features have been recommended. The SunLine Transit Agency (STA) is the regional public transportation operator in the Coachella Valley and serves the project area, Lines 90 and 91 being the closest bus route to the project site, Mitigation Measures D1-20 through D1-23 reduce impacts to less than significant (EIR396, pp. V-220, V-252 – V-255). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project occupies the same area as previously analyzed and does not increase the land use intensity. A Traffic Impact Analysis dated May 2019 was prepared by Albert A. Webb Associates (WEBB-D) to analyze traffic resulting from the development of the Project. The Project will generate approximately 1,131 daily trips (WEBB-D, p. 4-3), which is within the 110,000 daily trips daily trips analyzed and anticipated for buildout of SP303 under EIR396 (EIR396, pp. V-221 - V-222). Thus, the anticipated traffic from the proposed Project site has already been considered within EIR396.

The Project is proposed to be constructed in three phases across the approximately 117 acres as follows (WEBB-D, p. 2-2):

- Phase 1 32 residential homes
- Phase 2 160 residential homes (192 total residential homes)
- Phase 3 134 residential homes (326 total residential homes)

Access to the Project site will be provided via two driveways. Driveway 1 will provide access from Polk Street on the eastern side of the Project site while Driveway 2 will provide access from the proposed "Spine Road" on the western side of the Project site. Both driveways will be constructed as part of Phase 1 development (WEBB-D, p. 2-2).

The determination of a significant traffic impact is based on whether the proposed Project causes an intersection to degrade to an unacceptable level of service (LOS) from an acceptable level of service or causes further delay for an already failing intersection. The Project lies within the Western Coachella Valley Area Plan. The Riverside County General Plan Element identifies that LOS D is an acceptable level of service within this area plan. Additionally, the determination of significant intersection impacts is based on the County of Riverside *Traffic Impact Analysis Guidelines Section 9.0 CEQA Compliance and Documentation*, with modifications to accommodate the varying acceptable LOS standards within different jurisdictions (WEBB-D, p. 3-10). A significant impact occurs:

- When existing traffic conditions (Analysis Scenario 1) exceed the General Plan target LOS.
- When project traffic, when added to existing traffic (Analysis Scenario 2), will deteriorate the LOS to below the target LOS, and impacts cannot be mitigated through project conditions of approval.
- When cumulative traffic (Analysis Scenario 3) exceeds the target LOS, and impacts cannot be mitigated through the TUMF network (or other funding mechanism), project conditions of approval, or other implementation mechanisms.

There are no signalized intersections in the Project study area. For unsignalized intersections, impacts are considered significant if either Section A or both Section B and Section C occur as identified below (WEBB-D, p. 3-10):

Section A

Potentially	Less than	Less	No
Significant	Significant	Than	New
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	Incorporated		

The addition of project related traffic causes the intersection to move from an acceptable LOS to an unacceptable LOS.

OR

Section B

The project contributes additional traffic to an intersection that is already projected to operate at an unacceptable LOS with background traffic.

AND

Section C

One or both of the following conditions are met:

- The project adds ten (10) or more trips to any approach.
- The intersection meets the peak hour traffic signal warrant after the addition of project traffic.

Once a significant impact has been determined at an unsignalized intersection, mitigation shall be provided as follows:

- For scenarios involving project traffic but not Cumulative Project Traffic, the LOS shall be mitigated to either an acceptable LOS for case a) above or to pre-project LOS and delay for case b) above.
- For scenarios that include Cumulative Project Traffic study intersections shall be mitigated to an acceptable LOS.

The following scenarios were evaluated for potential traffic impacts:

- Year 2019 Existing Conditions (E)
- Year 2020 Existing Plus Project Conditions (E+P) Phase 1
- Year 2022 Existing Plus Project Conditions (E+P) Phase 2
- Year 2024 Existing Plus Project Conditions (E+P) Phase 3
- Year 2020 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 1
- Year 2022 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 2
- Year 2024 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 3
- Year 2020 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 1
- Year 2022 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 2
- Year 2024 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 3

E

The Existing Conditions (E) includes intersection LOS for the existing roadway system and the existing AM, PM, and Sunday peak hour intersection volumes. All intersections are operating at an acceptable level of service under existing (2019) conditions. (WEBB-D, p. 3-10).

E+P

The Existing plus Project Conditions includes existing traffic and Phase 1 (2020), Phase 2 (2022), and Phase 3 (2024) Project traffic. All study intersections are expected to operate at an acceptable level of service (WEBB-D, p. 5-1).

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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E+A+P

The Existing plus Ambient plus Project Conditions includes existing traffic, ambient growth traffic (2 percent per year) and Project traffic. Given a 2 percent per year ambient growth traffic, Phase 1 (2020), Phase 2 (2022), and Phase 3 (2024) Project scenarios would have an ambient growth traffic of 2 percent, 6 percent, and 10 percent, respectively. All study intersections are expected to operate at an acceptable level of service (WEBB-D, p. 5-13).

E+A+C+P

The Existing plus Ambient plus Cumulative plus Project Conditions includes E+A+P traffic, plus traffic from other nearby developments. All study intersections are expected to operate at an acceptable level of service (WEBB-D, p. 5-25).

No direct traffic impacts will be generated by implementation of the Project. Further, the Project will implement the following project design features (PDFs) to improve Project access and safety for the proposed Project (WEBB-D, p. 6-1):

Roadway and Safety (All Phases)

- Construct full width improvements on all internal roadways.
- Signing/striping modifications on adjacent roadways should be implemented in conjunction with detailed construction plans.
- Construct half width improvements to westerly side of Polk Street along the Project boundary.
- Sight distance at Project driveways will be reviewed with respect to County of Riverside sight distance standards at the time of preparation of final grading, landscape, site development, and street improvement plans.
- Implement on-site traffic calming measures in internal roadways as needed.

Intersections (All Phases)

- Construct full width improvements at Spine Road.
- Construct the intersection of Polk Street (NS) and Driveway 1 (EW) to include the following geometrics with a stop control:
 - Northbound: One lane shared by through and left-turn movement.
 - Southbound: One lane shared by through and right-turn movement.
 - o Eastbound: One lane shared by left-turn and right-turn movements.
 - Westbound: Not Applicable.
- Construct the intersection of the proposed Spine Road (NS) and Driveway 2 (EW) to include the following geometrics with a stop control:
 - o Northbound: One lane shared by through and right-turn movement.
 - Southbound: One lane shared by through and left-turn movement.
 - o Eastbound: Not Applicable.
 - o Westbound: One lane shared by left-turn and right-turn movements.

Although no direct impacts have been identified, the Project will be subject to appropriate transportation and development fees toward the County of Riverside funding programs listed below (WEBB-D, p. 6-1):

- Transportation Uniform Mitigation Fee (TUMF), current at time of construction.
- County of Riverside Development Impact Fee (DIF), current at time of construction.

_				
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		Mitigation	Impact	
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Senate Bill 743 (SB743) was passed by the California State Legislature and signed into law by Governor Brown in 2013. SB743 required the Office of Planning and Research and the California Natural Resources Agency to develop alternative methods of measuring transportation impacts under the California Environmental Quality Act (CEQA). In December 2018, the California Natural Resources Agency finalized updates to the CEQA Guidelines, which included SB743. Section 15064.3 of the 2019 CEQA Guidelines provide that transportation impacts of projects are, in general, best measured by evaluating the project's vehicle miles traveled (VMT). Automobile delay (often called Level of Service) will no longer be considered to be an environmental impact under CEQA. Automobile delay can, however, still be used by agencies to determine local operational impacts. The provisions of this section are not mandatory until July 1, 2020; however, local agencies may choose to opt in before that date. At the time of preparation of this report, the County of Riverside has not updated their procedures to analyze VMT; thus, this Project is not currently subject to section 15064.3 of the 2019 CEQA Guidelines. The traffic impact study follows current guidelines with regards to state and local requirements.

There are no roadways within the study area identified as part of the County of Riverside's Congestion Management Program so the Project will not conflict with an applicable congestion management program. The project area is currently served by the SunLine Transit Agency with the nearest bus stop located at the intersection of Polk Street and Avenue 66. The proposed Project will comply with Riverside County General Plan roadways and meets Riverside County General Plan objectives by providing for bike routes and bicycle related facilities. Because the proposed Project occupies the same area as previously analyzed in the prior CEQA documents, it will be required to comply with all relevant policies, plans, and programs relating to transportation/traffic, and is thus consistent with roadway, transit, bikeway, and pedestrian facility policies. All mitigation measures from in the prior CEQA documents remain in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

- c) EIR396 Conclusion: No Impact. EIR396 determined the project would not substantially increase hazards due to design features or incompatible uses (EIR396, Appendix A, p. 4). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - **No New Impact.** The proposed Project lies within the same area as previously analyzed and will not result in an increase in traffic hazards due to design or incompatible uses. Design features such as roadway curve radii, sight distances, and passing lanes will be designed to meet County standards. Therefore, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.
- d) EIR396 Conclusion: Threshold did not previously exist, however one of the GP's objectives related to circulation at the time of EIR396 included encouraging the use of road improvement financing mechanisms which equitably distribute the cost of road improvements (EIR396, p. V-220). The project was able to show that development of the Kohl Ranch Specific Plan was projected to generate a recurring fiscal surplus to the County so as not to create a significant impact (EIR396, pp. V-392 V-393). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project occupies the same area as previously analyzed in the prior CEQA documents. The proposed Project will still be required to pay development impact fees towards roadway infrastructure maintenance and improvement. Roadway maintenance will also be paid for by taxes on future residents of the Project. Therefore, no new or substantially

		Potentially Less than Less No Significant Significant Than New New New Impact Significant Impact Impact with New Mitigation Impact Incorporated		
		eased impacts result from the Project beyond those previously analyzed in the prior CEQA uments.		
e)	requ pote trafi imp	396 Conclusion: Less Than Significant with Mitigation Incorporated. Any street sweepers uired to clean dust from project site access routes would generate emissions, as well as ential interference with local traffic. Lane closures or detours of ambient traffic may cause ic delays or additional vehicle miles traveled. Mitigation Measure C6-4 would reduce this act to less than significant (EIR396, pp. V-115 – V-116). EIR396-A1 through EIR396-A8 ermined there to be no impacts beyond what was analyzed in EIR396.		
	prio stat dail tem CE0	New Impact. The proposed Project occupies the same area as previously analyzed in the r CEQA documents. During the construction of the Project, construction traffic will occur as red in EIR396, including the storage of construction equipment and timing of daily worker, and very vendor, and haul trips outside of peak hours. Construction traffic will be intermittent, porary, and not create a need for new infrastructure. All mitigation measures from the prior QA documents remain in effect. Therefore, no new or substantially increased impacts result in the Project beyond those previously analyzed in the prior CEQA documents.		
f) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project so located within the jurisdiction of the RCFD for fire services and the RCSD for sheriff services, the Indio Statistic the closest provider to the project, located approximately eight miles away. Mitigation Measure D3-3 and D3-4 (related to fire services) and Mitigation Measure D4-4 (related to sheriff services) will reduce impacts to less than significant (EIR396, pp. V-315 – V-322). In addition, the Development Guidelines included in the Kohl Ranch Specific Plan (at least as of SP30 provide subdivision layouts that permit adequate emergency vehicle access in accordance County ordinances, standard conditions of approval, and permits related to emergency acceptable (EIR396-A2, pp. 155-156). EIR396-A1 through EIR396-A8 determined there to be no imposed what was analyzed in EIR396.				
	No char prev eme Proj	New Impact. The proposed Project lies within the same area as previously analyzed. No neges to the Circulation Plan are proposed and as such, any existing or planned roadways iously approved will be realized as adopted. Development of the Project will improve regency access by improving roads surrounding the site. Emergency access throughout the ect site will be developed in accordance to County ordinances, standard conditions of roval, and permits related to emergency access. Therefore, no new or substantially eased impacts result from the Project beyond those analyzed by the prior CEQA documents.		
Mitig	ation:	All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.		
<u>Moni</u>	toring:			
38.	Bike a)	Trails Include the construction or expansion of a bike system or bike lanes?		
Sour	ce(s):	EIR396		
Find	ings o	f Fact:		

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The GP identifies four objectives related to circulation. The fourth objective pertains to bike trails which is to provide bike routes and related bicycle facilities which will form a network in connecting the various

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communities of Riverside County and forming a continuous link in the overall bikeway system of the State of California. The project is located within Class I and II bikeway facility areas, as designated by the GP. Harrison Street (old SR-86) and the Whitewater Channel are proposed for Class I facilities. Jackson Street and Avenue 66 are proposed for Class II facilities. Design of the project will not alter these designations. Mitigation Measure D1-22 will reduce impacts to less than significant (EIR396, pp. V-220, V-252, and V-255). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed and will not interfere with the Specific Plan development that will improve bike trails by improving roads surrounding the site. The proposed Project complies with County General Plan roadways and meets Riverside County General Plan objectives by providing for bike routes and bicycle related facilities pursuant to current plans for trails developed for the General Plan update by the Regional Parks and Open Space District. Bike trails along Polk Street will be developed in accordance with the Specific Plan, County ordinances, and standard conditions of approval. All mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

TRIBAL CULTURAL RESOURCES Would the project cause a substantial adverse change in the significance of a Tribal Cultural Resource, defined in Public Resources Code section 21074 as either a site, feature, place, or cultural landscape that is geographically defined in terms of the size and scope of the landscape, sacred place, or object with cultural value to a California Native American Tribe, and that is:

that is:			
39. Tr	ibal Cultural Resources		
a)	Register of Historical Resources, or in a local register of historical resources as defined in Public Resources Code section 5020.1 (k)?		
b)	A resource determined by the lead agency, in its discretion and supported by substantial evidence, to be significant pursuant to criteria set forth in subdivision (c) of Public Resources Code Section 5024.1? (In applying the criteria set forth in subdivision (c) of Public Resources Code Section 5024.1, the lead agency shall consider the significance of the resource to a California Native American tribe.)		

Source(s): AE-A, EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Not Analyzed. However, impacts to tribal resources were addressed in EIR396 under the Archaeological thresholds in which impacts were found to be Less Than Significant with Mitigation Incorporated (EIR396, pp. V-179 – V-182). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

Less than Significant Impact with Mitigation. The Project lies within the same area a previously analyzed. A Cultural Resource Assessment was prepared for the Project by Applied Earthworks dated October 2018 (AE-A) for the "study area" which consists of the TBC Project site, the adjacent parcel south of the site, a potential access road from the western boundary of the site to Tyler Street, and a 100-foot buffer as depicted in Figure 2 above to determine the potential for tribal cultural resources.

As part of AE-A, Applied Earthworks contacted the Native American Heritage Commission (NAHC) on August 23, 2018 for a review of the Sacred Land File (SLF) to determine if any known Native American cultural properties are present within or adjacent to the Project area. The NAHC responded on August 27, 2018, stating that the SLF search was complete with negative results, and the NAHC further requested that Applied Earthworks contact Native American individuals and organizations to elicit information regarding cultural resource issues related to the proposed Project.

In response, Applied Earthworks sent a letter describing the Project and asking these individuals and organizations (after removing redundancies) for their input on September 10, 2018; a second attempt was made on September 24, 2018. The following individuals/organizations were contacted:

- Patricia Garcia-Plotkin, Director/Tribal Historic Preservation Officer for the Agua Caliente Band of Cahuilla Indians (ACBCI)
- Amanda Vance, Chairperson of the Augustine Band of Cahuilla Mission Indians
- Judy Stapp, Director of Cultural Affairs for the Cabazon Band of Mission Indians
- Joseph Ontiveros, Cultural Resource Department for the Soboba Band of Luiseño Indians
- Michael Mirelez, Cultural Resource Coordinator for the Torres-Martinez Desert Cahuilla Indians
- Anthony Madrigal, Tribal Historic Preservation Officer for the Twenty-Nine Palms Band of Mission Indians
- Executive Secretary, Quechan Tribe of the Fort Yuma Indian Reservation

As of September 24, 2018, two responses had been received. The Cabazon Band of Mission Indians stated the Project is outside of the Tribe's current reservation boundaries. The Tribe has no specific archival information indicating the Project area may be a sacred/religious site or other site of Native American traditional cultural value. The ACBCI noted the Project is not within the boundaries of their reservation. However, it is within the boundaries of the Tribe's Traditional Use Area. The ACBCI deferred to the Torres-Martinez Desert Cahuilla Indians; however, Applied Earthworks had not yet received any separate response from the Torres-Martinez Tribe by the time AE-A was written (AE-A, p. 18). Since no tribal cultural resources have been identified in the Project area, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents. To further ensure impacts remain less than significant, implementation of mitigation measure will provide for Tribal Monitoring.

MM TCR-1: During ground disturbing activities, a Tribal Monitor shall be retained for full-time monitoring where native soils are being disturbed.

Further, the Project will be required comply with Health and Safety Code Section 7050.5, CEQA Guidelines Section 15064.5(e), and Public Resources Code Section 5097.98, which mandate

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the process to be followed in the unlikely event of an accidental discovery of human remains believed to be Native American which includes notification to the Native American Heritage Commission and to most likely descendants. Therefore, with implementation of mitigation, no new or substantially increased impacts result from the Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect and as added.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

UTI	LITIE	S AND SERVICE SYSTEMS Would the project:		- 1
40.	Wat	ter		
	a)	Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm water drainage systems, whereby the construction or relocation would cause significant environmental effects?		
	b)	Have sufficient water supplies available to serve the project and reasonably foreseeable future development during normal, dry, and multiple dry years?		

Source(s): EIR396, RCIT

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the service boundary of the CVWD. There are no existing domestic water distribution facilities within the project boundary. EIR396 concluded that project would have a significant impact necessitating the construction of new water treatment facilities or expansion of existing facilities and increase the demand on water supplies maintained by CVWD. However, Mitigation Measures D2-1 through D2-16 were identified to reduce impacts to less than significant (EIR396, pp. V-293 and V-299 – V-302). EIR396-A2 found that Mitigation Measures D2-4 and D2-5 were not applicable to this particular threshold, and Mitigation Measures D2-2 and D2-3 eliminated completely, due to construction of new facilities and agreements with CVWD (EIR396-A2, pp. 160-162). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

The project will substantially alter the current drainage of the project site by replacing primarily agricultural uses with roadways, walkways, parking, buildings and residential neighborhoods. Because the majority of the project site is undeveloped land, the impervious surfaces proposed will reduce infiltration of rainfall and increase stormwater runoff volumes. Implementation of the project would result in the construction of new stormwater facilities or expansion of existing facilities. Mitigation Measures C5-2 through C5-8 will reduce impacts to stormwater drainage to less than significant (EIR396, pp. V-102 – V-104). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, and is still within the service boundary of the CVWD (RCIT). The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the water, wastewater treatment, and storm water drainage system needed for the proposed Project will

Potentially	Less than	Less	No
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New	New Impact	Significant	Impact
Impact	with	New	·
	Mitigation	Impact	
	Incorporated		

be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

<u>Mitigation</u>: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

41.	Sev	ver		
	a)	Require or result in the construction of new wastewater treatment facilities, including septic systems, or expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?		
	b)	Result in a determination by the wastewater treatment provider that serves or may service the project that it has adequate capacity to serve the project's projected demand in addition to the provider's existing commitments?		

Source(s): EIR396, RCIT

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the service boundary of the CVWD. There are no existing domestic water distribution facilities within the project boundary. EIR396 concluded that project would have a significant impact necessitating the construction of new water treatment facilities or expansion of existing facilities and increase the demand on water supplies maintained by CVWD. However, Mitigation Measures D2-1 through D2-16 were identified to reduce impacts to less than significant (EIR396, pp. V-293 and V-299 — V-302). EIR396-A2 found that Mitigation Measures D2-4 and D2-5 were not applicable to this particular threshold, and Mitigation Measures D2-2 and D2-3 eliminated completely, due to construction of new facilities and agreements with CVWD (EIR396-A2, pp. 160-162). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, and is still within the service boundary of the CVWD (RCIT). The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the wastewater treatment facilities needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. No septic tanks are proposed as part of the Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project is located within the service boundary of the CVWD. EIR396 concluded that project would have a significant impact necessitating the construction of new wastewater treatment facilities or expansion of existing facilities and would result in an increase on capacity and conveyance facilities. However, Mitigation Measures D2-17 through D2-23 were identified to reduce impacts to less than significant (EIR396, pp. V-295 and V-302 – V-304). EIR396-A2 revised Mitigation Measure D2-19, and specified that there had been sewer facilities located within the project

Potentially Significant New Impact	Less than Significant New Impact with Mitigation	Less Than Significant New Impact	No New Impact
	Incorporated		

boundary: a sewer line serving the existing school site; and a 12-inch sewer force main running north to Avenue 62 and east to the existing Wastewater Reclamation Plant No. 4 located between Avenue 62 on the north, Avenue 64 on the south, adjacent to the Whitewater River on the east and approximately 600 feet east of Fillmore Street on the west. The plant has a design capacity of approximately 5.0 million gallons per day (MGD) and is estimated to currently be operating at half capacity. The plant currently treats to a secondary treatment level using stabilization ponds for finishing. The ponds are used for flow stabilization by allowing the depth to increase during peak wet water events. Additionally, EIR396-A2 noted that there was now an existing agreement between CVWD and the project that provides for the installation of sewer services (EIR396-A2, p. 163). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed, and is still within the service boundary of the CVWD (RCIT). The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Hence, the need for additional capacity is not anticipated and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

42.	Soli a)	d Waste Generate solid waste in excess of State or Local standards, or in excess of the capacity of local infrastructure, or otherwise impair the attainment of solid waste reduction goals?		
	b)	Comply with federal, state, and local management and reduction statutes and regulations related to solid wastes including the CIWMP (County Integrated Waste Management Plan)?		

Source(s): EIR396

Findings of Fact:

a-b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The Riverside County Waste Resources Management Division operates two landfills within the project vicinity. The Oasis Landfill and the Mecca II Landfill serve the Thermal area. Complying with federal, state, and local statutes and regulations, and implementing Mitigation Measures D8-1 through D8-5, would reduce impacts to solid waste disposal capacity to less than significant (EIR396, p. V-347 – V-348 and V-351 – V-352). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the solid waste generated from the proposed Project will be consistent with that analyzed in the prior CEQA documents, and landfill capacity will be adequate to serve the

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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Project site. All mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

Mitigation: All mitigation measures related to this issue that were identified in the prior CEQA documents remain in effect as they are not affected by the proposed Project.

Monitoring: Monitoring for all mitigation measures remain as identified in the prior CEQA documents.

43. Utilities

Would the project impact the following facilities requiring or resulting in the construction of new facilities or the expansion of existing facilities, whereby the construction or relocation would cause significant environmental effects?

a) Electricity?		
b) Natural gas?		
c) Communications systems?		
d) Street lighting?		$\overline{\square}$
e) Maintenance of public facilities, including roads?		$\overline{\boxtimes}$
f) Other governmental services?		$\overline{\nabla}$

Source(s): EIR396

Findings of Fact:

a) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The Imperial Irrigation District (IID) provides electricity service to the existing facilities near the project site. Extensions will have to be made to service the structures proposed for the project. Mitigation Measures D7-5 through D7-10 ensure that the needed facilities are planned for and constructed, and will reduce impacts to the existing electricity system to a less than significant level (EIR396, pp. V-333 and V-335 – V-336). EIR396-A2 replaced Mitigation Measure D7-9 with Mitigation Measure MM GHG 1 (EIR396-A2, p. 74). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the electricity needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

b) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. Southern California Gas Company provides natural gas service to existing facilities near the project site. Extensions will have to be made to service the structures proposed for the project. Implementation of the project would result in a significant increase in demand for natural gas services. Mitigation Measures D7-1 through D7-4 will reduce these impacts to less than significant (EIR396, pp. V-333 – V-335). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the natural gas needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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- c) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. General Telephone (GTE) and Country Cable Television could provide communication services (telephone and cable television, respectively) from existing facilities to the project site without requiring off-site facilities. Mitigation Measures D7-11 through D7-14 would ensure impacts from the increased demand for communication services would be less than significant (EIR396, pp. V-333 - V-334 and V-336 - V-337). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the natural gas needed for the proposed Project will be consistent with that analyzed in the prior CEQA documents and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- d) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated. The project would require the construction of street lighting. Street lighting has potential impacts to aesthetics and airports. Mitigation Measures C13-2 through C13-10 would reduce these impacts to less than significant (EIR396, pp. V-191 - V-193). EIR396-A2 revised Mitigation Measure C13-6 to recognize Thermal Airport's name change to Jacqueline Cochran Regional Airport (EIR396-A2. p. 169). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. All mitigation remains in effect; with Mitigation Measures C13-2 through C13-10, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.
- e) EIR396 Conclusion: Threshold did not previously exist, however one of the GP's objectives related to circulation at the time of EIR396 included encouraging the use of road improvement financing mechanisms which equitably distribute the cost of road improvements (EIR396, p. V-220). The project was able to show that development of the Kohl Ranch Specific Plan was projected to generate a recurring fiscal surplus to the County so as not to create a significant impact (EIR396, pp. V-392 - V-393). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.
 - No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, the project will not result in a need for new or altered maintenance of road improvements previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by EIR396.
- f) EIR396 Conclusion: Not analyzed. However, no other governmental services were anticipated so the project would not result in significant impacts.
 - No New Impact. The proposed Project lies within the same area as previously analyzed. The proposed Project will not add new land uses to the Project site nor increase the site's land use intensity. Thus, no other governmental services are anticipated. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

47						
			Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
Mitigat	tion:	All mitigation measures related to this issue t documents remain in effect as they are not affect				EQA
Monito	ring:	Monitoring for all mitigation measures remain as i	dentified in	the prior CE	QA docume	ents.
	d sev	If located in or near a State Responsibility Area (verity zone, or other hazardous fire areas that may :				
	a)	Fire Impacts Substantially impair an adopted emergency response plan or emergency evacuation plan?				\boxtimes
	b)	Due to slope, prevailing winds, and other factors, exacerbate wildfire risks, and thereby expose project occupants to, pollutant concentrations from a wildfire or the uncontrolled spread of a wildfire?				
1	ŕ	Require the installation or maintenance of associated infrastructure (such as roads, fuel breaks, emergency water sources, power lines or other utilities) that may exacerbate fire risk or that may result in temporary or ongoing impacts to the environment?				
	d) ,	Expose people or structures to significant risks, including downslope or downstream flooding or landslides, as a result of runoff, post-fire slope instability, or drainage changes?				
	•	Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?				\boxtimes

Source(s): CALFIRE, EIR396, GP, RCIT

Findings of Fact:

a-e) EIR396 Conclusion: No Impact. EIR396 determined that the project was not in a hazardous fire area (EIR396, Appendix A, p. 7). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The California Department of Forestry and Fire Protection (Cal Fire) identifies areas of Very High Fire Hazard Severity Zones (VHFHSZ) within local responsibility areas (LRA) and State Responsibility Areas (SRA). Mapping of the VHFHSZ is based on data and models of potential fuels over a 30- to 50-year time horizon and their associated expected fire behavior and expected burn probabilities which quantifies the likelihood and nature of vegetation fire exposure (including firebrands) to buildings. The Project site is not located in or near a SRA or LRA (CALFIRE), and thus also not in a VHFHSZ. Additionally, according to Figure S-11 in the GP, and confirmed by Riverside County's Map Viewer (RCIT) the proposed Project is not located within an area considered to be very high, high, or moderate fire hazard. The proposed Project's potential impacts regarding susceptibility to wildfires are very low; it is not located in or near a SRA, lands classified as very high fire hazard severity zone, or other hazardous fire areas that may be designated by the Fire Chief. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
Mitigation: None required. Monitoring: None required. MANDATORY FINDINGS OF SIGNIFICANCE Does the Pro-	ningt:			
45. Have the potential to substantially degrade the quality of the environment, substantially reduce the habitat of a fish or wildlife species, cause a fish or wildlife population to drop below self- sustaining levels, threaten to eliminate a plant or animal community, substantially reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory?				

Source(s): Above Checklist, EIR396

Findings of Fact:

45) EIR396 Conclusion: Less Than Significant with Mitigation Incorporated with Respect to Biological Resources, Less Than Significant With Mitigation Incorporated with Respect to Cultural Resources. EIR396 states that the Salton Sea is an important resource for migratory birds and represents the most important biological resource in the Coachella Valley. The GP designates most of the Valley for continued agricultural use and focuses most development within the Coachella Valley Enterprise Zone, which surrounds the Thermal (now Jacqueline Cochran Regional) Airport. Given the limited impact on natural habitat expected under the County's growth policies, the implementation of the project is not considered cumulatively significant (EIR396, p. V-406). Mitigation Measures applicable to biological resources are C3-1 (EIR396, p. V-92) and C3-2 (from EIR396-A2, p. 171).

With respect to major periods of California History or prehistory, EIR396 concluded that the project site and vicinity contain known archaeological, historical and paleontological resources. While cumulative development anticipated in the area raises the potential for a loss of such resources, Mitigation Measures C12-1 through C12-3 would render this impact less than significant (EIR396, pp. V-182 and V-406). EIR396-A2 revised Mitigation Measure C12-2 and added C12-8 to ensure impacts are less than significant (EIR396-A2, p. 171). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. Implementation of the proposed Project would not substantially degrade the quality of the environment, substantially reduce the habitat of fish or wildlife species, cause a fish or wildlife populations to drop below self-sustaining levels, threaten to eliminate a plant or animal community, or reduce the number or restrict the range of a rare or endangered plant or animal, or eliminate important examples of the major periods of California history or prehistory. In addition to mitigation measures from the prior CEQA documents, which remain in effect, incorporation of Mitigation Measure **MM-BIO-1** for impacts to biological resources (DUDEK-A, pp. 13-15), **MM-CR-1** and revised mitigation measures C12-5, C12-6, and C12-7 for impacts to cultural resources (AE-A, p. 27), and **MM PALEO-1** for impacts to paleontological resources (AE-B, pp. 4-6), will ensure impacts are less than significant. The proposed Project does not result in any impacts beyond what was previously analyzed. The project does incorporate revised or updated mitigation measures however, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
46.	Have impacts which are individually limited, but cumulatively considerable? ("Cumulatively considerable" means that the incremental effects of a project are considerable when viewed in connection with the effects of past projects, other current projects and probable future projects)?				

Source(s): Above Checklist, EIR396

Findings of Fact:

46) EIR396 Conclusion: Less Than Significant, or Less Than Significant with Mitigation Incorporated for all thresholds except Soils and Agriculture, Air Quality, Noise, and Libraries; which were found to be Significant and Unavoidable (EIR396, p. V-408).

With respect to soils and agriculture, EIR396 concluded there are no Williamson Act lands within the project boundary. However, lands under Williamson Act contracts are located immediately adjacent to the eastern border of the project site and throughout the project vicinity. The cumulative loss of farmland from area wide urbanization of farmland is a significant, unavoidable environmental impact. (EIR396, pp. V-408 – V-409).

With respect to air quality, EIR396 concluded that short-term air quality impacts are assumed to be significant, since on-site grading is likely to exceed threshold levels (177 acres over a three-month period). The long-term emissions associated with the project under Concept 1 are anticipated to be 11,555 pounds of CO, 646 pounds of reactive organic gases, 1,353 pounds of NOx and 343 pounds of particulate matter on a daily basis. Air pollutant emissions of this magnitude exceed the criteria for significance suggested by SCAQMD. Regional project impacts are considered significant and impact of this project and additional development in the region is considered cumulatively significant. Localized CO levels were evaluated in the project vicinity under year 2010 cumulative conditions. The increase in CO from cumulative traffic would not be significant, because the 1-hour and 8-hour standards would not be exceeded at any receptor location (EIR396, pp. V-409 – V-410).

With respect to noise, EIR396 concluded that the noise increase generated by project-related traffic and cumulative development levels would expose certain existing residential units to noise levels exceeding the 65 CNEL standard. This impact is considered cumulatively significant (EIR396, p. V-410).

With respect to libraries, EIR396 concluded that implementation of the project would adversely impact existing library services. The increase in population to be serviced would require an increase in funding to RCCPLS in order to maintain the current level of service, but the current level of services is substantially inadequate. This impact is considered significant (EIR396, pp. V-410 – V-411). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The Project does not have impacts which are individually limited, but cumulatively considerable beyond what was previously analyzed in the prior CEQA documents. As the proposed Project does not result in any impacts beyond what was previously analyzed, all mitigation measures remain in effect and remain appropriate and feasible to the proposed Project. As impacts of the proposed Project are not beyond those previously analyzed, the Project would not contribute to cumulative impacts. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

		Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
47.	Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?				

Source(s): Above Checklist, EIR396

Findings of Fact:

47) EIR396 Conclusion: Not specifically addressed in EIR396 because EA36750 determined the SP303 does not have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly (EIR396, Appendix A, p. 10). EIR396-A1 through EIR396-A8 determined there to be no impacts beyond what was analyzed in EIR396.

No New Impact. The proposed Project would not result in environmental effects which would cause substantial adverse effects on human beings, either directly or indirectly. The proposed Project does not result in any impacts beyond what was previously analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those analyzed by the prior CEQA documents.

	Potentially Significant New Impact	Less than Significant New Impact with Mitigation Incorporated	Less Than Significant New Impact	No New Impact
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VI. EARLIER ANALYSES

Earlier analyses may be used where, pursuant to the tiering, program EIR, or other CEQA process, an effect has been adequately analyzed in an earlier EIR or negative declaration as per California Code of Regulations, Section 15063 (c) (3) (D). In this case, a brief discussion should identify the following:

Earlier Analyses Used, if any:

- Environmental Assessment No. 36750, Notice of Preparation October 14, 1994
- Environmental Impact Report 396 (SCH No. 1194112032) certified November 16, 1999
- Environmental Impact Report 396-Addendum No. 1 adopted January 28, 2003
- Environmental Impact Report 396-Addendum No. 2 adopted June 7, 2011
- Environmental Impact Report 396-Addendum No. 3 adopted April 1, 2014
- Environmental Impact Report 396-Addendum No. 4 adopted May 19, 2015
- Environmental Impact Report 396-Addendum No. 5 adopted March 24, 2015.
- Environmental Impact Report 396-Addendum No. 6 adopted July 31, 2017.
- Environmental Impact Report 396-Addendum No. 7 adopted March 19, 2018
- Environmental Impact Report 396-Addendum No. 8 adopted November 6, 2018

Location Where Earlier Analyses, if used, are available for review:

Location:

County of Riverside Planning Department

4080 Lemon Street, 12th Floor

Riverside, CA 92502-1409

VII. AUTHORITIES CITED

Authorities cited: Public Resources Code Sections 21083 and 21083.05; References: California Government Code Section 65088.4; Public Resources Code Sections 21080(c), 21080.1, 21080.3, 21082.1, 21083, 21083.05, 21083.3, 21093, 21094, 21095 and 21151; Sundstrom v. County of Mendocino (1988) 202 Cal.App.3d 296; Leonoff v. Monterey Board of Supervisors (1990) 222 Cal.App.3d 1337; Eureka Citizens for Responsible Govt. v. City of Eureka (2007) 147 Cal.App.4th 357; Protect the Historic Amador Waterways v. Amador Water Agency (2004) 116 Cal.App.4th at 1109; San Franciscans Upholding the Downtown Plan v. City and County of San Francisco (2002) 102 Cal.App.4th 656.

VIII. REFERENCES

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CALTRANS California Department of Transportation, California Scenic Highway Mapping System, Riverside County, dated September 7, 2011. (Available at http://www.dot.ca.gov/hq/LandArch/16_livability/scenic_highways/index.htm, accessed December 5, 2018).

CARB 2012 California Air Resources Board, LEV III and ZEV Regulation Amendments for Federal Compliance Option, dated December 31, 2012. (Available at https://www.arb.ca.gov/regact/2012/leviiidtc12/leviiidtc12.htm, accessed June 13, 2019).

CEC 2015 California Energy Commission, *Building Energy Efficiency Standards*, dated April 2015. (Available at https://www.energy.ca.gov/commission/fact_sheets/documents/EE-Building_Energy_Efficiency_Standards.pdf, accessed June 13, 2019).

COR CAP County of Riverside, *Climate Action Plan*, dated July 2018. (Available at https://planning.rctlma.org/CAP, accessed June 10, 2019).

COR GP County of Riverside, County of Riverside General Plan, dated December 8, 2015. (Available at http://planning.rctlma.org/ZoningInformation/GeneralPlan.aspx, accessed December 5, 2018).

COR EDA County of Riverside Economic Development Agency, CSA 125. (Available at https://rivcoccsd.org/csa/, accessed May 17, 2019).

CVWD Coachella Valley Water District, 2015 Urban Water Management Plan Final Report, dated July 1, 2016. (Available at http://www.cvwd.org/ArchiveCenter/ViewFile/Item/516, accessed May 14, 2019).

CVWMP Coachella Valley Water District, Coachella Valley Water Management Plan Update Final Report, dated January 2012. (Available at http://www.cvwd.org/DocumentCenter/View/1321/Coachella-Valley-Water-Management-Plan-Final-Report-PDF?bidId=, accessed June 13, 2019).

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California Department of Conservation, Riverside County Williamson Act FY 2015/2016 Sheet 1 of 3, dated 2016. (Available at ftp://ftp.consrv.ca.gov/pub/dlrp/wa/Riverside_c_15_16_WA.pdf, accessed December 6, 2018).

- DUDEK-A Dudek, Biological Resources Assessment for the Thermal Beach Club Project, Community of Thermal, Riverside County, California, dated April 15, 2019. (Appendix A).
- DUDEK-B Dudek, Jurisdictional Waters Delineation Report for the Thermal Beach Club Project, Community of Thermal, Riverside County, California, dated January 22, 2019. (Appendix A).
- EIR396 County of Riverside, *Environmental Impact Report No. 396 to the Kohl Ranch Specific Plan No. 303*, certified November 16, 1999. (Available at the County of Riverside).
- County of Riverside, *Addendum to Environmental Impact Report No. 396 for The Kohl Ranch Specific Plan No. 303*, *Amendment No. 2*, adopted June 7, 2011. (Available at the County of Riverside).
- FEI-A Feiro Engineering, Inc. *Preliminary Water Quality Management Plan*, dated April 10, 2019. (Appendix E).
- FEI-B Feiro Engineering, Inc. *Preliminary Hydrology Report*, dated April 10, 2019. (Appendix E).
- FEMA Federal Emergency Management Agency, Flood Map Service Center, Panel 06065C2910H (unprinted). (Available at https://msc.fema.gov/portal/home, accessed December 13, 2018).
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- SE-B Sladden Engineering, Geotechnical Update, Proposed Thermal Beach Club, NWC of Polk Street and Avenue 66, Thermal Area, Riverside County, California, dated January 25, 2019. (Appendix C).
- SE-C Sladden Engineering, Geotechnical Update, Proposed Thermal Beach Club, NWC of Polk Street and Avenue 66, Thermal Area, Riverside County, California, dated April 13, 2019. (Appendix C).
- SE-D Sladden Engineering, Results of Phase I Environmental Site Assessment, Proposed Thermal Beach Club, 86310 66th Avenue, Thermal Area, Riverside County, California, dated September 7, 2018 (Appendix D).
- WEBB-A Albert A. Webb Associates, Air Quality Analysis for the Thermal Beach Club Project, Tentative Tract Map No. 37269 (TTM37269) and Ploy Plan No. 180037 (PP180037), County of Riverside, dated June 12, 2019 (Appendix F).
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- WEBB-C Albert A. Webb Associates, *Table 1: Screening Table for GHG Implementation Measures for Residential Development*, dated June 2019 (Appendix F).
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IX. ACRONYMS

Acronym
A-1-10
Definition
Light Agriculture
Heavy Agriculture
AB
Assembly Bill

ACBCI Agua Caliente Band of Cahuilla Indians
ACOE United States Army Corps of Engineers

ALUC Riverside County Airport Land Use Commission

AQMP Air Quality Management Plan
BAT Best Available Technology
BCT Best Control Technology
BMP Best Management Practice

BTU British thermal unit

CalEEMod California Emissions Estimator ModelCal Fire California

Department of Forestry and Fire Protection
CAP Climate Action Plan

CBC California Building Standards Code CEQA California Environmental Quality Act

CD Community Development

CDFG California Department of Fish and Game
CDFW California Department of Fish and Wildlife

CD:HDR Community Development: High Density Residential
CD:MDR Community Development: Medium Density Residential
CD:MHDR Community Development: Medium High Density Residential

CD: PF Community Development: Public Facilities

Cf Cubic feet

CHRIS California Historical Resource Information System

CNEL Community Noise Equivalent Level

CO Carbon Monoxide

CO₂E Carbon Dioxide Equivalents

CR Commercial Retail

CRHR California Register of Historic Resources

CVMSHCP Coachella Valley Multiple Species Habitat Conservation Plan

CVRPD Coachella Valley Recreation and Parks District

CVUSD Coachella Valley Unified School District

CVWD Coachella Valley Water District

CVWMP Coachella Valley Water Management Plan

CY Cubic yards

Change of Zone No. 07852 CZ07852 CZ07952 Change of Zone No. 07952 dBA A-weighted Decibels DIF Development impact Fee DMA1 Drainage management area 1 Drainage management area 2 DMA2 DRD **Desert Recreation District** EΑ **Environmental Assessment**

ECVAP Eastern Coachella Valley Area Plan

EIC Eastern Information Center
EIR Environmental Impact Report

EIR396 Environmental Impact Report No. 396

EIR396-A1 Environmental Impact Report No. 396, Addendum No. 1 EIR396-A2 Environmental Impact Report No. 396, Addendum No. 2

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EIR396-A3 Environmental Impact Report No. 396, Addendum No. 3
EIR396-A4 Environmental Impact Report No. 396, Addendum No. 4
EIR396-A5 Environmental Impact Report No. 396, Addendum No. 5
EIR396-A6 Environmental Impact Report No. 396, Addendum No. 6
EIR396-A7 Environmental Impact Report No. 396, Addendum No. 7
EIR396-A8 Environmental Impact Report No. 396, Addendum No. 8
EIR396-A9 Environmental Impact Report No. 396, Addendum No. 9

FEMA Federal Emergency Management Agency

GHG Greenhouse gas

GP Riverside County General Plan

GTE General Telephone

HSC California Health and Safety Code
HVAC Heating, ventilation, and air conditioning

IID Imperial Irrigation District kBTU kilo-british thermal unit

kWh kilowatt hour LOS Level of Service

LRA Local Responsibility Area
LST Local Significance Threshold

MGD Million gallons per day MRZ Mineral Resource Zone

MT Metric Tons

NAAQS National Ambient Air Quality Standards
NAHC Native American Heritage Commission

NE06 Noise Exemption No. 06
NOP Notice of Preparation

NO_X Nitrogen Oxide

NPDES National Pollutant Discharge Elimination System

NRHP National Register of Historic Places

OHWM Ordinary High Water Mark
OS:OS Open Space: Open Space

OS:OS-C Open Space: Open Space-Conservation

OS:OS-Lake Open Space: Open Space/Lake

PDF Project Design Feature

PM-2.5 Particulate matter 2.5 micrometers or less in diameter PM-10 Particulate matter 10 micrometers or less in diameter PM36293M1 Minor Changes to Tentative Parcel Map No. 3629

PM36735 Tentative Parcel Map No. 36735

PP180037 Plot Plan No. 180037

PP24690R1 Plot Plan No. 24690, Revised Permit No. 1 PP24690R2 Plot Plan No. 24690, Revised Permit No. 2

PP24690SC2 Plot Plan No. 24690, Substantial Conformance No. 2

PP25677 Plot Plan No. 25677 PP26120 Plot Plan No. 26120 PP26121 Plot Plan No. 26121 PVC Polyvinyl chloride

RCCPLS Riverside City and County Public Library System

RCFD Riverside County Fire Department
RCSD Riverside County Sheriff's Department

RPOSD Riverside County Regional Parks and Open-Space District

RWQCB Regional Water Quality Control Board

SB Senate Bill

SCAQMD South Coast Air Quality Management District

SEDAB Southeast Desert Air Basin

 $\begin{array}{lll} \text{SLF} & \text{Sacred Land File} \\ \text{SO}_2 & \text{Sulfur dioxide} \\ \text{SP} & \text{Specific Plan} \end{array}$

SP00303S3 Specific Plan No. 303, Amendment No. 4, Substantial Conformance No. 3

SP303 Specific Plan No. 303

SP303A1 Specific Plan No. 303, Amendment No. 1 SP303A2 Specific Plan No. 303, Amendment No. 2 SP303A3 Specific Plan No. 303, Amendment No. 3 SP303A4 Specific Plan No. 303, Amendment No. 4

SR-86S State Route 86S

SRA State Responsibility Area
STA SunLine Transit Agency

SWPPP Stormwater Pollution Prevention Plan

TR36851 Tentative Tract Map No. 36851 TTM37261 Tentative Tract Map No. 37261

TUMF Transportation Uniform Mitigation Fee

VHDR Very High Density Residential VOC Volatile organic compound

VHFHSZ Very High Fire Hazard Severity Zone

W-2 Controlled Development Area
WQMP Water Quality Management Plan

County of Riverside The Kohl Ranch Specific Plan (SP 303) Amendment No. 4, Substantial Conformance 3

Mitigation Monitoring Plan

Less than significant Riverside County Building		Mittigation Monitoring Plan	Fian	
Less than significant Less than significant Less than significant Riverside County Building & Safety Department Riverside County Planning Riverside County, Building & Safety Department & Safety Department Riverside County Building & Safety Department CVWD and Riverside COUNTY Building and Safety Department COUNTY Building and Safety COUNTY Building	Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Less than significant Less than significant Less than significant Less than significant Riverside County, Building & Safety Department Riverside County, Building & Safety Department Riverside County, Building & Safety Department & Safety Department Riverside County Building & Safety Department & Safety Department CVWD and Riverside County Building and Safety Department COUNTY Building and Safety COUNTY Building		rosion		
Less than significant Less than significant Less than significant Less than significant Riverside County Building Riverside County, Building Riverside County Building Riverside County Building County Building and Safety Department County Building and Safety	Adverse impacts associated with on-site grading.			
Less than significant Less than significant Riverside County, Building & Safety Department Riverside County Building & Safety Department Riverside County, Building & Safety Department Riverside County, Building & Safety Department & Safety Department CVWD and Riverside County Building & Safety Department CVWD and Riverside County Building and Safety Department	C1-1 Grading activities shall be in conformance with the overall Conceptual Grading Plan, the Uniform Building Code, Chapter 70, and Riverside County Ordinance No. 457.	Less than significant	Riverside County Building & Safety Department	Prior to issuance of grading permit.
Less than significant Riverside County, Building & Safety Department Riverside County Building & Safety Department Riverside County, Building & Safety Department Riverside County Building & Safety Department CVWD and Riverside County Building and Safety Department COUNTY Building and Safety	C1-2 Prior to development within any area of the Specific Plan, an overall Conceptual Grading Plan for the portion in process shall be submitted for Planning Department approval.	Less than significant	Riverside County Planning Department	Prior to issuance of grading permit.
Less than significant Riverside County Building & Safety Department Riverside County, Building & Safety Department & Safety Department & Safety Department CVWD and Riverside COUNTY Building and Safety COUNTY Building and Safety COUNTY Building and Safety	C1-3 Unless otherwise approved by the Riverside County, Building and Safety Department, all cut and fill slopes shall be constructed at inclinations of no steeper than two (2) horizontal feet to one (1) vertical foot.	Less than significant	Riverside County, Building & Safety Department	Review and approval of grading plans.
Less than significant Riverside County, Building Riverside County Building Riverside County Building Riverside County Building Riverside County Building CVWD and Riverside County Building and Safety Department	C1-4 A grading permit shall be obtained from the Riverside County, as required by the County Grading Ordinance, prior to grading.	Less than significant	Riverside County Building & Safety Department	Prior to grading.
Less than significant Riverside County Building & Safety Department CVWD and Riverside County Building and Safety Department	C1-5 Erosion control practices shall be implemented during grading activities.	Less than significant	Riverside County, Building & Safety Department	Review and approval of erosion control plan.
CVWD and Riverside County Building and Safety Department	C1-6 All projects proposing construction activities including: clearing, grading, or excavation that results in the disturbance of at least five acres total land area, or activity which is part of a larger common plan of development of five (5) acres or greater, shall obtain the appropriate NPDES construction permit and pay the appropriate fees. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program.	Less than significant	Riverside County Building & Safety Department	Following review and approval of conceptual grading plans prior to issuance of grading permit.
	C1-7 It is important that the grading plans are submitted to Coachella Valley Water District for utility clearance prior to issuance of a grading permit by Riverside County Building and Safety Department. This is to ensure that existing CVWD and USBR facilities are protected or properly modified to accommodate this development. The	Less than significant	CVWD and Riverside County Building and Safety Department	Prior to issuance of grading permit.

County of Riverside The Kohl Ranch Specific Plan (SP 303) Amendment No. 4, Substantial Conformance 3

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
existence of some of these facilities, together with their relative importance, may require that the developer's grading plans be revised from those presented in the specific plan.			
Refer to mitigation measure C6-1 regarding SCAQMD Rule 403 in EIR 396 – Section V.C.6., Air Quality. Refer to mitigation measures C7-1 and C7-2 regarding storm runoff control measures in EIR 396 – Section V.C.7.	403 in EIR 396 – Section V.C.	6., Air Quality. Refer to mitigat	ion measures C7-1 and C7-2 regarding
Adverse effect of wind erosion.			
Refer to mitigation measure C6-1 in EIR 396 – Section V.C.6., Air Quality, regarding fugitive dust control measures.	Less than significant	Refer to Measure C1-6.	Refer to Measure C6-1.
Potential for increased erosion.			
See mitigation measure C1-6 above regarding grading activities, and mitigation measures for Water Quality (C7-1 through C7-3).	Less than significant	Refer to Measure C6-1.	Refer to Measure C6-1.
Soils & Agriculture			
Loss of prime agricultural land.			
No mitigation measures are proposed.	Significant and unavoidable.	None required.	Not applicable.
Potential for land use conflict between agriculture and proposed urban uses.	osed urban uses.		
C2-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.	Less than significant	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
C2-2 The project shall be subject to Riverside County's right-to-farm ordinance, Ordinance No. 625, which protects farmers' rights with respect to urban encroachment. Per Section 6 of Ordinance No. 625, buyers of homes shall be noticed for any land division that lies partly or wholly within, or within 300 feet of any land zoned primarily for agricultural purposes.	Less than significant	Riverside County Planning Department	Review and approval of tentative tract maps.
C2-3 In addition to notice required by Ordinance No. 625, notice shall be provided to future homeowners within the	Less than significant	Riverside County Planning Department	Prior to issuance of certificate of occupancy.

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Willgation Measures	Level or Significance After Mitigation	Reviewing Entity	Review Stage
Specific Plan area of the potential impacts associated with surrounding agricultural use.			
Decline in economic viability of agricultural lands in the project vicinity.	ect vicinity.		
No mitigation measures are proposed.	Significant and unavoidable	None required.	Not applicable.
Increased conversion of agricultural land due to cumulative impacts of development.	impacts of development.		
Refer to mitigation measure C2-2 regarding Riverside County's right-to-farm ordinance, Ordinance No. 625, which protects farmers' rights with respect to urban encroachment.	Significant and unavoidable	See above.	See above.
Biology			
Loss of wildlife habitat and associated plant and animal species.	cies,		
None required.	Less than significant	None required.	Not applicable.
Direct impact to sensitive species.			
C3-1 (Revised) - Pre-construction Surveys for nesting burrowing owls shall becenducted in the early spring that precedes the time when clearing or grading is anticipated. If potential nest sites are discovered, they shall be plugged or fenced to discourage nesting within the project impact zone when construction crews are on site. completed in accordance with the Staff Report on Burrowing Owl Mitigation, with the first survey no less than 14 days prior to initiation of project-related activities, and the second within 24 hours of project-related activities. If an active burrowing owl burrow is detected activities. If an active burrowing owl burrow is detected within 200 feet of the project site, avoidance and minimization measures shall be implemented in accordance with the California Department of Fish and Game 2012 guidelines, including implementation on a non-disturbance buffer and monitoring of the nest to ensure activities are not adversely affecting the nest. If the project will occur within this zone, then work must occur outside the nesting season, or until it can be shown that they have finished nesting, and then passive relocation may occur. The proposed process must be documented in a burrowing owl relocation plan and	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
submitted to the Coachella Valley Association of Governments at least 30 days in advance of the proposed activity.			
C3-2 – Prior to grading permits, CVMSHCP fees shall be paid to Riverside County pursuant to County procedures.	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.
MM-BIO-1 (Added): To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, should ground disturbance and/or vegetation clearance activities be scheduled to occur during the avian nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist within the project footprint and a 300-foot buffer around the project footprint. Surveys shall be conducted within 3 days prior to initiation of activity and shall be conducted between dawn and noon. If an active nest is detected during the nesting bird survey, avoidance buffers shall be implemented as determined by a qualified biologist. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. All nests shall be monitored as determined by the qualified biologist until nestlings have fledged and dispersed or it is confirmed that the nest has been unsuccessful or abandoned.	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.
Long-term impacts to regionally significant biological resources.	ces.		
None required.	Less than significant	None required.	Not applicable.
Geology & Seismicity			
Liquefaction potential.			
C4-1 Additional site specific investigations addressing liquefaction potential shall be conducted for implementing projects once the locations and nature of structures are known. If potentially liquefiable soils are encountered during site specific investigations, proper site preparation and building design shall be required to conform to the	Less than significant	Riverside County Planning Department	Review and approval of detailed soil and geotechnical reports prior to tentative tract map/plot plan/use permit approval.

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applicable earthquake standards set forth in the Uniform Building Code and City of Riverside Municipal Code Title 16 in order to minimize liquefaction related problems.	After Mitigation	Reviewing Entity	Review Stage
Groundshakina			
Olourius raning.			
C4-2 Structures constructed on-site shall be designed in consideration of the seismic design requirements of the Uniform Building Code and the seismic setting of the site.	Less than significant	Riverside County Building & Safety Department	Review and approval of building plans, prior to issuance of building permits.
Hazards and Hazardous Materials			
The following mitigation measure is to be implemented for the Thermal Beach Club:	e Thermal Beach Club:		
Airports.			
MM HAZ-1 (Added): The Thermal Beach Club project developers shall implement a Bird Mitigation/Management Plan utilizing industry standard best management practices to identify both passive and active measures to reduce potential risks to operating aircraft from wildlife.	Less than significant	Riverside County Planning Department	Prior to issuance of first grading permit for the applicable portion of the site.
Hydrology, Flooding & Drainage			
Potential reduction of groundwater recharge.			
C5-1 Detention basins shall be required on-site to control storm runoff, in accordance with Specific Plan recommendations.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of grading and drainage plans prior to approval of tentative tract map/plot plan/use permit.
Increased demand on water resources.			
Refer to mitigation measures for increased demand on water resources in EIR 396 – Section V.D.2., Water and Sewer (D2-1 through D2-14).	Less than significant	Refer to Section V.D.2.	Refer to Section V.D.2.
Increased stormwater runoff from the project site.			
C5-2 The project drainage system shall control storm flows such that runoff volumes leaving the site shall approximate existing conditions.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of grading and drainage plans prior to tentative tract map/plot plan/use permit approval.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C5-3 Drainage facilities associated with the project shall be designed in accordance with the Riverside County Flood Control District Hydrology Manual and Standards, and CVWD Standards. On-site runoff shall be intercepted and conveyed through the development by means of a conventional catch basin and storm drain system, in accordance with CVWD standards.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of drainage plans prior to tentative tract map/plot plan/use permit approval.
C5-4 A collector storm drain system to facilitate flows generated on-site shall be designed to utilize street flow carrying capacity and flows into catch basins and inlets when the quantity exceeds the top of curb.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of drainage plans prior to tentative tract map/plot plan/use permit approval.
C5-5 Protection from the 100-year flood shall be provided to all building pads in the Kohl Ranch, as the recommended Flood Control Plan is implemented.	Less than significant	Riverside County Planning Department and CVWD	Review and approval of drainage plans prior to tentative tract map/plot plan/use permit approvals.
C5-6 Maintenance and upgrading of storm drain facilities shall be implemented as outlined in applicable regional facilities plans.	Less than significant	Riverside County Building and Safety Department and CVWD	Prior to issuance of building permits.
C5-7 Pursuant to requirements of the State Water Resources Control Board, a state-wide general National Pollution Discharge Elimination System (NPDES) construction permit will apply to all construction activities. Construction activity includes: cleaning, grading, or excavation that results in the disturbance of at least five acres of total land area, or activity which is part of a larger common plan of development of five acres or greater. Therefore, as mitigation for this specific plan, the developer or builder shall obtain the appropriate NPDES construction permit prior to commencing grading activities. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program.	Less than significant	Riverside County Building and Safety Department and Regional Water Quality Control Board	Prior to issuance of grading permit.
C5-8 The hydrology and drainage design shall take into account the existing stormwater, irrigation and drainage facilities which cross Kohl Ranch. The developer's engineer shall work with CVWD to develop an acceptable grading and drainage plan.	Less than significant	Riverside County Building and Safety Department and CVWD	Review and approval of grading and drainage plans prior to tentative tract map/plot plan/use permit.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Air Quality			
Fugitive Dust			
Short-term air quality impacts.			
C6-1 The project shall be required by law to comply with regional and local rules and ordinances which will assist in reducing the short-term air pollutant emissions. For example, the SCAQMD's Fugitive Dust Rule 403 and Riverside County's Dust Control Ordinance require implementation of extensive fugitive dust control measures such as watering on site, revegetation, use of soil stabilizers and submittal of a wind erosion plan in some instances.	Significant	Riverside County Building and Safety Department and SCAQMD	Review and approval of grading plans.
In addition, the following mitigation measures are provided to further reduce air pollutants generated during the project construction phase. Where available, the mitigation effectiveness is indicated (e.g., 50 percent) as provided in the SCAQMD, CEQA Air Handbook, April 1993.	to further reduce air pollutants of ovided in the SCAQMD, CEQA	generated during the project co. Air Handbook, April 1993.	instruction phase. Where available, the
Construction Equipment Exhaust			
C6-2 Construction operations shall comply with all applicable control measures identified in the "State Implementation Plan in the Coachella Valley: 1994 BACM Revision," March 1994.	Significant	Riverside County Building & Safety Department	During grading and construction.
C6-3 Construction equipment shall be selected considering emission factors and energy efficiency. All equipment shall be properly tuned and maintained.	Significant	Riverside County Building & Safety Department	During grading and construction.
On-Road Sources			
C6-4 Construction activities shall be timed so as to not interfere with peak hour traffic and shall minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.	Significant	Riverside County Building & Safety Department	During grading and construction.
C6-5 Ridesharing and transit incentives for the construction crew shall be supported and encouraged.	Significant	Riverside County Building & Safety Department and SCAQMD	During grading and construction.
Long-term regional air quality impacts.			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Regional air pollutant emissions associated with the project are considered significant. To reduce the level of regional impact the following mitigation measures are provided.	Significant	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
C6-6 The project shall utilize a mix of services on-site to provide amenities for employees and residents that would reduce off-site vehicle trips. Consideration shall be given to postal services, banking, a food facility (restaurant/grocery store) and a ridesharing service to local commercial areas.	Significant	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
C6-7 Local transit agencies shall be contacted to determine bus routing adjacent to the site that can be accommodated in design and for on-site provision of bus shelters and turnout lanes.	Significant	Riverside County Planning and Transportation Departments	Review and approval of tentative tract map/plot plan/use permit.
C6-8 The use of energy-efficient street lighting and on-site lighting in parking and walking areas (e.g., low pressure sodium, metal halide, clean lucalox and high pressure sodium) shall be used on-site to reduce emissions at the power plant serving the site.	Significant	Riverside County Building & Safety Department	Review and approval of tentative tract map/plot plan/use permit.
Prior to issuance of building permits.			
C6-9 Low-polluting and high-efficiency appliances shall be installed wherever possible. Solar energy shall be evaluated for heating any swimming pools or water heaters on-site.	Significant	Riverside County Building & Safety Department	Prior to issuance of building permits.
C6-10 Transportation Demand Management (TDM) utilized on-site shall support a reduction in mobile emissions as employees/residents convert from single occupant vehicle (SOV) use to other modes of transportation. TDM could include: - creating employee carpools; - preferential carpool parking; - designing appropriate bicycling and walking paths; - reduced costs for transit passes; - flexible work hours for transit riding, carpooling, walking and bicycling employees; and	Significant	Riverside County Planning Department	Prior to approval of plot plan and/or use permit.

EIR 396 Addendum No. 9

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
 implementing a parking fee on-site to discourage single occupant vehicles (SOVs). 			
Microscale projections.			
None required.	Less than significant	None required.	Not applicable.
Air Quality Management Plan Conformity.			
C6-11 To assist in jobs/housing balance for the subregion, the Kohl Ranch Specific Plan includes a mix of land uses including residential, business, commercial, industrial, open space and public facilities. Both working and living opportunities have been made available within the thirteen project neighborhoods. An emphasis has been placed on developing employment concentrations near medium to high density residential areas creating areas of local activity. No additional mitigation is available to further reduce the project's regional emissions.	Significant	Riverside County Planning Department	Approval of Final Specific Plan.
The following mitigation measure is to be implemented for the Thermal Beach Club:	he Thermal Beach Club:		
MM AQ 1 (Added): Where physically and economically feasible, electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce associated construction emissions. Feasibility shall be determined by the Department of Building and Safety's Grading Division prior to issuance of grading permits.	Less than significant	Riverside County Department of Building and Safety	Prior to issuance of grading permits
MM AQ 2 (Added): To reduce potential fugitive dust emissions associated with the unpaved portions of the soil import haul road on Polk Street south of 62nd Avenue, the Project shall pave Polk Street prior to any soil hauling activities. The construction specifications shall be reviewed by the County's Building and Safety Department for compliance with this mitigation measure prior to issuance of grading permit.	Less than significant	Riverside County Department of Building and Safety	Prior to issuance of grading permits
MM AQ 3 (Added): To reduce NOx emissions associated with off-road construction equipment during grading, heavy-duty construction equipment greater than 75 horsepower (i.e., scrapers, graders, and excavators) shall be certified to meet or exceed United States	Less than significant	Riverside County Department of Building and Safety	Prior to issuance of grading permits

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Environmental Protection Agency (USEPA) Tier 3 standards. Proof of compliance shall be reviewed by the Standards. Proof of compliance shall be reviewed by the Department of Building and Safety's Grading Division prior to issuance of a grading permit. An exemption from this requirements may be granted by Riverside County in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Riverside County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.			
Water Quality			
Short-term potential for increased erosion.			
C7-1 Private developments constructed in the project area shall be required to provide adequate site drainage during construction.	Less than significant	Riverside County Building & Safety Department, CVWD, and RWQCB	Review and approval of erosion control plan.
C7-2 Temporary culverts, ditches, dams, catch basins, and settling ponds shall be installed in construction areas to maintain existing drainage flows and collect excess water and sediment coming from construction sites.	Less than significant	Riverside County Building & Safety Department and	Review and approval of erosion
Refer to mitigation measures C1-1 through C1-6 in EIR 396 – Section V.C.1., Landform & Topography/Slopes & Erosion, regarding grading requirements.		CVWD	control plan.
Degradation of water quality from nonpoint pollution.			
C7-3 All development shall be subject to NPDES regulations enforced by the RWQCB.	Less than significant	Riverside County Planning Department, CVWD & RWQCB	Ongoing.
C7-4 All discharges to surface waters and groundwater shall comply with the goals of the most current applicable Water Quality Control Plan for the Colorado River Basin.	Less than significant	RWQCB	Ongoing.
Water quality impact from interim agricultural use.			

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C7-5 Interim agricultural operations shall be required to comply with the applicable permit requirements in the application of pesticides.	Less than significant	Riverside County Planning Department and Riverside County Health Department.	Ongoing.
Noise			
Short-term construction impacts.			
C8-1 Construction activities within 800 feet of existing sensitive receptors shall take place only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction activities that occur within one mile of a sensitive receptor but not closer than 800 feet shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday. Construction under either of these two scenarios shall not be allowed on Federal holidays. Construction activities where there are no sensitive receptors within a one-mile radius shall not be time-restricted.	Less than significant	Riverside County Building & Safety Department	Inspections during construction.
C8-2 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.	Less than significant	Riverside County Building & Safety Department	Inspections during construction.
C8-3 Stationary equipment shall be placed such that emitted noise is directed away from any existing sensitive noise receivers.	Less than significant	Riverside County Building & Safety Department	Inspections during construction.
Long-term off-site airport and traffic impacts.			
C8-4 Residential uses proposed within the 60 CNEL contour of the airport shall require a noise analysis by a qualified acoustical consultant to ensure the standards are met. This analysis shall address the combined impact of airport activities and motor vehicle noise from adjacent roadways.	Less than significant	Riverside County Health Department and Planning Department	Review and approval of final acoustic reports prior to approval of tentative tract map or other residential projects.
C8-5 Residential and school uses proposed within the 60 CNEL contour of Avenue 62, Avenue 66, Tyler Street, Polk Street, A Street, B Street, and C Street shall require a noise analysis by a qualified acoustical consultant to ensure the noise standards are met.	Less than significant	Riverside County Health Department and Riverside County Planning Department	Review and approval of final acoustical reports prior to approval of tentative tract map or other residential projects.
Energy Resources			

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Increased energy use.			
To reduce both criteria pollutant and Greenhouse Gas emis	Gas emissions from Project operation, the following mitigation measures will be implemented:	e following mitigation measure	es will be implemented:
C9-1 was replaced by Mitigation Measure GHG 1 below, as part of EIR 396, Addendum No. 2.	n/a	n/a	n/a
C9-2 Electric vehicle recharging facilities shall be permitted in all commercial developments.	Less than significant	Riverside County Planning Department	Approval of Final Specific Plan.
MM GHG 1 in order to reduce energy consumption from the proposed Project development, construction of all homes and businesses shall exceed the 2008 California Energy Code - Title 24, Part 6 energy efficiency standards by 15%. GHG 1 replaces Mitigation Measures D7-9 and C9-1.	Less than significant	Riverside County Planning Department	Prior to building permits
MM GHG 2 To reduce vehicle miles traveled, the Kohl Ranch Specific Plan will provide a transit center, including a bus stop opportunity and park-n-ride lot to facilitate carpooling and/or use of public transportation within some of the zones of the Project site which are restricted by airport flight paths/noise and with easy bus access.	Less than significant	Riverside County Planning Department	Prior to occupancy
MM GHG 3 To encourage carpooling and vanpools the Kohl Ranch Specific Plan will designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing in all commercial areas.	Less than significant	Riverside County Planning Department	Prior to occupancy
MM GHG 4 Public information shall be provided to residents about opportunities to utilize public transportation and bicycles. This will be implemented through signage and information posted. Proof of compliance will be required prior to issuance of the building permit for each of the above facilities.	Less than significant	Riverside County Planning Department	Prior to occupancy
MM GHG 5 Separate recycling and waste receptacles will be provided at each house and at commercial sites. Proof of compliance (e.g. contract with waste hauler) will be required prior to final inspection of each residence. Signage and information regarding the recycling bins and acceptable recyclable materials shall be posted at commercial sites. Proof of compliance will be required by	Less than significant	Riverside County Planning Department	Prior to occupancy

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
the Department of Building and Safety prior to the Plot Plan Final Inspection of all commercial facilities.			
MM GHG 6 Install light colored "cool" roofs and cool pavements whenever possible.	Less than significant	Riverside County Planning Department	During Construction
MM GHG 7 Preserve existing trees on-site through the use in place or relocation of palms currently growing onsite.	Less than significant	Riverside County Planning Department	During Construction
The following mitigation measure is to be implemented for the Thermal Beach Club:	he Thermal Beach Club:		
MM GHG-8 (Added): Prior to issuance of building permits, the Project applicant shall provide documentation to the County of Riverside Building and Safety Department demonstrating that the following measures or any other combination thereof are incorporated from the County's 2018 Greenhouse Gas Emissions Screening Tables, shown in Appendix F of the Riverside County Climate Action Plan, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.	Less than significant	Riverside County Building and Safety Department	Prior to building permits
Open Space & Conservation			
Loss of undeveloped open space.			
C10-1 All open space areas within the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Zoning, Community Structure Development Standards, Neighborhood and Planning Area Land Use and Development Standards, and Design Guidelines of the Kohl Ranch Specific Plan.	Less than significant.	Riverside County Planning Department	Review and approval of tentative tract map/plot plan/use permit.
Toxic Substances			
Generation of hazardous wastes.			
C11-1 Users of hazardous materials shall comply with applicable federal, state and local regulations requiring elimination and reduction of waste at the source by prevention of leakage, segregation of hazardous waste,	Less than significant.	Riverside County Health Department and CVWD.	Ongoing.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
and other means. Industrial operations shall utilize methods such as recovery, reuse and recycling of wastes to minimize the amount of hazardous substances disposed of.			
C11-2 Future industrial uses shall be reviewed to identify the specific wastes which may be generated for storage and disposal of potentially hazardous substances.	Less than significant.	Riverside County Health Department and Planning Department.	Review and approval of plot plan and/or use permit.
C11-3 Hazardous materials that may be produced on-site shall require transport by a licensed hauler to a designated facility. Haulers of hazardous materials, as well as disposal facilities, shall be licensed by the U.S. Environmental Protection Agency.	Less than significant.	Riverside County Health Department.	Ongoing.
C11-5 Interim agricultural operations shall adhere to all appropriate permit requirements related to the handling, storage and transport of hazardous materials.	Less than significant.	Riverside County Health Department.	Ongoing.
Cultural Resources			
Disturbance of important archaeological resources.			
C12-1 Avoidance of CA-RIV-5510/H is preferred. This site is located in Planning Area M-4. If it is determined at the development stage avoidance of CA-RIV-5510/H is not feasible, this archaeological site shall be subjected to a program of additional historic research and test excavation to determine its importance, prior to earthmoving on the site.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.
C12-2 (Revised) Avoidance of CA-RIV-5511H is preferred. This site is located in the vicinity of Planning Area C-4, C-5 and C-8. If it is determined at the development stage that avoidance of CA-RIV-5511H is not feasible, this archaeological site shall be subjected to a program of additional historic research and test excavation to determine its importance, prior to earthmoving on the site.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/ use permit.
C12-3 The approximately 160 acres of the Kohl Ranch site that were not examined during field reconnaissance (Blocks 25, 33, 34 and 35) shall be examined by a	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
qualified archaeologist after plowing but before commencement of grading (see EIR 396 – Figure V-30).			
C12-8 Should any cultural and/or archaeological resources be accidentally discovered during Project construction, construction activities in the vicinity of the resource shall immediately halt and be moved to other parts of the Project site. A Riverside County qualified archaeologist shall be retained by the County or their designee to determine the significance of the resource. If the find is determined to be a historical or unique archaeological resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures, as recommended by the archaeologist, shall be implemented. Any artifacts collected or recovered shall be cleaned, identified, catalogued, analyzed, and prepared for curation at an appropriate repository with permanent retrievable storage to allow for additional research in the future. Site records or site record updates (as appropriate) shall be prepared and submitted to the Eastern Information Center as a permanent record of the discovery	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.
The following mitigation measure is to be implemented for the Thermal Beach Club:	he Thermal Beach Club:		
MM CR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.	Less than significant.	Riverside County Planning Department.	During grading activities
Disturbance of important historic resources.			
None required.	Less than significant.	None required.	Not applicable.
Paleontological Resources			
Disturbance of paleontological resources.			
C12-4 Within Sections 4 and 9 (T.7S, R.8E), a qualified paleontologist shall be retained to attend the pre-grade meeting, and supervise the paleontological monitoring during earth moving activities in these areas of the proposed project.	Less than significant.	Riverside County Planning Department.	Prior to and during grading activities.

Reviewing Entity Review Stage	Riverside County Planning Department.
Level of Significance Re	
Mitigation Measures	C12-5 (Revised) Initially, full-time monitoring shall be conducted during all earth moving activities that extend below 5 feet within native sediments in Sections 4 and 9 (T.7S, R.8E). Full-time monitoring shall not be required for areas of artificial fill or ground disturbing activities that do not yield observable sediments, such as augering if the diameter of the auguris very small (less than 12 inches or 0.3 mater). In this case, matrix sampling of the spoils piles for small-fraction fossils shall be conducted at the discretion of the Project Paleontologist. Otherwise, Wet screening for small vertebrates shall be conducted in the appropriate sediments and a representative sample of fossils shall be collected. Recent (Holocene) alluvial materials or sands have a low paleontologic sensitivity and will not require monitoring. If fossils are found, monitoring requirements shall will be increased accordingly; if no fossils are encountered, monitoring requirements. Part-time monitoring may occur when ground disturbances impact artificial fill underlying the Project Area. The frequency and duration of part-time monitoring shall be determined by the Riverside County Project Paleontologist and shall be dependent on the nature and extent of on-site excavations. The number of qualified paleontological monitors on site shall be increased or decreased at the discretion of the Riverside County Qualified Project Paleontologist to ensure adequate and complete coverage of all construction impacts to paleontologically sensitive units. The frequency of monitoring may be reduced at the discretion of the Riverside County Qualified Project Paleontological to a grading is completed in a specific area or stratigraphic unit. no fossil resources of any kind are encountered. Paleontological monitors and subscribed personnel observe

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
have been completed in native sediments within the Project Area, monitoring shall cease.			
C12-6 (Revised) Specimens collected shall be prepared in a properly equipped paleontology laboratory (to a point of identification and curation) which shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to a regionally-accredited museum repository, such as the NHMLAC in Los Angeles, for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the landowner, identified and eurated into a suitable repository that has a retrievable storage system, such as the San Bernardino County Museum.	Less than significant.	Riverside County Planning Department.	During and/or following grading activities.
C12-7 (Revised) A final report summarizing findings shall be prepared at the end of earth moving activities, and shall include a summary of the field methods, laboratory methods (if any), an overview of the geology and paleontology of the construction site, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations, and their scientific significance, and recommendations, and their scientific significance, and recommendations, and their scientific significance, and leasing and appropriate stratigraphic and locality data. If the monitoring efforts produce fossils, this report shall be sent to the Lead Agency, signifying the end of mitigation. Another copy shall accompany the fossils, along with field logs and photographs, to the designated repository.	Less than significant	Riverside County Planning Department	After completion of field monitoring.
The following mitigation measure is to be implemented for the Thermal Beach Club:	he Thermal Beach Club:		
MM PALEO-1 (Added): Prior to the start of construction within a given development site within the Project Area, all field personnel shall be briefed regarding the types of fossils that could be found and the procedures to follow should paleontological resources be encountered. Training shall 1) provide a description of the fossil resources that may be encountered; 2) outline steps to follow in the event that a fossil discovery is made; and 3)	Less than significant	Riverside County Planning Department	Prior to grading activities.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
provide contact information for the Qualified Paleontologist and on-site monitor(s). The training shall be developed by the Riverside County Qualified Paleontologist and may be conducted concurrently with other environmental training (e.g., biological awareness training, cultural and natural resources awareness training, safety training, etc.).			
Tribal Cultural Resources			
The following mitigation measure is to be implemented for the Thermal Beach Club:	he Thermal Beach Club:		
Resource to California Native American tribe.			
MM TCR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.	Less than significant.	Riverside County Planning Department.	During grading activities
Aesthetics, Visual Analysis, Light & Glare	are		
Change to visual character of the site.			
C13-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.
Creation of new source of light and glare.			
C13-2 Lighting shall conform to the Lighting Guidelines Section of the Kohl Ranch Specific Plan.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
The following mitigation measures are general lighting guidelines contained in the Kohl Ranch Specific Plan.	elines contained in the Kohl Ra	nch Specific Plan.	
General Lighting Guidelines			
C13-3 Warm white lighting shall be encouraged. Bright colored or blinking lights shall not be encouraged except in theme restaurants and shops of commercial development areas.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-4 Building or roof outline tube lighting shall be subject to Riverside County approval.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
C13-5 Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-6 Ćareful consideration and coordination shall be given to avoid any potential conflicts with Jacqueline Cochran Regional Airport operations.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-7 Lighting shall be designed to minimize sky glow and effects on the Mt. Palomar Observatory and the nighttime desert sky.	Less than significant.	Riverside County Building & Safety Department.	Prior to Issuance of building permit.
C13-8 Fixtures and standards shall conform to state and local safety and illumination requirements. In particular, lighting shall conform to Riverside County Ordinance No. 655, which includes requirements related to the Mt. Palomar Observatory.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-9 Automatic timers on lighting shall be designed to maximize personal safety during nighttime use while saving energy.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
In addition to the lighting guidelines contained in the Specific Plan, the following mitigation measures are recommended.	ic Plan, the following mitigation	measures are recommended.	
C13-10 The buildings shall use non-metallic, low reflective glass (30 percent or lower reflective factor) and building materials to keep daytime glare to a minimum.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
Compliance with General Plan Policies.			
C13-11 Future development projects shall be subject to the requirements of Section 7 of Ordinance No. 655, which includes the preparation of lighting plans and evidence of compliance.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
C13-12 All new light fixtures installed shall be consistent with the guidelines in Section 5 (General Requirements), Section 6 (Requirements for Lamp Source and Shielding) and Section 8 (Prohibitions) of Ordinance No. 655.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of building permit.
Circulation & Traffic			

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
MM Trans 1 All roadways shall be constructed per the Riverside County Transportation Department standards and conditions of approval.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.
MM Trans 2 The intersection of Polk Street at Airport Boulevard shall convert the shared northbound turning lane into one northbound left-turn lane and one northbound right-turn lane.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/blot plan/use permit for applicable development area.
Traffic generated			
D1-1 was eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
D1-2 Avenue 60 adjacent to the site shall be downsized and constructed at its ultimate part-width standard as an Industrial Collector (78 foot right-of-way) in conjunction with development.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map. Road segments to be improved concurrently with adjacent development area.
D1-3 to D1-10 were eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
Level of Service at General Plan Buildout without Project.			
None required.	Less than significant.	None required.	Not applicable.
Year 2010 Level of Service with Project and typical General	General Plan improvements.		
D1-11 To ensure that off-site roadway improvements (see EIR 396 – Table V-43) are provided in conjunction with each development phase, the following development monitoring requirements shall be followed throughout the study area:		9	
 a. Traffic impact study reports shall be required with submittal of tentative tract maps or plot plans as required by Riverside County. 	Less than significant.	Riverside County Planning Department and Transportation Department	Review and approval of tentative tract map/plot plan/use permit.
 b. The required format for each traffic impact study report shall be determined by Riverside County. The required format shall include evaluation of peak hour conditions at intersections significantly impacted by each phase of development. 			
c. If an impacted intersection is estimated to exceed			

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
County service level standards, then appropriate link and intersection improvements shall be required to be presented for County staff review.			
d. The improvements needed to maintain the County service level standards shall be required to be in place or funding assured prior to occupancy of the relevant development phase. Because off-site improvements are generally needed to serve area wide growth, the developer shall initiate efforts to establish an area wide fee program or funding district to implement General Plan roadway improvements prior to the issuance of building permits. Without a district or fee program in place, the proposed project would be responsible for providing the off-site improvements necessary for adequate circulation at each project phase.			
D1-12 to D1-15 were eliminated as part of EIR 396, Addendum No. 2	n/a	n/a	n/a
Compliance with General Plan Circulation policies.			
D1-18 The project shall contribute to the installation of traffic signals when warranted through the payment of traffic signal mitigation fees. The traffic signals shall be installed as warranted through the tract map or plot plan level traffic studies.	Less than significant.	Riverside County Transportation Department.	Payment of traffic mitigation fees at final tract map approval.
D1-19 The developer shall comply with the trip reduction ordinance of the Riverside County.	Less than significant.	Riverside County Transportation Department.	Ongoing.
Impact on alternative forms of transportation.			
D1-20 As development in the area occurs, the SunLine Transit Agency shall be requested to consider expanding service within the area.	Less than significant.	Riverside County Transportation Department.	Ongoing.
D1-21 To accommodate future bus service on key roadways, transit stops shall be anticipated at the far side of major intersections (see Initial Study EA42375, Figure 15 – Bus Turnout and Stop Locations). Sunline Transit Agency should review transit recommendations in the study area. EIR 396 – Figure V-54 shows the recommended bus turnout design features. Pedestrian access to the bus stops shall be provided.	Less than significant.	Planning Department and Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D1-22 The commercial portion of the project shall provide on-site bike racks to encourage the use of bicycles as an alternative means of transportation.	Less than significant.	Planning Department and Transportation Department.	Review and approval of plot plan and/or use permit approval.
D1-23 To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to SR-86S, a portion of the commercial parking areas shall be designated for Park-N-Ride use on weekdays between 6:00 a.m. and 6:00 p.m.	Less than significant.	Planning Department and Transportation Department.	Review and approval of plot plan and/or use permit approval.
Provision of adequate access to and from the project area.			
D1-24 Access to roadways shall be oriented to the appropriate locations shown on Initial Study EA42726, Figure 7 – Access Points. Precise access locations and the phasing of roadway improvements shall be determined at the plot plan, use permit or tentative tract map level, subject to approval by the Riverside County Transportation Department.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D1-25 was eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
Traffic Generated			
D1-26 Avenue 60 adjacent to the Planning Areas A-2, A-4, E-1 and E-2 shall be downsized and constructed at its ultimate part-width standard as an Industrial Collector (78 foot right-of-way) in conjunction with development. The southerly side of Avenue 60 adjacent to Planning Area B-1 shall be constructed at its ultimate part-width standard as an Arterial highway (128 foot right-of-way) in conjunction with development.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D1-27 Polk Street adjacent to the project site shall be constructed from the north project boundary to Avenue 66 at its ultimate half-section width as an Arterial highway (128 foot right-of-way) in conjunction with development. A Modified Arterial highway (113 foot right-of-way) shall be constructed at the Not-A-Part parcel located in Planning Area J-4 due to the existing sewage pump station.	Less than significant.	Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D1-28 to D1-37 were eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
D1-38 Designate "E" Street between Avenue 64 and Avenue 66 as a Major highway (118 foot right-of-way) classification and realign to circulate north and south.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D1-39 Downgrade Avenue 60 between the northwest corner of Planning Area B-1 and Polk Street to an Industrial Collector and delete as an Arterial highway classification on the Riverside County General Plan Circulation Element to accommodate the planned extension of the runway at Jacqueline Cochran Regional Airport.	Less than significant	Riverside County Transportation Department	Review and approval of tentative tract map/plot plan/use permit for applicable development area.
Water'& Sewer		ı	
Increased demand on water supplies			
D2-1 A detailed hydraulic analysis shall be performed by the developer in conjunction with the preparation of improvement plans for each phase of development.	Less than significant.	CVWD	Review and approval of tentative tract map/plot plan/use permit.
D2-2 to D2-3 were eliminated as part of EIR396, Addendum No. 2	n/a	n/a	n/a
D2-4 Reservoirs shall be provided in accordance with CVWD and ALUC standards, including the installation of aviary screening, where applicable.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-5 Transmission lines to the reservoirs shall be sized in accordance with CVWD requirements.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-6 Where possible, the existing tile drains shall be maintained to prevent high salt water from migrating to the underground basin.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-7 All water lines shall be designed and installed as required by CVWD.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D2-8 A dual water system shall be installed to service the larger landscaped areas. Where practical, smaller landscape areas requiring irrigation shall be provided with service from a separate irrigation line.	Less than significant.	CVWD and Riverside County Planning Department.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-9 The irrigation line shall utilize canal water or treated effluent to irrigate the larger landscape areas initially. Treated effluent shall be utilized when facilities are available, treatment is acceptable and the cost is practical.	Less than significant.	CVWD.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-10 All project development shall comply with State and County regulations regarding water conservation and reclamation. All applicable sections of Title 20 and Title 24 of the California Code of Regulations shall be adhered to regarding water consumption and conservation.	Less than significant.	CVWD and RWQCB.	Review and approval of water plans prior to tentative tract map/plot plan/use permit approval.
D2-11 Water conserving plumbing fixtures shall be used in all construction, including low or ultra-low flow toilets and reducing valves for showers and faucets.	Less than significant.	Riverside County Building & Safety Department.	Review and approval of improvement plans prior to issuance of building permit.
D2-12 Consistent with the requirements of County Ordinance No. 348, irrigation systems shall be used for common landscaped areas that minimize runoff and evaporation and maximize water availability to plant roots. Project landscaping plans that identify irrigation systems shall be submitted for review prior to the issuance of individual project building permits.	Less than significant.	Riverside County Building & Safety Department.	Review and approval of tentative tract map/plot plan/use permit and improvement plans.
D2-13 Consistent with the requirements of County Ordinance No. 348, native, drought-tolerant plants approved by the County shall be used in common landscaped areas. Additionally, mulch shall be utilized in common landscaped areas where soil conditions warrant to improve the soil's water storage capacity.	Less than significant.	Riverside County Building & Safety Department.	Review and approval of tentative tract map/plot plan/use permit and improvement plans.
D2-14 Subsequent tentative tract maps, conditional use permits and plot plans shall be approved by Riverside County based on adequate wells, reservoirs and transmission systems.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D2-15 The developer shall work with CVWD and participate in area-wide programs developed under the leadership of CVWD to address impacts to groundwater supplies.	Less than significant.	CVWD.	Ongoing.
D2-16 Development shall be consistent with the project Water Conservation Plan.	Less than significant.	CVWD and Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/use permit.
Increased demand on wastewater treatment capacity and conveyance facilities.	onveyance facilities.		
D2-17 A detailed analysis shall be performed for pipe sizing, in conjunction with the preparation of improvement plans for each phase of development.	Less than significant.	CVWD and Riverside County Planning Department.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
D2-18 Infrastructure facilities shall be constructed in accordance with the requirements identified in the Specific Plan.	Less than significant.	Riverside County Planning Department and CVWD.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
D2-19 CVWD shall expand the existing treatment facility capacity to accommodate project wastewater, if necessary.	Less than significant.	CVWD.	Ongoing.
D2-20 Interim septic tank systems shall be subject to approval by the Riverside County Department of Environmental Health.	Less than significant.	Riverside County Department of Environmental Health.	Prior to issuance of occupancy permit.
D2-21 CVWD shall review and approve any interim connection to existing CVWD systems. CVWD shall review and approve sewage collection and transportation system designs where expanded facilities are proposed.	Less than significant.	CVWD.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
D2-22 Developer(s) shall pay all fees required by CVWD for sewage treatment services and facilities.	Less than significant.	CVWD.	At issuance of building permits.
D2-23 All sewage lines, pump stations and other required transmission facilities shall be installed as directed by CVWD.	Less than significant.	CVWD.	Review and approval of wastewater improvement plans prior to tentative tract map/plot plan/use permit approval.
Water conservation methods shall be implemented, as outling facilities (See mitigation measures D2-8 through D2-16).	ned above, to reduce wastewate	er generation and impacts to s	1, as outlined above, to reduce wastewater generation and impacts to sewage transmission and treatment 2-16).

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Fire Services			
Increased demand for fire services.			
D3-1 The project shall conform with the requirements of the Public Facilities and Services Element of the RCCGP and the Riverside County Fire Protection Ordinance No. 546.	Less than significant.	Riverside County Fire Department and Riverside County Building & Safety Department.	Review and approval of tentative tract map/plot plan/use permit.
D3-2 The County Department of Building and Safety and the County Fire Department shall enforce fire standards in the review of building plans and during building inspection.	Less than significant.	Riverside County Fire Department and Riverside County Building & Safety Department.	Prior to building permit issuance and during construction.
D3-3 All project street widths, grades and turning/curve radii shall be designed to allow access by fire suppression vehicles.	Less than significant.	Riverside County Fire Department and Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit.
D3-4 Residences and interior streets shall be clearly marked to facilitate easy identification by emergency personnel.	Less than significant.	Riverside County Fire Department and Riverside County Transportation Department.	Prior to issuance of occupancy permit.
D3-5 The developer shall demonstrate that sufficient on- site fire flow pressure exists, as determined by the Riverside County Fire Department.	Less than significant.	Riverside County Fire Department.	Prior to issuance of occupancy permit.
D3-6 Fire flow requirements shall be incorporated into the overall project design. A fire flow of 1,000 gpm at 20 psi for a two-hour duration shall be required for single family residential uses; 2,500 gpm for multi-family residential, light manufacturing and certain commercial uses; and 5,000 gpm for medium and heavy industrial uses, as well as larger commercial development.	Less than significant.	Riverside County Fire Department and Riverside County Planning Department.	Review and approval of water improvement plans prior to tentative tract map/plot plan/use permit approval.
D3-7 The Project applicant shall contribute appropriate fees in accordance with the fire unit impact fee, as well as plan check fees and all other impact fees in accordance with current County of Riverside regulations.	Less than significant.	Riverside County Fire Department and Riverside County Planning Department.	Prior to building permit issuance and during construction.
Sheriff Services			
Increased demand for police protection services.			

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D4-1 The applicant shall cooperate with the Sheriffs Department to ensure that adequate protection, facilities and personnel are available.	Less than significant.	Riverside County Sheriff's Department.	Prior to issuance of building permits.
D4-2 The applicant shall contract with the SCVCSD to provide supplemental sheriff services in exchange for an additional parcel charge collected via the property tax system.	Less than significant.	SCVCSD and Building & Safety Department.	Prior to issuance of occupancy permit.
D4-3 Construction yard fencing and/or security personnel shall be provided during the construction phases to reduce the potential of theft and vandalism at the site.	Less than significant.	Riverside County Building & Safety Department.	During construction.
D4-4 Ample lighting shall be provided in all parking area entrances/exits and walkways, consistent with Riverside County Ordinance No. 655. Additionally, the applicant shall ensure that street addresses are highly visible to any responding emergency vehicles.	Less than significant.	Riverside County Building & Safety Department.	Prior to issuance of occupancy permit.
D4-5 For the safety and security of future residents, the applicant or developer shall address the following design concepts within each planning area to assure the maximum measure of crime prevention: □ Circulation for pedestrian, vehicular and police patrol circulation □ Lighting □ Landscaping □ Visibility of doors and windows from the street and between buildings □ Fencing heights and materials □ Public and private spaces	Less than significant.	Riverside County Building & Safety Department and Riverside County Sheriff's Department.	Review and approval of building plans prior to issuance of building permit.
Schools			
Increased demand for school facilities.			
D5-1 The applicant shall be responsible for the payment of fees at the state statutory limit in effect at the time; or otherwise reach agreement with the school district for provision of school sites and/or payment of fees to effectively mitigate school impacts.	Less than significant.	Coachella Valley Unified School District.	Fees paid at issuance of building permits.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Parks & Recreation			
Increased demand for parks and recreational facilities.			
D6-1 The project shall dedicate appropriate acreage for developed local parkland, or shall provide fees in lieu of dedication, based on the requirements of the Desert Recreation District. Parkland or equivalent fees provided by the applicant shall be phased in conjunction with residential development so that appropriate acreage of local parkland is provided for each 1,000 persons within the new development.	Less than significant.	Desert Recreation District (DRD) and Riverside County Planning Department.	Prior to tentative tract map approval.
D6-2 The developer(s) shall work with the CVRPD and the Coachella Valley Unified School District to determine the types of facilities to be installed in parks and schools, if a joint-use program is undertaken.	Less than significant.	CVRPD and Unified School District.	Review and approval of improvement plans prior to issuance of first building permit for applicable tract.
D6-3 Recreation trails shall be improved and dedicated, as described in the Kohl Ranch Specific Plan.	Less than significant.	CVRPD and Riverside County Transportation Department.	Review and approval of tentative tract map/plot plan/use permit prior to issuance of first building permit for applicable tract.
D6-4 The applicant shall pay mitigation fees for regional and natural parkland at the occupancy permit stage to the Building and Safety Department, in accordance with the provisions of Riverside County Ordinance No. 659.	Less than significant.	CVRPD and Riverside County Building & Safety Department.	Prior to issuance of occupancy permit.
D6-5 Future development projects shall comply with the Land Use Standards for parks and recreation facilities in the RCCGP.	Less than significant.	Riverside County Planning Department and CVRPD.	Ongoing.
Utilities			
Increased demand on natural gas supplies.			
D7-1 The developer shall finance the installation of gas lines in accordance with the requirements set forth by the Southern California Gas Company or other authorized service provider. This cost may be offset by credits for free footage allowances.	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.

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Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D7-2 All gas services and facilities shall be constructed in accordance with Southern California Gas Company or other authorized service provider policies and extension rules on file with the California Public Utilities Commission (CPUC).	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.
D7-3 The developer shall ensure that existing facilities are adequate to accommodate the proposed new development.	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.
D7-4 Development plans shall be provided to the Southern California Gas Company or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to provide services to the project site.	Less than significant.	Southern California Gas Company or other authorized service provider.	Review and approval of improvement plans.
Increased demand on electricity.			
D7-5 The developer shall provide the electric power improvements required by IID or other authorized service provider.	Less than significant.	IID or other authorized service provider and Riverside County Planning Department.	Review and approval of improvement plans.
D7-6 All buildings shall be constructed in compliance with the insulation standards established by the California Uniform Building Code (UBC).	Less than significant.	Riverside County Building & Safety Department.	Review and approval of building plans prior to issuance of building permits.
D7-7 All electrical facilities shall be constructed in accordance with IID or other authorized service provider policies and extension rules on file with the California Public Utilities Commission (CPUC).	Less than significant.	IID or other authorized service provider and Riverside County Building & Safety Department.	Review and approval of building plans prior to issuance of building permits.
D7-8 Underground facilities shall be installed in accordance with District requirements, as outlined in "A Developer's Information Letter" (effective September 15, 1994). Easements, ten feet in width and adjacent to all streets, shall be required for the installation of underground power facilities.	Less than significant.	IID or other authorized service provider and Riverside County Planning Department.	Tentative tract map/plot plan approval.
D7-9 was replaced by Mitigation Measure GHG 1 located in the Energy Resources section of this mitigation table under EIR396, Addendum No. 2	n/a	п/а	n/a

County of Riverside The Kohl Ranch Specific Plan (SP 303) Amendment No. 4, Substantial Conformance 3

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D7-10 The developer shall provide development plans to IID or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to service the project site.	Less than significant.	IID or other authorized service provider and Riverside County Planning Department.	Prior to approval of improvement plans.
Increased demand in telephone service.			
D7-11 All new telephone lines within the site shall be installed underground, as required by County Ordinance No. 460.	Less than significant.	GTE or other authorized service provider and Riverside County Planning Department.	Prior to issuance of occupancy permits.
D7-12 The developer shall provide development plans to GTE or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to service the project site.	Less than significant.	GTE or other authorized service provider and Riverside County Planning Department.	Prior to review and approval of improvement plans.
Increased demand on cable television service.			
D7-13 All cable television service lines shall be located underground, in accordance with the Riverside County Comprehensive General Plan.	Less than significant.	Cable TV franchisee.	Prior to issuance of occupancy permits.
D7-14 The developer shall coordinate the installation of cable television service lines with a cable television franchisee for the area prior to development.		Cable TV Franchisee.	Prior to issuance of occupancy permits.
Exposure to electric and magnetic fields (EMF).			
D7-15 The developer shall submit to the County supporting data on the generally accepted standards and guidelines for EMFs in effect at the time of project development and shall recommend appropriate distances from the 161 KV power line easement for development of residential and educational land uses. The County shall make a final determination regarding safe distances for siting these land uses.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/ use permit.
Solid Waste			
Increased demand on solid waste facilities.			

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D8-1 As development within the Kohl Ranch project site proceeds, the developer shall coordinate project solid waste disposal requirements with County agencies and area waste haulers, to ensure that adequate landfill capacity is available within reasonable distance of the project site.	Less than significant.	Riverside County Waste Resources Management District and local area waste haulers.	Prior to issuance of building permit.
D8-2 The project applicant shall coordinate with a certified waste hauler(s) to develop curbside collection of recyclable materials within the proposed project on a common schedule set forth in County Resolutions. The applicant shall coordinate with the permitted refuse hauler to identify which materials may be collected for recycling and on what schedule.	Less than significant.	Local area waste haulers.	Prior to issuance of occupancy permit.
D8-3 All future commercial, industrial and multi-family residential developments within the project site shall comply with AB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991. This law requires the provision of adequate areas for collecting and loading recyclable materials. Prior to building permit issuance, the applicant shall submit a site plan which includes the final design for the recyclable collection and storage area to the Riverside County Waste Resources Management District for review and approval. The storage area for recyclable materials shall comply with County standards.	Less than significant.	Riverside County Waste Resources Management District.	Prior to building permit issuance.
D8-4 Golf courses developed on the site shall minimize the generation of "green waste" and the amount of green waste sent to area landfills, through such measures as composting on-site.	Less than significant.	Riverside County Waste Resources Management District.	Ongoing.
D8-5 To minimize the generation of construction debris, grading operations shall incorporate existing rock and earth into fill areas to the extent possible under accepted geotechnical practices. In addition, construction wastes shall be diverted through recycling, composting, or using environmentally safe methods of land disposal, to the extent possible.	Less than significant.	Riverside County Building & Safety Department.	During grading operations.

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
Refer to mitigation measures C11-1 through C11-3 in Section V.C.11, Toxic Substances, regarding the storage, use and disposal of hazardous wastes.	Less than significant.	Refer to Measures C11-1 and C11-3.	Refer to Measures C11-1 and C11-3.
Health Services			
Increased demand for health services.			
None required.	Less than significant.	None required.	Not applicable.
Disaster Preparedness			
Diminished disaster preparedness.			
Mitigation measures related to seismic safety, slopes and erosion, and flooding are addressed in EIR 396 – Sections V.C.4., V.C.1., and V.C.5., respectively.	Less than significant.	Refer to other sections.	Refer to other sections.
Libraries			
Increased demand for library services.			
D11-1 The applicant shall coordinate with the County regarding whether a portion of the recurring fiscal surplus to the County could be used for library costs.	Significant.	Riverside County Library Department.	Prior to issuance of building permits.
Airports	8		
Compatibility with Jacqueline Cochran Regional Airport Master Plan.	ster Plan.		
D12-1 Elements of the Specific Plan that relate to proposed airport uses shall be incorporated into individual development projects.	Less than significant.	Riverside County Planning Department.	Review and approval of tentative tract map/plot plan/ use permit.
Compatibility with Jacqueline Regional Airport Safety Zones.	S.		
D12-2 Individual development projects shall adhere to land uses proposed in the Specific Plan to ensure consistency with the safety zone guidelines and requirements in the Thermal (Jacqueline Cochran Regional) Airport Comprehensive Land Use Plan (CLUP) (2005).	Less than significant.	Riverside County Planning Department and the Airport Land Use Commission.	Review and approval of tentative tract map/plot plan/ use permit.
Compatibility with Jacqueline Cochran Regional Airport Noise Guidelines.	se Guidelines.		

Mitigation Measures	Level of Significance After Mitigation	Reviewing Entity	Review Stage
D12-3 Specific mitigation measures (C8-4 and C8-5) are addressed in the noise analysis in EIR 396 – Section V.C.8.	Less than significant.	Refer to Measures C8-4 and C8-5.	Refer to Measures C8-4 and C8-5.
D12-4 Development projects shall comply with the noise guidelines contained in the Comprehensive Land Use Plan (CLUP) for Jacqueline Cochran Regional Airport (2005).	Less than significant.	Riverside County Health Department, Riverside County Planning Department and the Airport Land Use Commission.	Review and approval of tentative tract map/plot plan/use permit.
Compatibility with Jacqueline Cochran Regional Airport Height Guidelines.	tht Guidelines.		
D12-5 Proposed development shall comply with the Jacqueline Cochran Regional Airport Height Guidelines identified in the Comprehensive Land Use Plan (CLUP) for Thermal Airport (2005).	Less than significant.	Riverside County Building & Safety Department, Riverside County Planning Department and the Airport Land Use Commission.	Review and approval of tentative tract map/plot plan/use permit.



AIRPORT LAND USE COMMISSION **RIVERSIDE COUNTY**

CHAIR

July 18, 2019

Steve Manos Lake Elsinore

Mr. Jason Killebrew, Principal Planner Riverside County Planning Department 4080 Lemon Street, 12th Floor

Related File Nos.:

VICE CHAIR Russell Betts **Desert Hot Springs**

Riverside CA 92501 (VIA HAND DELIVERY)

COMMISSIONERS Arthur Butler

> RE: AIRPORT LAND USE COMMISSION (ALUC) DEVELOPMENT REVIEW

John Lyon

Riverside

File No.: ZAP1046TH19

Riverside

PP180037 (Plot Plan), TTM37269 (Tentative Tract Map)

APNs: Steven Stewart Palm Springs

751-070-033; 751-070-034.

Richard Stewart

Dear Mr. Killebrew:

Moreno Valley **Gary Youmans**

Temecula

STAFF

Director Simon A. Housman

> John Guerin Paul Ruff Barbara Santos

County Administrative Center 4080 Lemon St., 14th Floor. Riverside, CA 92501 (951) 955-5132

On July 11, 2019, the Riverside County Airport Land Use Commission (ALUC) found the "Thermal Beach Club" project, consisting of Riverside County Case Nos. PP180037 (Plot Plan). a proposal to establish a surf lagoon with wave making capabilities on 21 acres and to develop a clubhouse village area consisting of four buildings with a combined net floor area of 34,400 square feet, and TTM37269 (Tentative Tract Map), a proposal to divide 117.18 acres within two existing parcels with a total area of 307.12 acres located southerly of 64th Avenue, easterly of Tyler Street, northerly of 66th Avenue, and westerly of Polk Street and Fillmore Street in the unincorporated community of Thermal into 210 residential lots that will accommodate 326 dwelling units and additional lots accommodating a surf lagoon, village area with clubhouse buildings, reservoir, and drainage areas, **CONSISTENT** with the 2005 Jacqueline Cochran

CONDITIONS:

conditions:

www.rcaluc.org

1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.

Regional Airport Land Use Compatibility Plan, as amended in 2006, subject to the following

- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
 - (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other than an FAA-approved navigational signal light or visual approach slope indicator.
 - (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 3. The attached notice shall be provided to all prospective purchasers of the proposed parcels and tenants or lessees of the buildings, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final tract map, if an ECS is otherwise required.
- 4. The shoreline of the surf lagoon shall be maintained in sand or gravel. No vegetation or landscaping shall be permitted along the margins of the shoreline.
- Vegetation around the reservoir that would provide food, cover, or nesting opportunities for birds or other wildlife would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.
 - Any landscaping around the reservoir shall be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide, or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.
- 6. The reservoir to be used for the delivery and retention of canal water for recreational use in the surf lagoon shall be constructed with steep sides (minimum slope of 3:1), minimal surface area, and deep water and lined with concrete or other impervious materials to prevent vegetation growth along the margins.
- The reservoir shall be completely covered at all times from top, sides, and bottom so as to prevent access by birds and other wildlife. The cover shall consist of 1" x 1" UV-protected polypropylene mesh secured at ground level around the edges and suspended four feet above the edge elevation, on steel cables spaced not greater than 30 feet apart, as depicted on the attached exhibits. The suspension design is intended to allow for the sagging of the netting material without touching the surface of the waters, so that the material stays dry. The cables and netting material shall be maintained in operable condition (no gaps or tears) throughout the life of the permit, as long as the reservoir holds water or other liquid.
- 8. Club personnel responsible for maintenance of the lagoon and reservoir shall be trained and equipped to disperse birds that may attempt to access the waters through use of handheld sonic devices to be used only when birds are noted present or approaching, in order to "herd" them away from the facility. Club personnel shall receive training from an FAA-qualified wildlife hazard biologist or someone who has received training from an FAA-qualified wildlife hazard biologist through a "Train the Trainer" program or similar.
- 9. In the event that any incidence of wildlife hazard affecting the safety of air navigation occurs as a result of the presence of the surf lagoon and/or reservoir on-site, upon

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

notification to the airport operator (currently the Riverside County Economic Development Agency) of an incidence, the airport operator shall notify Kohl Ranch Company, LLC (or its successor(s)-in-interest) (hereafter [sic] referred to as "owner") in writing. Within 15 days of written notice, the owner shall be required to promptly take all measures necessary to eliminate such wildlife hazard, including, if necessary, the draining of the lagoon and/or emptying of the reservoir. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal state, or county authorities responsible for the safety of air navigation. The owner shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the owner, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport owner's satisfaction.

- 10. The uses within Buildings 1 through 4 and the square footages of individual portions of those buildings shall comply with the chart included on Sheet 1 of the plot plan dated May 23, 2019. The maximum Building Code occupancy for any of these buildings shall not exceed 300 persons.
- 11. Due to the site's proximity to Jacqueline Cochran Regional Airport, flight of unmanned aerial systems (drones) is height restricted over this site and requires advance coordination with the Federal Aviation Administration for use of airspace. Heights may be restricted to 100 feet.

If you have any questions, please contact John Guerin, ALUC Principal Planner, at (951) 955-0982.

Sincerely,

RIVERSIDE COUNTY AIRPORT LAND USE COMMISSION

Simon A. Housman, ALUC Director

Attachment: Notice of Airport in Vicinity

cc: Scott Hildebrand, Albert A. Webb and Associates (representative)

Melissa Perez, Albert A. Webb and Associates (representative)

David Kohl, Kohl Ranch LLC (applicant/landowner)

Stephanie Cohen, Kohl Ranch Co. (applicant/fee-payer)

Dr. Russell DeFusco, BASH, Inc.

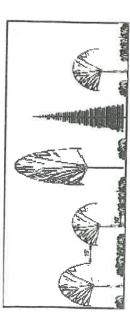
Lisa Harmon, Mead & Hunt - Sacramento office

Vincent Yzaguirre, Assistant Director, Riverside County Economic Development Agency

Liliana Valle, County Airports Manager

ALUC Case File

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coniterous species with no more than 50 percent evergreen species. Figure 1. Selection of shrubs should be a mix of deciduous and

Plant Selection, Irrigation, and Wildlife Management. Riverside County requires landscaping for proposed development and redevelopment projects, and it is also committed to the use of native and drought-tolerant plants to reduce landscape-related water use. The County of Riverside Guide to California Friendly provides a lengthy plant palette to help landscape architects, planners, and the public select pant materials that rctIma.org/Portals/7/documents/landscaping_guidelines/Guide_to_ will reduce water use in accordance with local and state goals: {http:// California_Friendly_Landscaping.pdf.) Many of the plants on the "County of Riverside California Friendly Plant List" could attract potentially hazardous wildlife species. Table 2 provides a reduced species list, nearly all of which were excerpied from the Friendly Plant List, but are less likely to support potentially hazardous wildlife. Project sponsors should use this list for projects within an AIA. The list is not meant to be exhaustive, and other species may be appropriate Sponsors who wish to propose plant materials that are not included in cased on the project location or other project-related circumstances. Table 1 will need to demonstrate to the ALUC that proposed species will be inlikely to attract hazardous wildlife to the AIA.

Seneral Guidelines. Other factors can affect wildlife behavior. andscaping can provide a food source, opportunities for shelter, nesting and perching. Proposed landscaping can help to discourage wildlife nrough the application of the following guidelines summarized below and tescribed in Table 1.

- * Close the Restaurant! Do not use plant material that produce a food source, such as edible fruit, seeds, berries, drupes, or palatable forage for grazing wildlife. When possible, select a non-fruiing variety or male culiivar.
- No Vacancy! Avoid densely branched or foliated trees; they provide ideal nesting habitat and shelter.
- Prevent Loitering! Select free species that exhibit a vertical branching structure to minimize nesting and perching opportunities (Figure 1).

able 1. Design durdance for Flant Materials

Avoid/Prevent Contiguous Canopy

provide safe passage for wildlife. Provide sufficient distance between Prevent overlapping crown structures. Contiguous crowns can plants to ensure that at least 15 feet of open space will remain between mature crowns (Figure 1).

LANDSCAPING NEAR AIRPORTS:

Special Considerations for Preventing or Reducing

Wildlife Hazards to Aircraft

- Prevent homogenous canopy types and tree height. Variable canopy height will reduce thermal cover and protection from MIN.
- Provide significant variation between the type of canopy and height of the species, both at planting and at maturity.
- Provide no more than 20% evergreen species on site, and never plant evergreens in mass or adjacent to each other

Wildlife can pose hazards to aircraft operations, and more than 1; wildlife strikes have been recorded at Riverside County. The Riversi County Airport Land Use Commission (ALUC) prepared this guidan

for the preparation of landscape designs to support FAA's August

attractive, inviting facility. In some cases, a landscaping plan can be us

to restore previously disturbed areas. However, such landscape pla

are not always appropriate near airports.

Landscaping makes a visual statement that helps to define a sense space by complementing architectural designs and contributing to

Limit Coverage

Limit the amount of cover and avoid massing to prevent the creation of habitat for birds or small mammals.

- Mix deciduous, herbaceous, and evergreen species.
- spacing to equal the width of each species at maturity. Avoid Do not plant species in mass. At a minimum, provide sufficient species with the potential to creep near shrubs (Figure 2). SHRUBS/ACCENTS/GRASSES
- Provide at least 10 feet between trees and other species greater than I foot in height.

Airports. The following landscape guidance was developed by planne

landscape architects and biologists to help design professionals, airpc staff, and other County departments and agencies promote sustainab landscaping while minimizing wildlife hazards at Riverside County

for projects within the Airport Influence Area (AIA) for Riverside

reduce wildlife hazards to aircraft. This guidance should be c.

Prevent the natural succession of landscape!

Groundcover plays a transitional role between shrubs, grasses, and trees, and this succession creates an ideal habitat for diverse wildlife (see Figure 2).

1. Provide a buffer and sharp edges between groundcover, turf, shrubs and trees, using hardscape or mulching.

Discouraging Hazardous Wildlife. Plant selections, density, and th configuration of proposed fandscaping can influence wildlife use an behavior. Landscaping that provides a food source, perching habita

public-use airports.

mammals and their prey, resulting in subsequent risks to aviators and \mathfrak{h}_{κ}

raveling public.

Artificial turf

Porous cor

m

nesting opportunities, or shelter can attract raptors, flocking birds

- When possible, use alternative groundcovers, such as decorative paving and hardscapes instead of planted groundcover/turf. GROUNDCOVER/TURF
 - based on irrigation needs or site-specific conditions. Consider using the following: 3. The use of groundcover/turf may be impractical or undestrable
 - maintenance and eliminate irrigation needs (Figure 2A), Artificial turf in place of groundcover, which can reduce
- Permeable pavers to provide visual interest while promoting Porous concrete to cover smaller areas (Figure 2B).
 - drainage (Figure 2C)

Limit Coverage

Limit the amount of cover and avoid massing to prevent the creation of habitat for birds or small mammals.

- Do not use vines to create overhead canopy or to cover structures. Do not plant vines to grow on the trunk or branches of trees. MINE
 - Minimize vines to areas of 5 feet or less in width. Vines require considerably more maintenance than other plant materials.

Permeable pavers

Figure 2. Alternation

generalismes /her hendacenpes cone

Acceptable plants from the Riverside County Landscaping Guide



Thinaca Fim



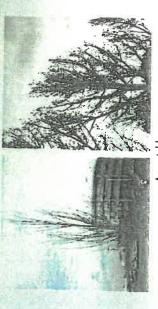








Riverside County



Acceptable.

The trees above have a vertical branching structure that minimizes perching and nesting appartunities.



Not acceptable.

Examples of trees that are attractive to birds because of horizontal branching structure.



Trees, shrubs and plants that produce wildlife edible fruit and seeds should be avoided.

Varies by Species

Varies by Species

8-9, 12-24

60% of ETO

Zoylsia Grass

Zoysia 'Victoria'

Festuca spp.

Agave species

Aloe species

E: 1,2,4; VL: 3; M.5-6 2011, 14-24

California Fuchsia

Star Jasmine

Trachelospermum Jasminoides

Zauschneria californica

Penstemon baccharifolious

Denothera stubbei

Del Rio

Pampass Grass

Cortaderia dioica (syn. C. selloana)

Fescue

10-13

L: 1-2, 3-5

White Evening Primrose

Denothera caespitosa

Baja Evening Primrose

10, 12-24 (Varies)

E14,6 E14,6 Hit;M3

Agave

8-9, 12-24

10-24

VL: 1, 4-6

Desert Spoon

Cape Rush

Chondropetalum Itectorum

Dasylirion species

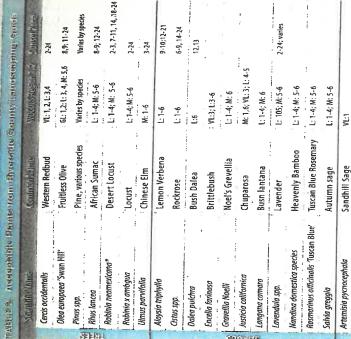
1:1-4

Jufted Hair Grass

Deschampsia caespitosa

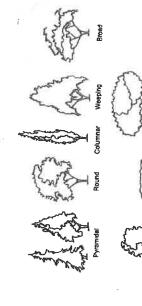
Festuca (ovina) glauca

Dietes bicolor









2b, 3, 7-16, 18-24

L: 1,3; M: 2, 4-6

VL:3, L: 4-6

Red / Yellow Yucca

Hesperatoe parviflora

Muhlenbergia rigens

Octillio

Deer Grass

10-13, 18-20

L: 1, 4-6; VL: 3

12-24

VL:1-2, L: 3-4, 6

Golden Barrel Cactus

Echinocactus grusonii

Fouquieria splendens

Fortnight Lily

Blue Fescue

VL:1, L:3-6

L: 1-2; M:3-6

Varies by Species

VL: 1-3; L: 4-6

Prickly Pear, Cholla

Superb Beardtongue

Penstemon superbus

Penstemon parryi

Opuntia species

Tulbaghia violacea

Yucca species

Society garlic

Parry's Beardtonque

Trees approved for planting should have varied canopy types and varied heights, both at time of planting and at maturity. A combination of the styles illustrated above is recommended.

Varies by Species



dended detention strategies less altractive to daptive measures such as liners, a concrete asin, and overhead wire grid can make zardous wildlife.



infiltration basins with rock bottoms are less attractive to birds because they mask water and do not provide vegetation.



accumulation. However, dense and tall vegetation may be attractive to water quality and prevent water Vegetated bioswales improve

hazardous wildlife

STORMWATER BEST. MANAGEMENT PRACTICES

stormwater management controls for development and redevelopment projects. The Riverside Conservation District has prepared a separate that identifies treatment control Best Management Practices (BMPs) flows following the design storm (i.e., 24-hour storm). Structural BMPs Water Quality Management Plan for each watershed in the County identified in Riverside County guidance and their compatibility within for improving water quality and managing stormwater volumes/ Riverside County and its incorporated cities require water quality/ the AIA are summarized in Table 1.

ADDITIONAL RESOURCES/MORE INFORMATION:

- Riverside County Flood Control and Water Conservation District, Water Quality Management Webpage. Available at: http:// rcflood.org/npdes.
- Attractants On and Near Airports": https://www.faa.gov/ FAA Advisory Circular 150/5200-33, "Wildlife Hazard documentlibrary/media/advisory_circular/150-5200. 338/150_5200_33b,pdf.
- Stormwater and Bird Hazard Management: https://www.nap. Airport Cooperative Research Program, Balancing Airport edu/login.php?action=guest&record_id=22216.



Landscaping
Provides food. Vegetation and

Tall vegetation provides shelter and nesting opportunities.

source (seeds, berries, nuts, and drupes). Provide regular maintenance to prevent seeding and shelter.

Never use species that provide a food

If necessary, provide a monoculture or

decreased diversity.

Eliminate vegetation (concrete banks,

steep slopes, etc.)

- attracts more diverse wildlife. Diverse vegetation
 - Aspect/Geometry
- Slopes can provide opportunities for nesting and loafing.
- pond shapes.
- Avoid or reduce available shoreline:

 Implement narrow, linear trenches rather than open water or regular circles as
- Create steep slopes (<3:1).
- Avoid irregular shapes for basins. Avoid vegetation.
- WHAT YOU CAN DO:

Airport operators, developers and communities must work together to manage stormwater in the airport vicinity to reduce hazards to air travelers and the public while addressing site-specific challenges.

- critical area. (http://www.rcaluc.org/Plans/New-Compatibility-Identify whether your project is near an airport and in an AIA or
- Work with the airport operator, ALUC, and city/county staff to identify an acceptable water quality management strategy.
- available at: http://www.rcaluc.org/Portals/0/PDFGeneral/form/ request plan review by a FAA-qualified wildlife biologist. The form is Contact the applicable airport to review your stormwater plans or Wildlife%20Attractants%20-%20FAA%20Review.pdf.



STORMWATER MANAGEMENT AIRPORTS, WILDLIFE AND

Recommended Design Measure Reduce availability by providing 48-

Table 2. Recommended Measures to Reduce Wildlife

hour drawdown following a design

storm (i.e., 24-hour storm)

waterfowl, shorebirds,

and flocking birds.

Provides source for

drinking and nest

building.

Cover using bird balls.

GUIDANCE FOR PROPOSED PROJECTS IN AN AIRPORT INFLUENCE AREA

watersheds and a portion of the Sation Sea, an important stop alon the Pacific Flyway for migrating bird species. The County's arid climat Riverside County includes diverse topography and is home to three makes water quality management and water conservation paramount.

drains, trench covers, and underground Consider earth-bottom culverts, French

storage options.

Avoid within 8 km (5 miles) of other open water features or facilities;

constructed near other open water teatures or More attractive when

ponds

The County is also the home to Palm Springs International Airpart, T public use general aviation airports, and the March Air Reserve Base whose operations can be challenged by the presence of hazardor wildlife such as raptors, water-fowl, doves/pigeons, gulls, Pockin of which have led to substantial aircraft damage. Most strikes occu at low affitude (less than 3,500 feet above runway height). Much c the geographic area associated with these altitudes coincides with a Airport Influence Area (AIA) as defined in the Riverside County Airpo wildlife strikes with aircraft have occurred in Riverside County, birds, and mammals (coyate and deer). Since 1990, more # Land Use Compatibility Plan (ALUCP).

within 5 miles of approach/departure surfaces (FAA Advisory Circula The Federal Aviation Administration (FAA) identifies stormwater man agement facilities on and near airports as one of the greatest attrac ants to hazardous wildlife. Many species are attracted to open water eatures and associated vegetation that offers water, food, and shelter the FAA warns against the construction of new open water bodie: or mitigation sites within 10,000 feet of aircraft movement areas and AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT 150/5200-338)



Remains of an owl ingested by an aircraft engine.



has focused on Low-Impact Development (LID), which includes techniques to filter, store and retain runoff on-site. UD BMPs retain runoff to aptimize infiltration/recharge, and many promote the Low-Impact Development, in recent years, Riverside County UD BMPs can provide environmental, economic and community benefits, they can retain open water for prolonged periods and use of vegetation to provide for the uptake of pollutants. Although attract hazardous wildlife. Many UD BMPs are incompatible with oircraft operations and must be considered with caution within the

Aviation-Specific Stormwater Management. FAA acknowledges that project-related BMPs must consider many non-aviation and FAA have identified specific design characteristics that should be considered during BMP design and incorporated to make most factors, such as soil types, space requirements, maintenance, constructability, etc. United States Department of Agriculture (USDA) BMPs less attractive to wildlife (Table 2).

ADAPTIVE MEASURES

hazardous wildlife. For example, concrete basins are unlikely to the ponds may be equipped with bird balls, floating covers, nets, or overhead wires to cover open water and discourage use by attract wildlife, and pond liners can prevent the development of hydrophytic vegetation. These technologies must be used with When open water detention pands must be used within the AIA, caution and only in areas with controlled access.



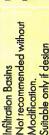
Infiltration trenches detain water for brief periods. This french at Seattle-Tacoma Airport includes vegetation appropriate for an airport environment



Bioretention facilities can provide food and shelter for notentially hazardane wildlife but man

Small bioretention facilities that provide sparse vegetation

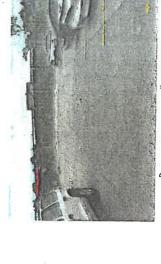
may be suitable in an aviation environment,



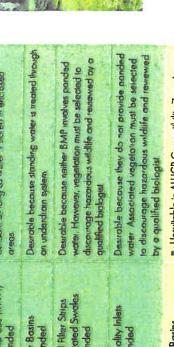
addresses wildlife hazards Suitable only if design

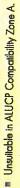
as rain gardens bioretention basins, infiltration basins, Not Recommended without Modification (also known andscaped filter basins! Sioretention Facilities

planter boxes, etc.) and when vegetation is reviewed by a qualified biologist. Potentially suitable in Zones D and E when basin is less than 30 feet in length/width; and vegetafron is selected to discourage hazardous wildlife and reviewed by a qualified biologist.



infiltrate to a soil laver below the surface. Porous pavements allow water to





both water quality management and to provide amenities. These basins hold water and would not be appropriate

within an AIA because of the open water.

Extended detention basins are frequently used to serve

- of landscape or landscaping approved by a modifications, such as: Drawdown within 48 hours or manufactured cover to prevent view and availability of open water; and absence Suitable in Zones B and C with appropriate qualified biologist.
- Steep slopes (steeper than 3:1).

Although bioretention can mask open water, BMP is not recommended for airports based on its potential to provide food, water, and shelter for hazardous

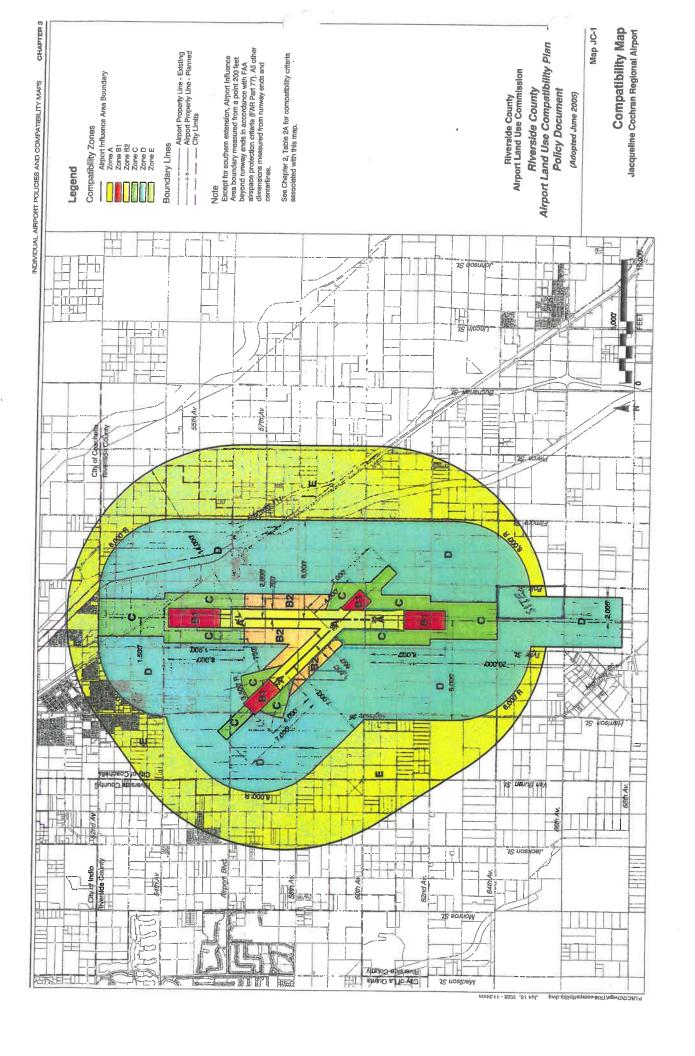
- Unsuitable in Compatibility Zone A.
- small in size (e.g., parking islands, site entrances, Potentially suitable in Zones B and C only when selected to discourage hazardous wildlife and

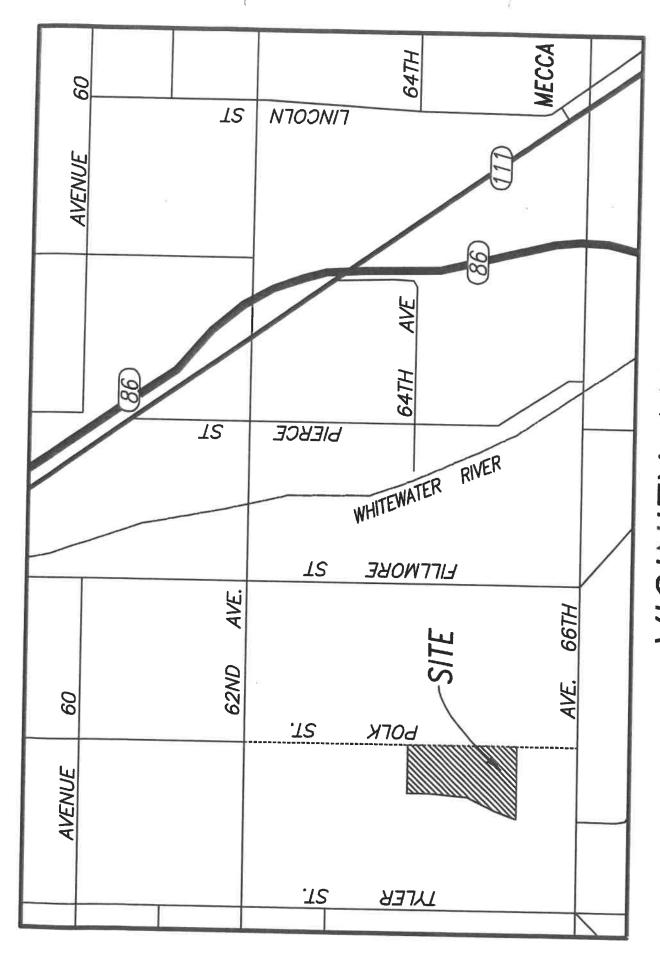
bioswale promotes infiltration. Sand filter at the base of the



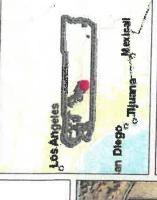
NOTICE OF AIRPORT IN **VICINITY**

airport, within what is known as an airport influence This property is presently located in the vicinity of an ■ annoyances [can vary from person to person. You may∥ wish to consider what airport annoyances], if any, are associated with the property before you complete your area. For that reason, the property may be subject to you. Business & Professions Code Section 11010 (b)∥ some of the annoyances or inconveniences associated with proximity to airport operations (for example: noise, vibration, or odors). Individual sensitivities to those purchase and determine whether they are acceptable to (13)(A)





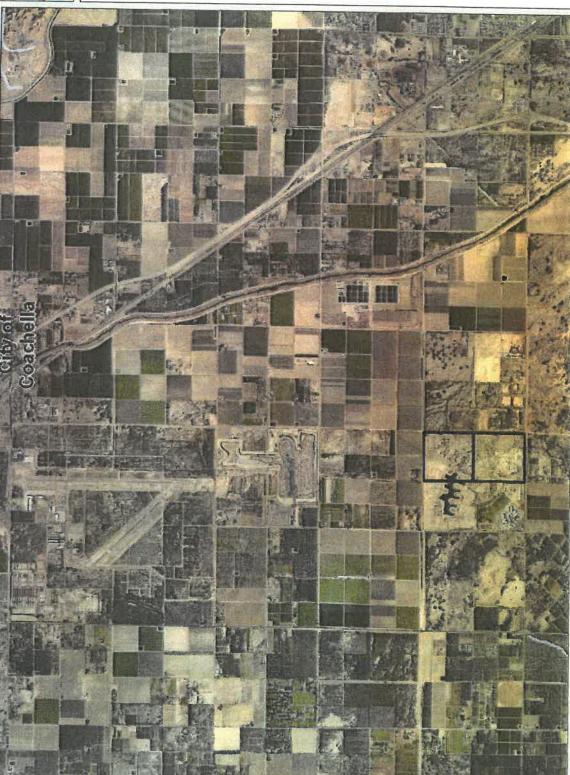
VICINITY MAP NOT TO SCALE



Legend

Blueline Streams City Areas

World Street Map





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Notes

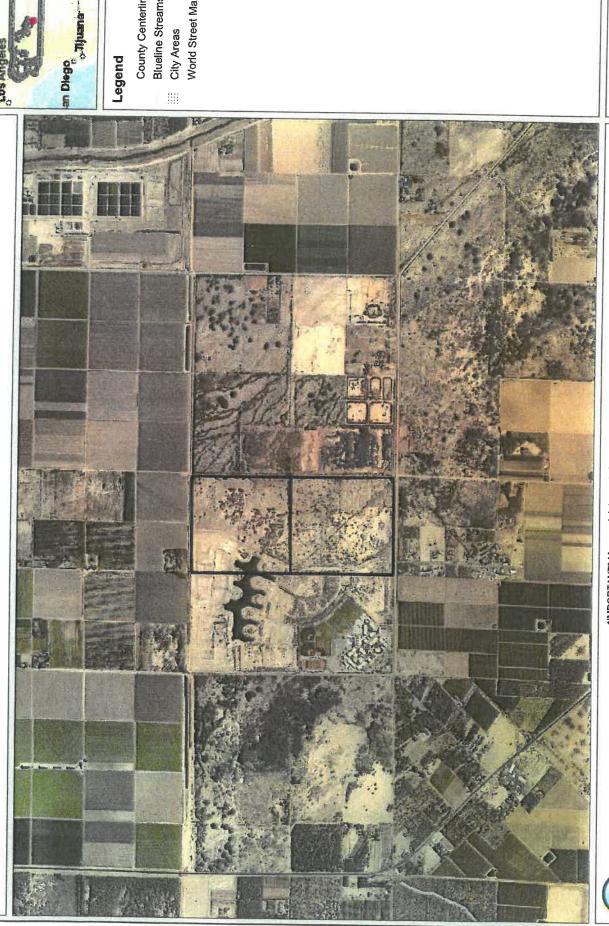
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12,037 Feet

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© Riverside County GIS

Map My County Map



County Centerline Names

Blueline Streams

World Street Map

City Areas



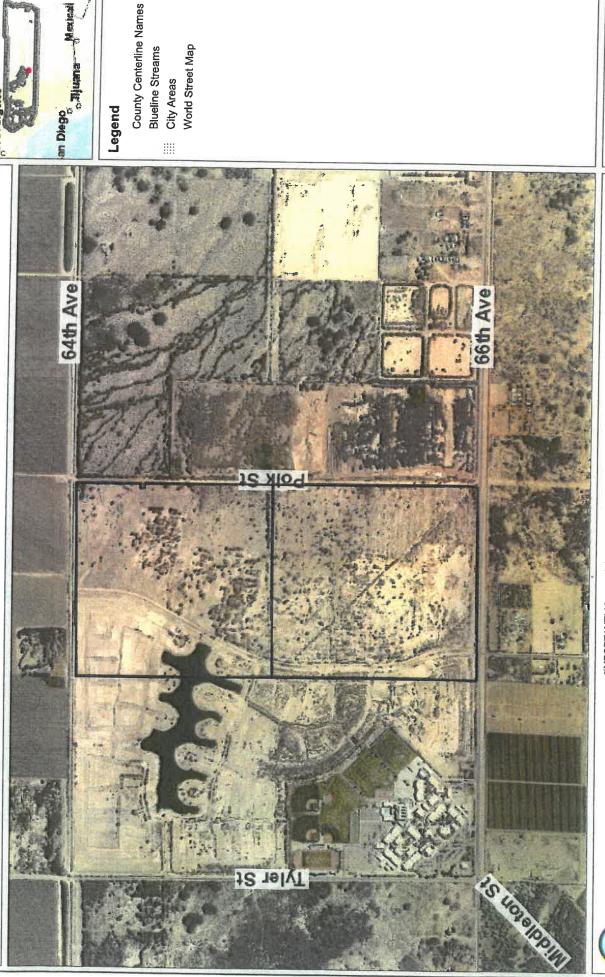
IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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6,019 Feet

Map My County Map



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Map My County Map

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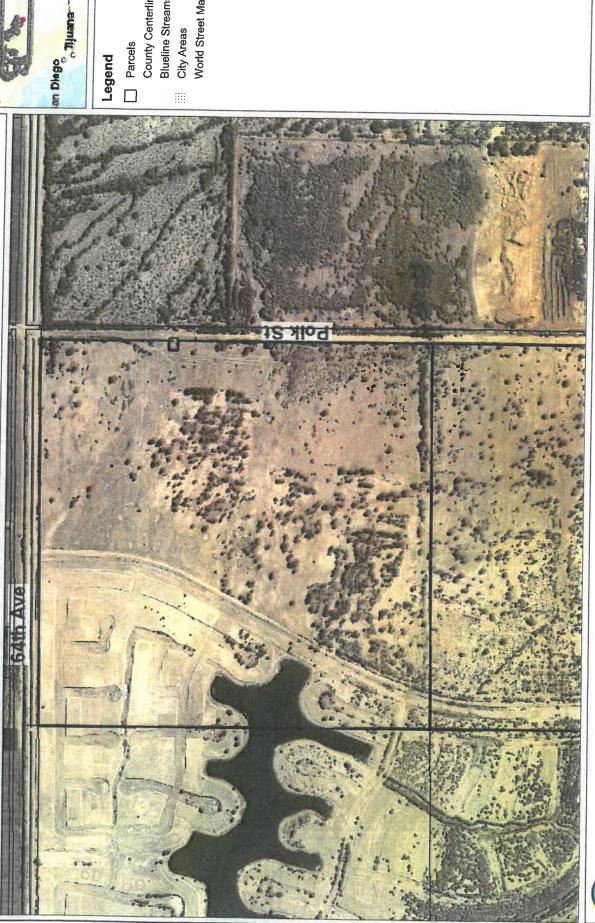
County Centerline Names

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Blueline Streams

City Areas

World Street Map



Notes

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

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© Riverside County GIS

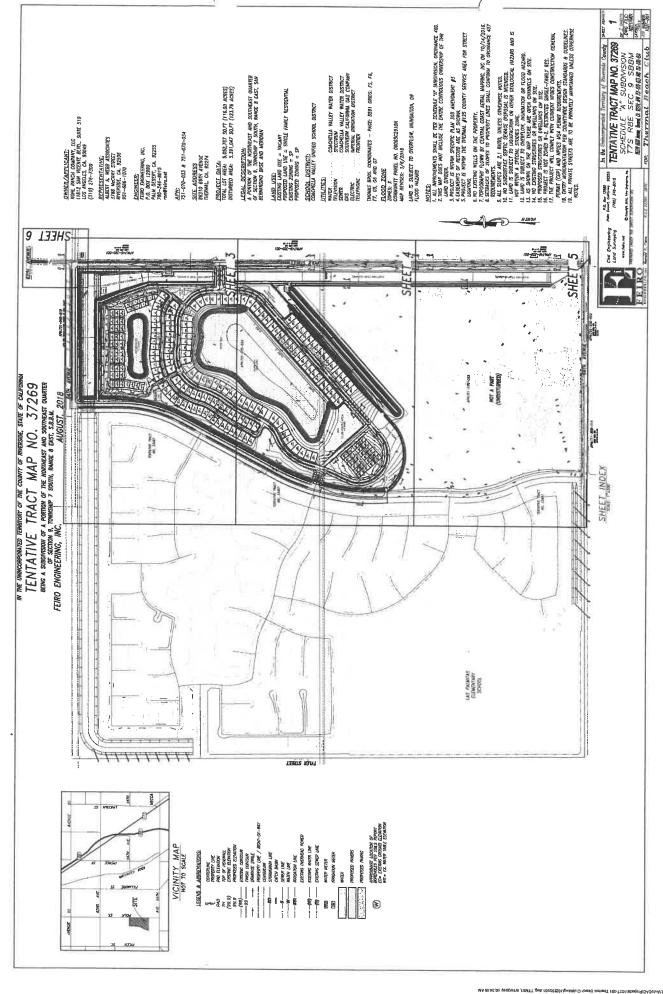
JC. JACQUELINE COCHRAN REGIONAL AIRPORT

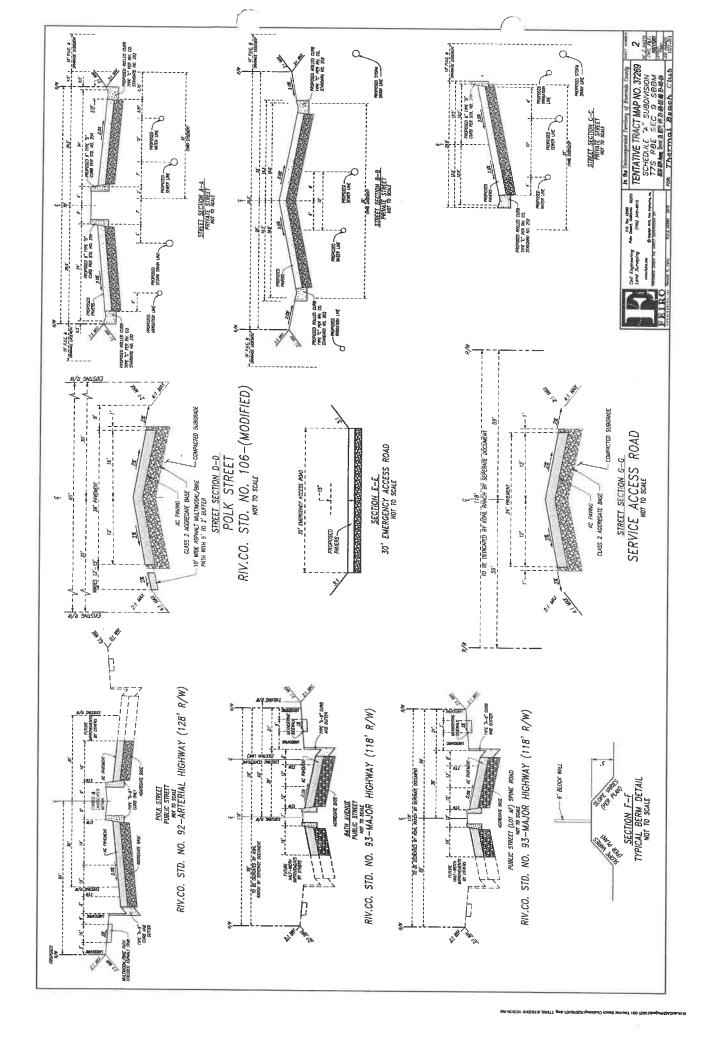
JC.1 Compatibility Map Delineation

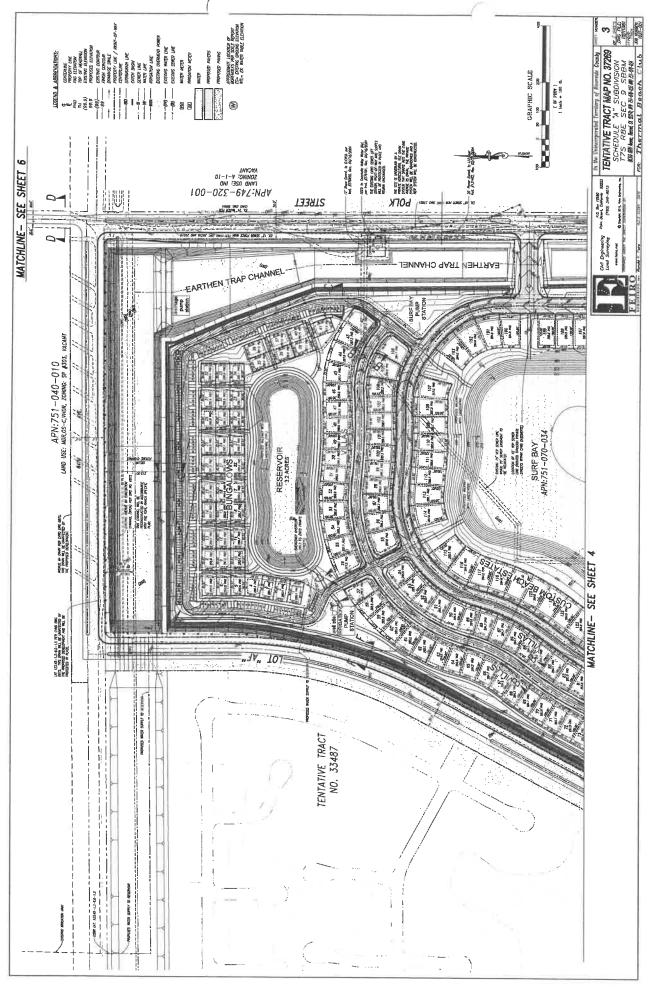
- 1.1 Airport Master Plan Status: The Riverside County Board of Supervisors approved a new master plan for Jacqueline Cochran (formerly Desert Resorts) Regional Airport in December 2004. The Jacqueline Cochran Regional Airport Compatibility Map on the following page is based upon the new master plan.
- 1.2 Airfield Configuration: The new airport master plan carries forward the recommendation from previous plans that the primary runway (17-35) be extended 1,500 feet southward to a total length of 10,000 feet. Establishment of a nonprecision instrument approach procedure to the north end of the runway and a precision instrument approach procedure to the south end are proposed in the master plan and reflected in the compatibility planning. No changes to the northwest/southeast runway are contemplated. Previous plans for a third runway that would have been aligned north/south 4,200 feet west of the existing primary runway have been deleted from the new master plan and are not represented in the Jacqueline Cochran Regional Airport Compatibility Map.
- 1.3 Airport Activity: Compatibility planning for Jacqueline Cochran Regional Airport looks beyond the 20-year activity forecast time horizon of the master plan. An ultimate activity level of 220,000 annual operations, double the 20-year projection in the master plan, is assumed for compatibility planning purposes. Current activity is approximately 65,000 operations per year.
- 1.4 Airport Influence Area: The Jacqueline Cochran Regional Airport influence area boundaries match the outer boundary of the FAR Part 77 conical surface for the airport with an extension to the south encompassing additional lands along the future precision instrument approach path.

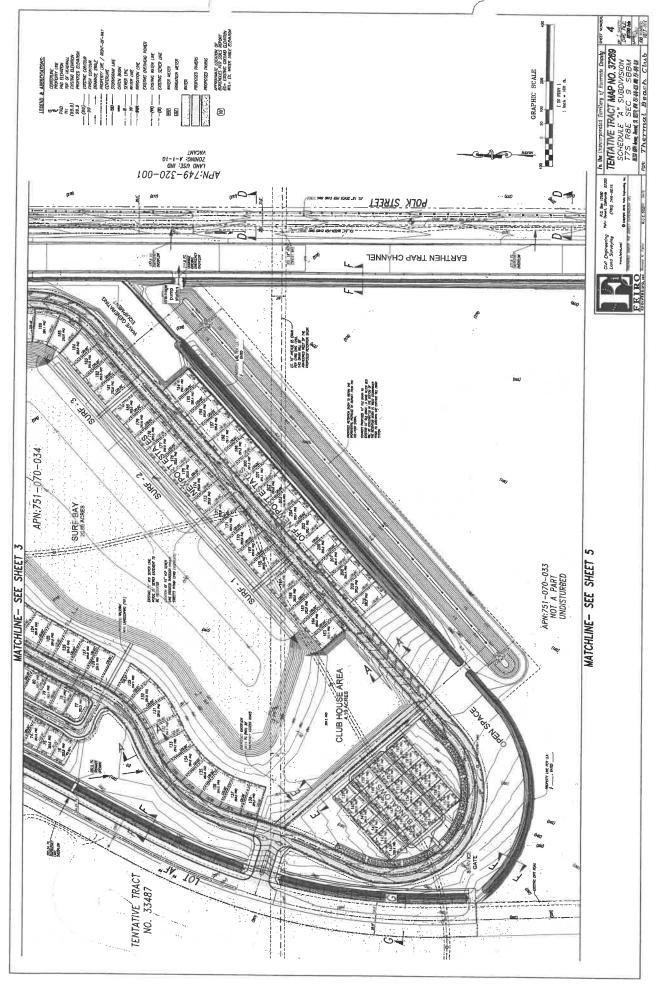
JC.2 Additional Compatibility Policies

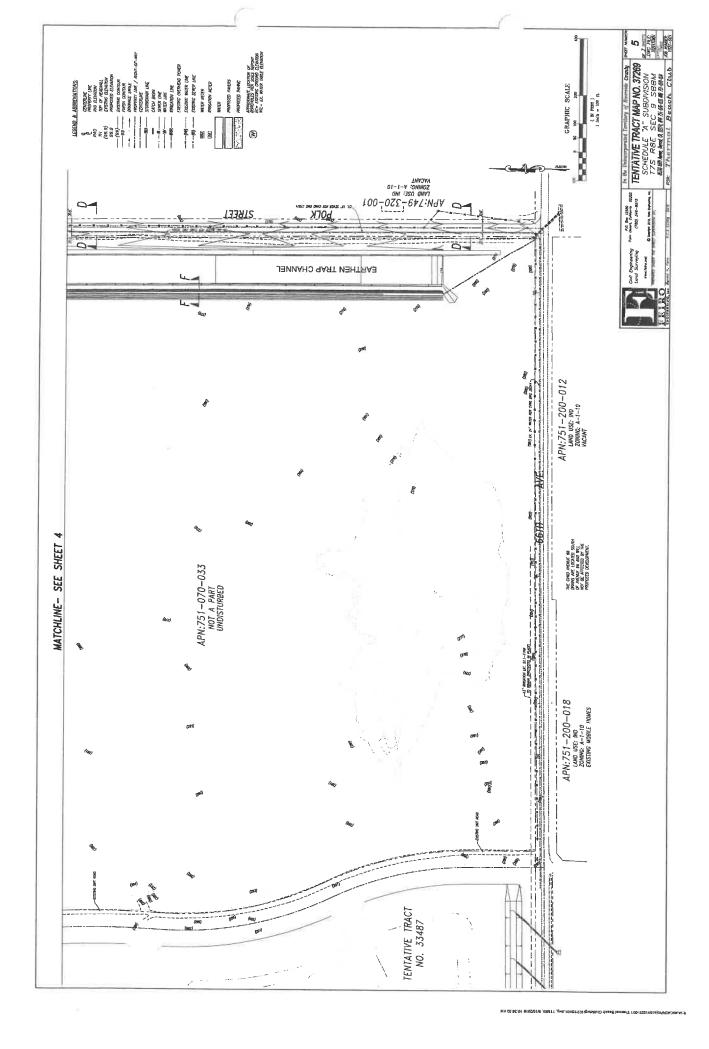
- 2.1 Calculation of Residential Densities: Residential densities in Zone D shall be calculated on a "net" rather than "gross" basis. For the purposes of this Compatibility Plan, the net acreage of a project equals the overall developable area of the project site exclusive of permanently dedicated open lands (as defined in Policy 4.2.4) or other open space required for environmental purposes.
- 2.2 Maximum Average Residential Lot Size in Zone D Areas Southerly of Avenue 64: Projects located southerly of Avenue 64 shall be considered to be substantially consistent with the "higher intensity option" for Zone D if the average residential lot size (either the mean or median) is 8,712 square feet (0.2 acre) or less, excluding common area, public facility, drainage basin, recreational, and open space lots.

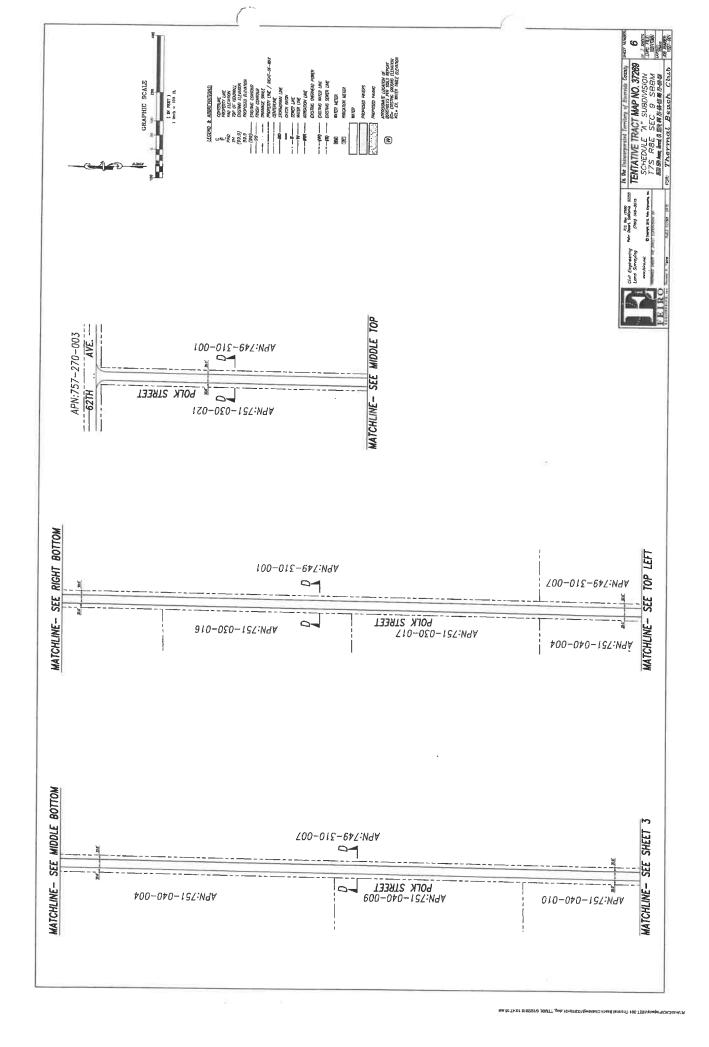












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100%	13	7560	7560	100%
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100%	17	2660	7560	1001
100%	138	7871	7871	100%
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100%	20	7832	7832	100%
100%	21	7832	7832	100%
100%	22	8116	8116	100%
100%	23	8691	8691	100%
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OFF NEWPORT ESTATES-LOT AREA TABLE

NEWPORT ESTATES-LOT AREA TABLE

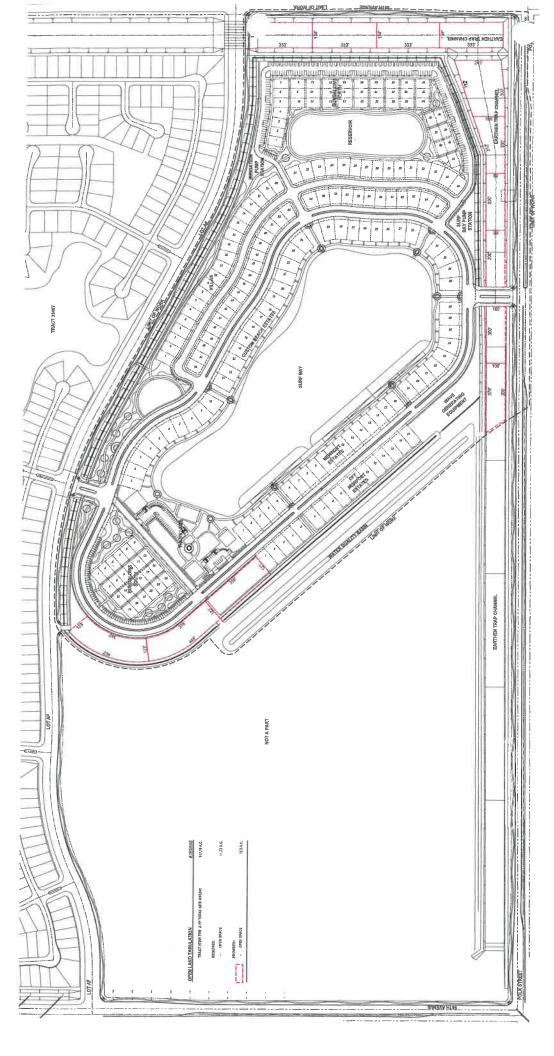
WLLAS-LOT AREA TABLE

BUNGALOWS (NORTH)-LOT AREA TABLE

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14	5839	5839	100%	*	9992
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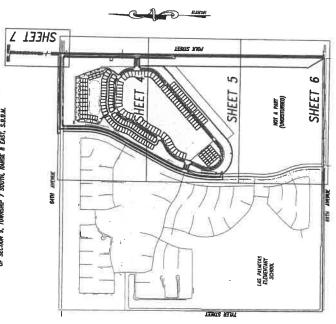
In the Unincorporated Territory of Riverside County

Preliminary Grading & Drainage Plan

Thermal Beach Club BEING A SUBDIVISION OF A PORTION OF THE MORTHEUST AND SOUTHEUST OUARTER OF SECTION 9, TOWNSHIP 7 SOUTH, PAMSE 8 EAST, S.B.B.M.

OWNER/APPLICANT:
KOM. RANCH COMPANY, LLC
11812 SAN WICKETE BLD., SUITE 519
(AS AMREES, CA. \$0049
(310) 275-7300

REPRESENTATIVE: ALBERT A. WEBB ASSOCIATES 3788 MACRAY STREET RIVERSIDE, CA. 92506 951-666-1070



SITE TOTAL: 486,487 C.Y. [IMPORT]

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PRELIMINARY EARTHWORK QUANTITIES;

450,227 C.Y.

RAW CUT =

LEGAL <u>DESCRIPTION</u>: A PORTHON OF THE NORTHEAST AND SOUTHEAST CUARTER OF SECTION O, TOWNSHIP T SOUTH, RANGE & EAST, SAN BERNARDRO BASE AND MEMBRAY

LAND USE; EXSTING LAND USE = WACAN' PROTOSED LAND USE = SINGLE FAURY RESIDENTIAL BUSTING ZONING = SP PROPOSED ZONING = SP

SCHOOL DISTRICT. COACHELA VALLEY UNINED SCHOOL DISTRICT

PROJECT DATA: TOTAL LOT AREA: S,032,767 SQ,17 (116,00 ACRES) DISTURBED AREA: S,391,047 SQ,17 (123,76 ACRES)

APN; 751-070-033 & 731-670-034

SITE ADDRESS B6310 86TH AVENUE THERMAL, CA. 92274

MATER
TELEPHONE

IF YOU SEE DUST COMING FROM THIS PROJECT CALL

hermal Beach Club

IF YOU DO NOT GET A RESPONSEIN 1 HOUR,
PLEASE C'ALL RYGSODE CO. AT (TRU) 427-6896 AN
REPORT THE RESULT # AND PHONE # ABONE.

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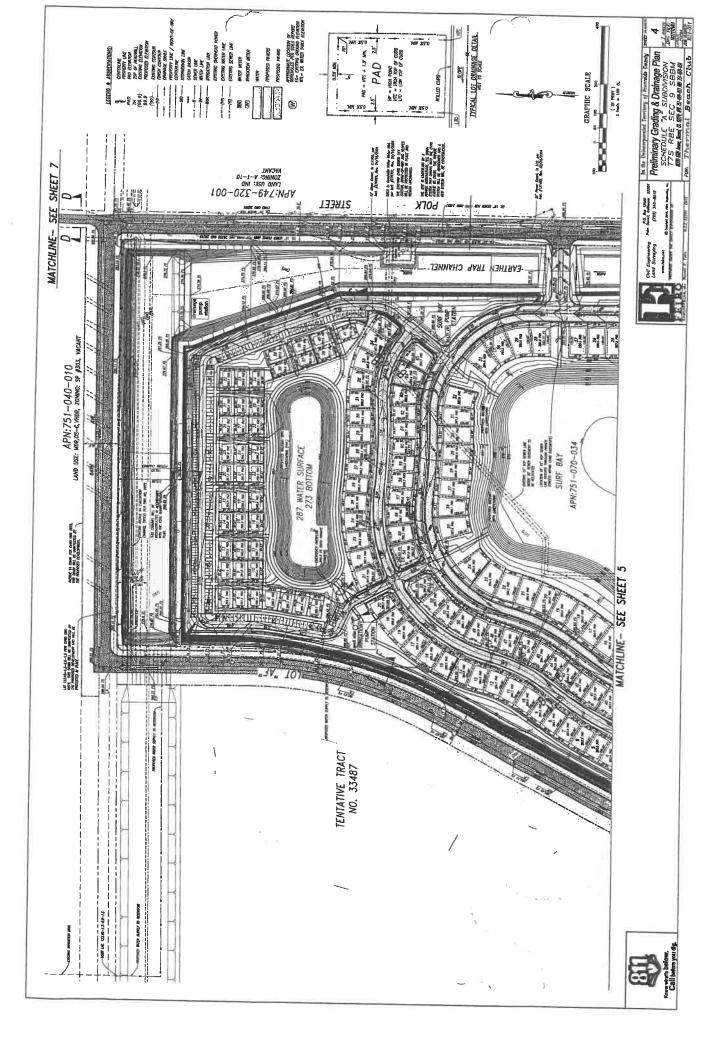
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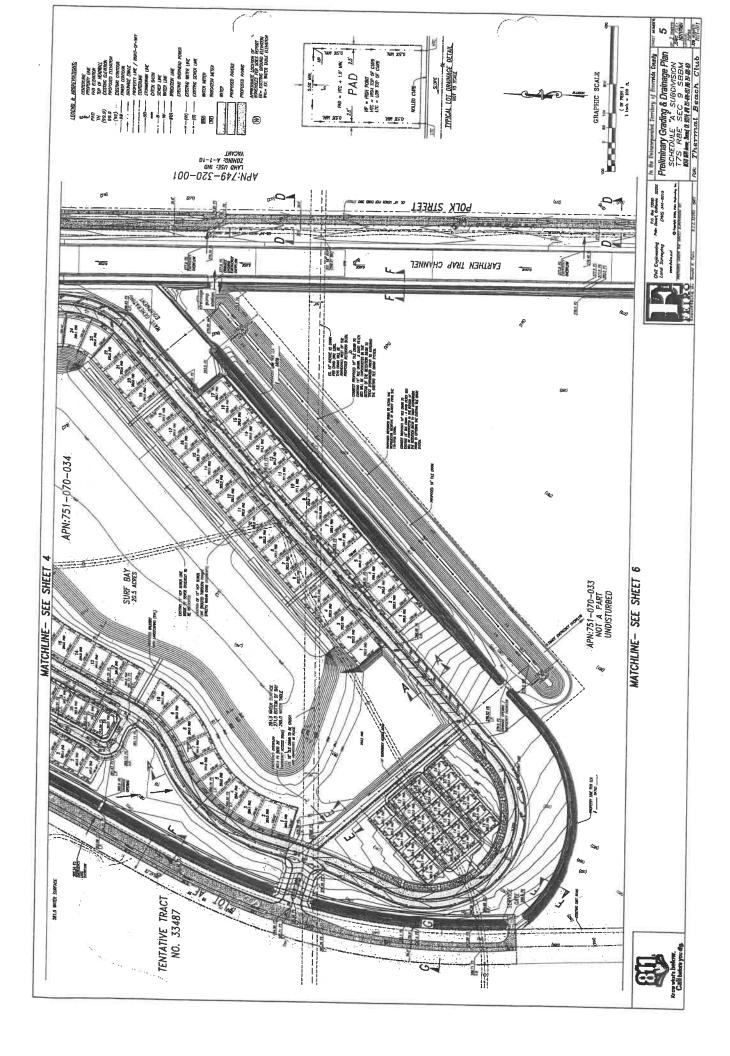
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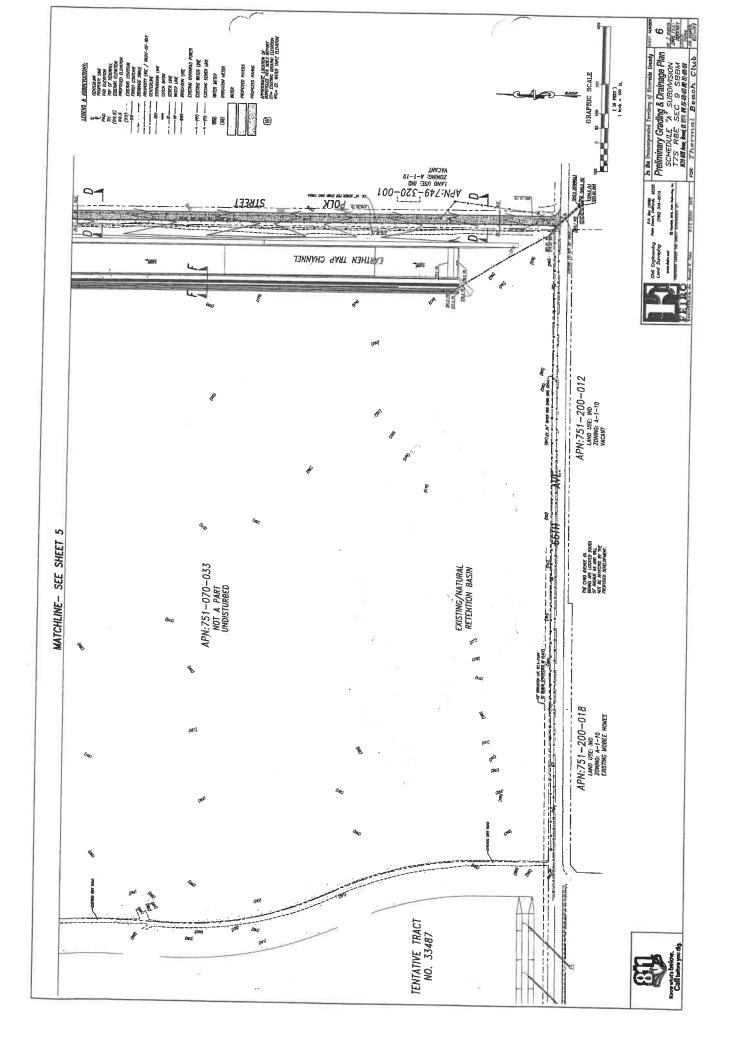


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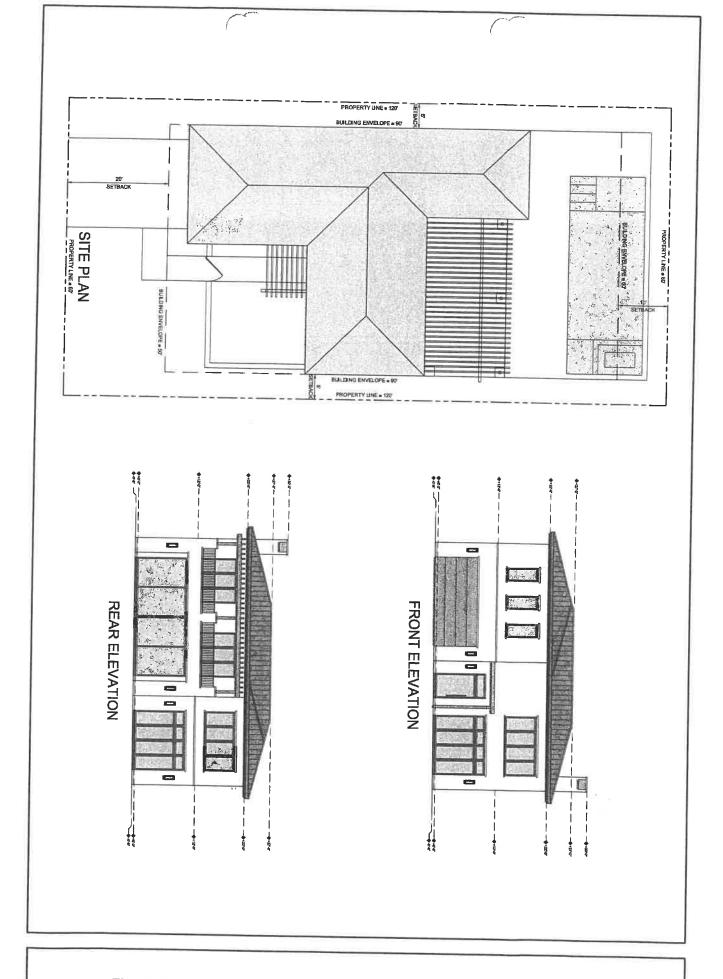
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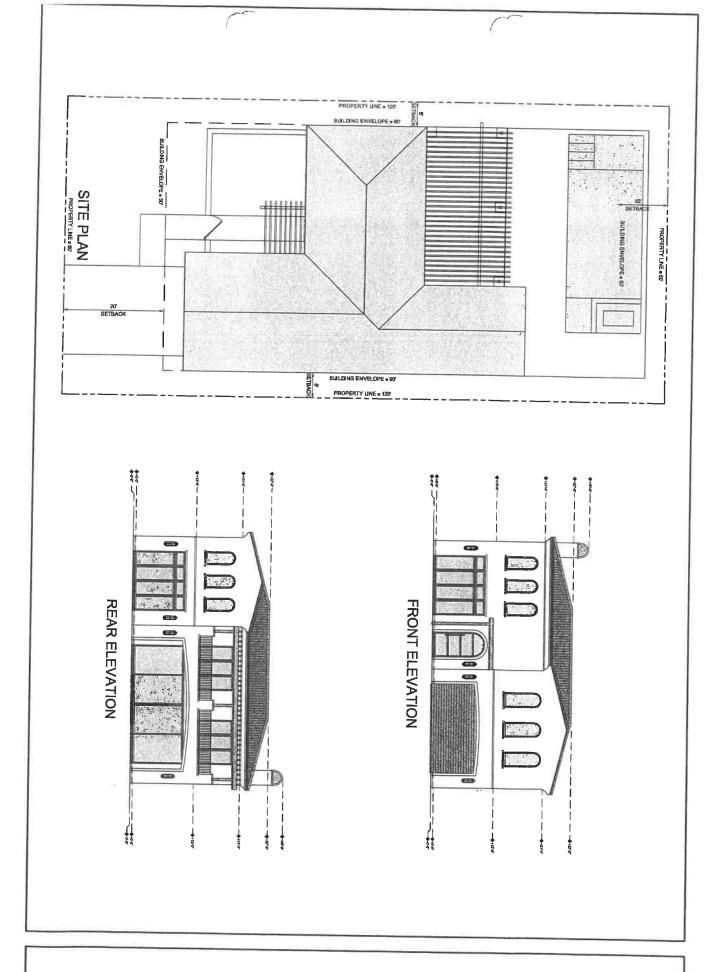


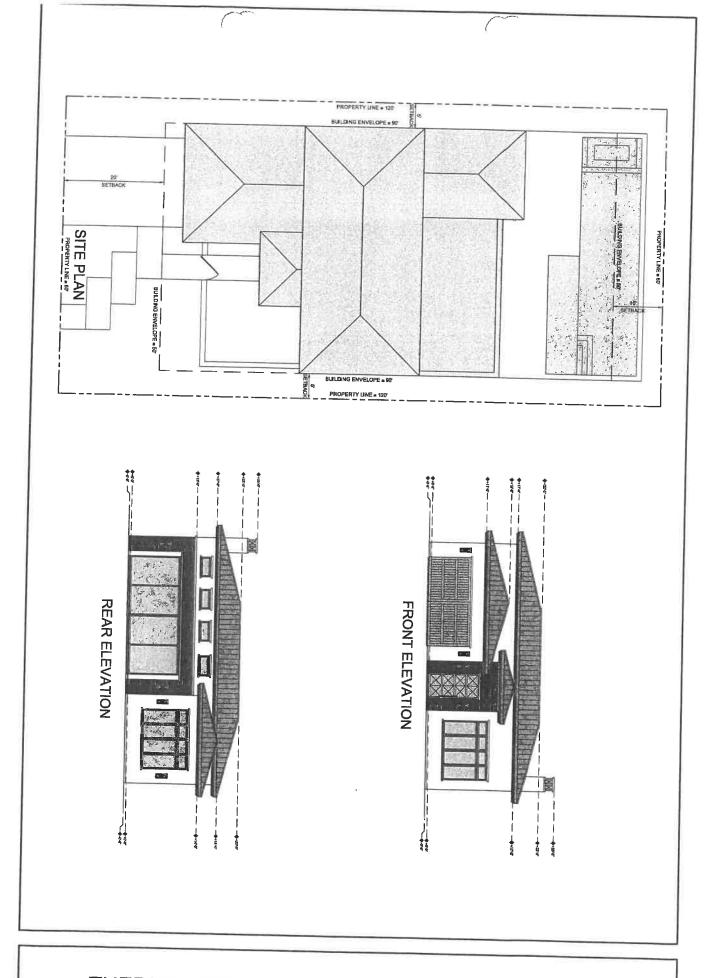




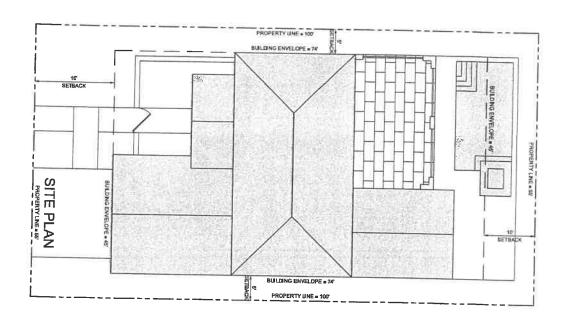
Max Occupancy	(amadama)	241			235			452			250			426			354	Max Occupancy with Guest 1957	
Total Units	32		Totals	31		Totale	65	3	Totals	48	!	Totals	82		Totals	89			
5 Bedrooms	m	30	5 Bedrooms	m	30	5 Redrooms			5 Bedrooms			5 Bedrooms			5 Bedrooms				
4 Bedrooms	19	154	4 Bedrooms	19	149	4 Bedrooms	33	760	4 Bedrooms			4 Bedrooms			4 Bedrooms				
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Units	32		Units	31		Units	65		Units	48	(5/10+)	Units	82	(2/64)	Units	89	(41/9·L)	Total Units 326	
	Beach Club Estates	Projected Max Occupancy with Guest	J	Newport Estates	Projected Max Occupancy with Guest		Villas	Projected Max Occupancy with Guest		Residence Club	Projected Max Occupancy with Guest		Bungalows North	Projected Max Occupancy with Guest	1	Off Newport Estates	Projected Max Occupancy with Guest	76	

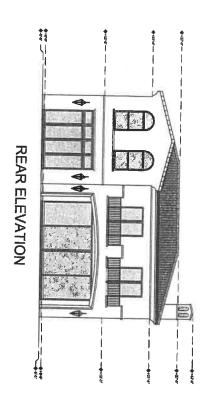


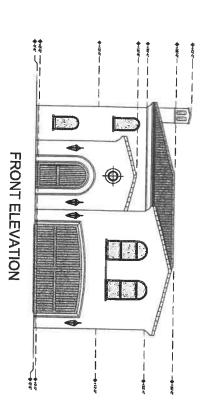


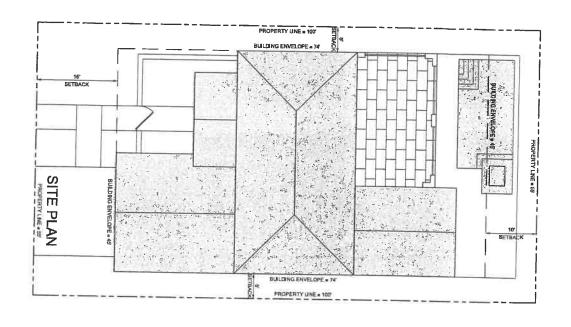


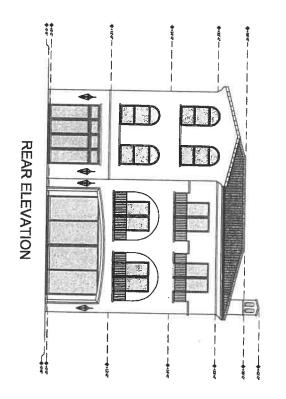
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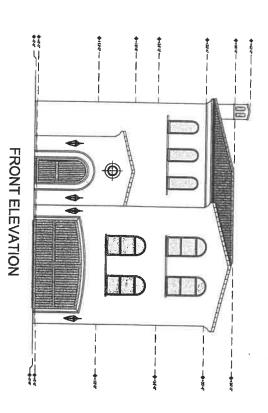


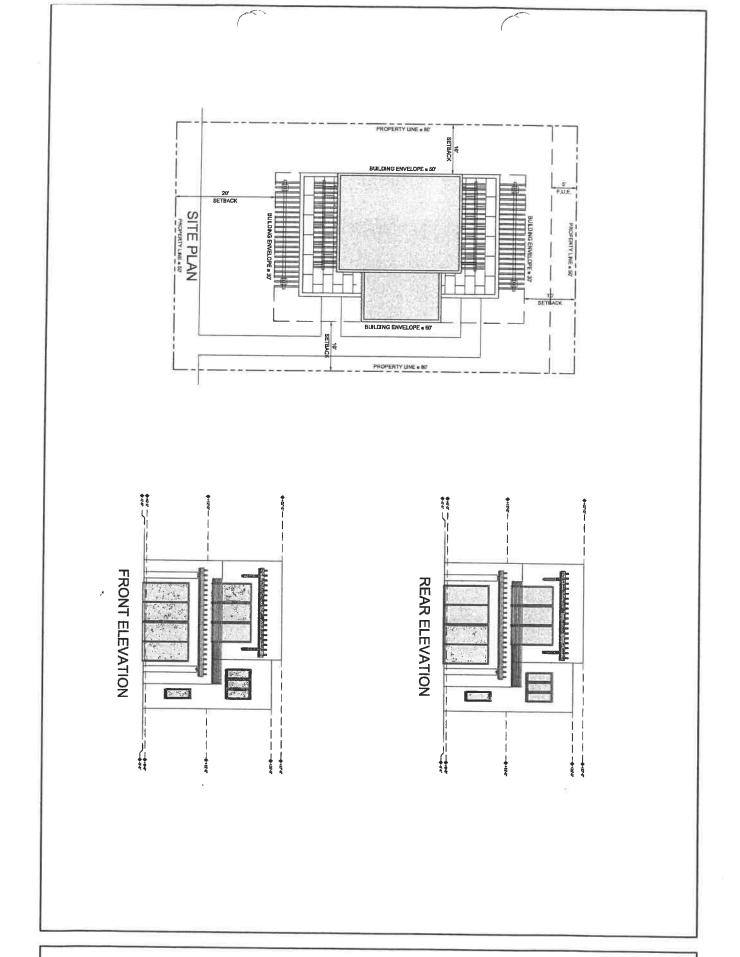












Project Description Thermal Beach Club – Lagoon and Clubhouse Village

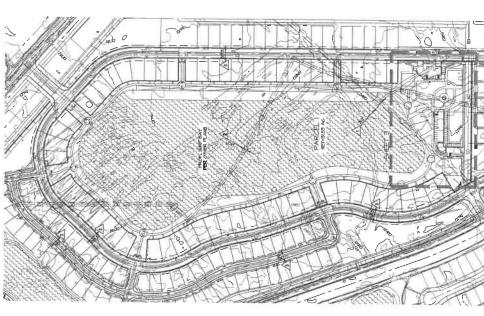
The Thermal Beach Club proposes a private residential development, within the community of Thermal, on approximately 239 acres intended for use as vacation homes under TTM37269.

The proposed Plot Plan will allow for development and use of the 21 acre lagoon with wave making capabilities and approximately 42,000 square foot future clubhouse (village area). Only Thermal Beach Club residents, their families, and their guests will have access to the lagoon and surf. The clubhouse village area will consist of four buildings that will provide amenities including administration, retail, spa and exercise facilities, pool, deck, bar, restaurant, and kitchen facilities to serve the Thermal Beach Clubs residents and their guests. There may be some semi-public (non-commercial) events occurring from time to time. These events will consist of surfing demonstrations for Thermal Beach Club residents and their guests.

The lagoon contains water cleaning technology from Crystal Lagoons which allows the 20 acre lagoon to remain crystal clear and blue at all times. The lagoon's filtration and monitoring system and patented cleaning process uses 2 percent of the energy and 100 times less chemicals than is needed by conventional swimming pool filtration systems. The crystal lagoon uses up to 30 times less energy than a golf course and 50 percent less water than is required by a park of the same size. Additionally, the evaporation control film technology reduces water consumption and evaporation even further. The filtration system is powered by electricity and is located in an underground vault, similar to those used by golf courses and Homeowners associations throughout the desert. This allows for almost completely silent operation.

The surf system is an air pressure system that allows the creation of naturally occurring swells just as they occur in the ocean. The system uses commercial grade electric HVAC type fans to create the pressure changes in chambers that are necessary to create a swell mirroring the oceans natural swell. The system is powered by electricity and the fans are located in enclosed concrete chambers to control air pressure and sound levels.

IN THE UNINCORPORATED TERRITORY OF THE COUNTY OF RIVERSIDE, STATE OF CALIFORNIA PLOT PLAN NO, PPT 180037 LOCATED IN BECTON 9, T. 73, R. 98, SBM.



anti Automotivos	 EXISTING WATER LINE	EXISTING EAGE-ENT	PROPOSED STORM DRAIN	PROPOSED SEAST, PER OTHERS	PROPOSED STORM DRAIN PER OTHERS	PROPOSED WATER PER OTHERS	PROPOSED IRRIGATION LINE PER OTHERS	PROPOSED ADA PATH OF TRAVEL	
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ROOM
FROME, SIO-ZEE-TESO

ALBERT A, WEBS ASSOCIATES 3100 MCKRAY STREET RYNEGICE, CA 92508 CONTACT, JENNIFER SILLEN PHONE 451-820-604

ENGINEER

EXISTING LAND USE, VACAN

LAND USE

SCHOOL DISTRICT PROPOSED LAND USE, SP PROPOSED ZONING, SP

COACHELLA VALLEY INVIPIED SCHOOL DISTRICT

YICINITY MAP

GENERAL INFORMATION

PROP. WATER PER OTHERS PROP, LANDSCAPE PROP. CONC

CLRB AND GUTTER CENTRLINE EXISTING IRRIGATION LINE PROPOSED RIGHT OF WAY STORM DRAIN

- EASENENT NOTES

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TOTAL NAMES OF PEOPLE, US

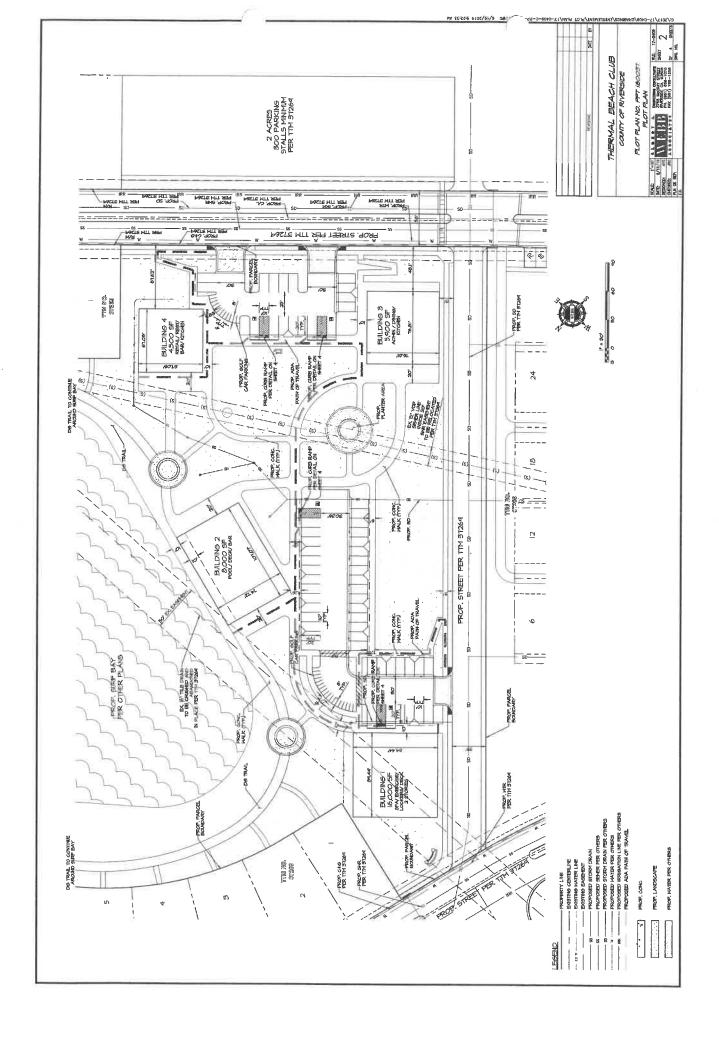
PARKING STALL TABLATION PARKING STALLS REGINED: 361 PARKING STALLS PROVIDED: 361 STALP PARKING STALLS PROVIDED: 30 TOTAL PARKING STALLS PROVIDED:391

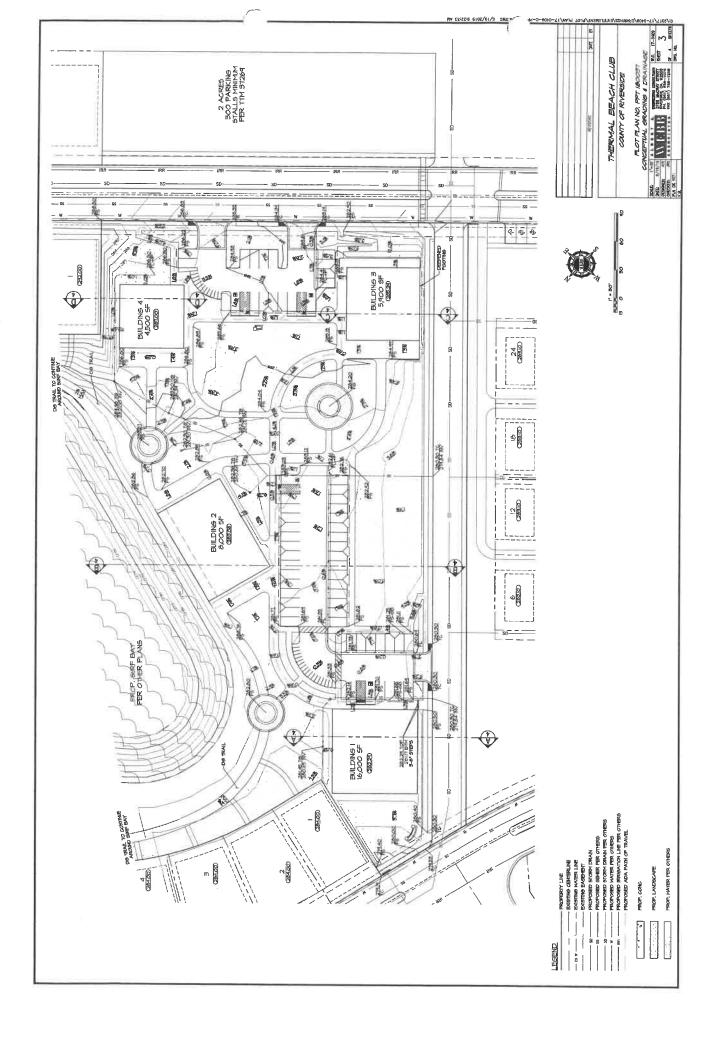
TOTAL SQUARE FOOTAGE : 54,400 or

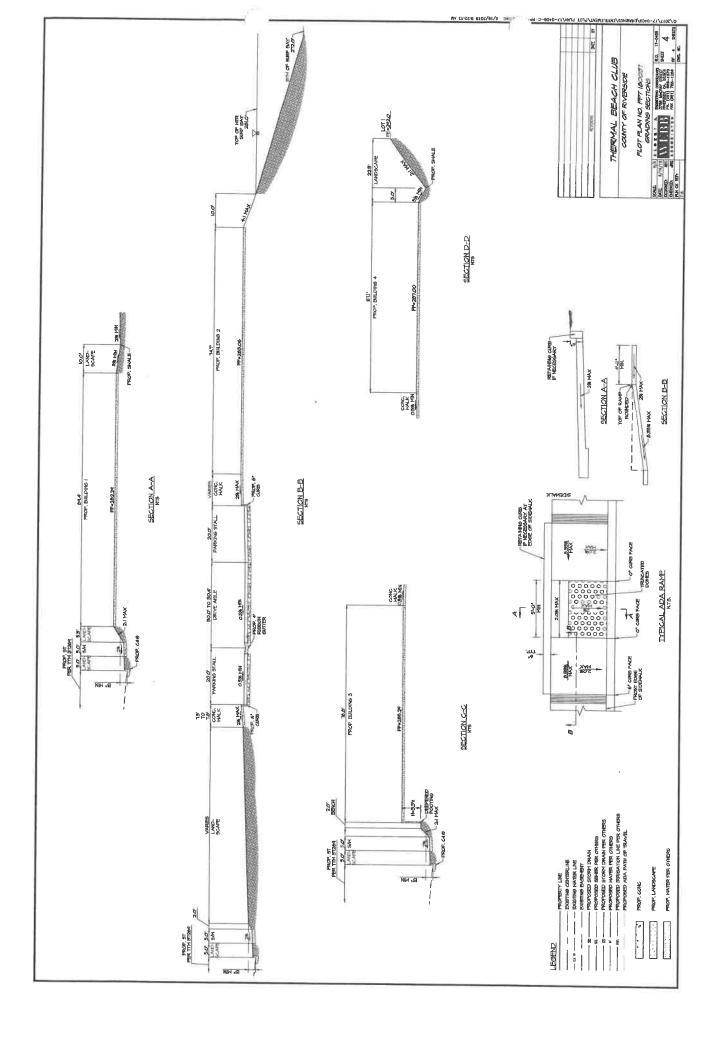
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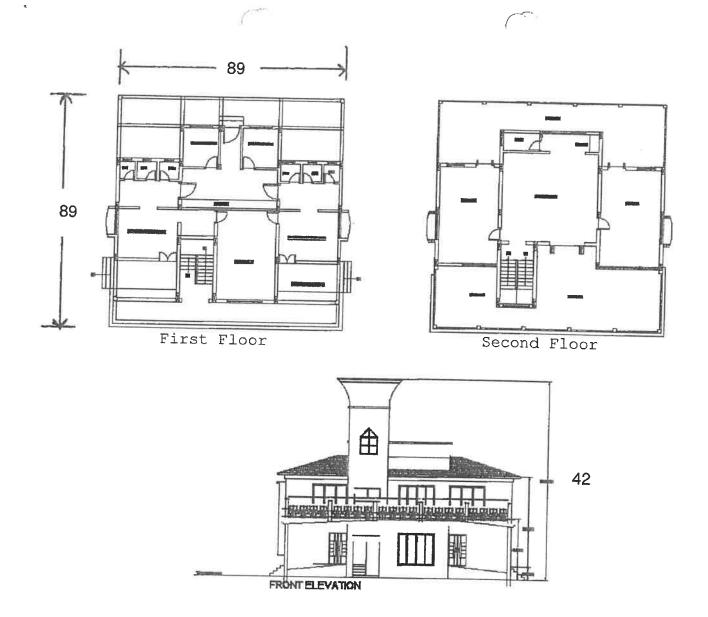
INDEX MAP

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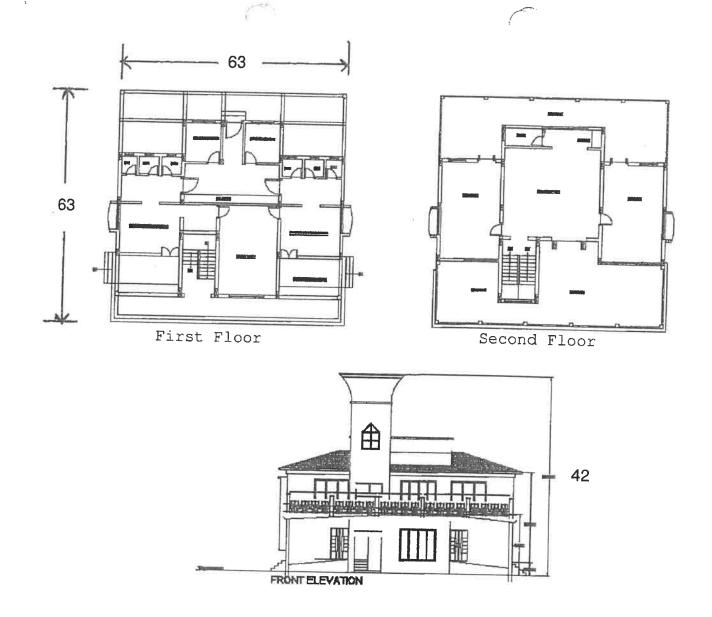




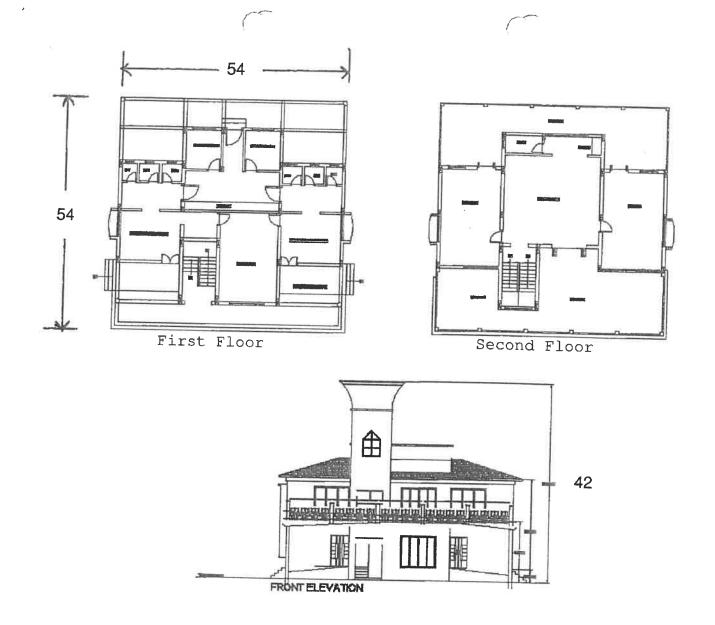




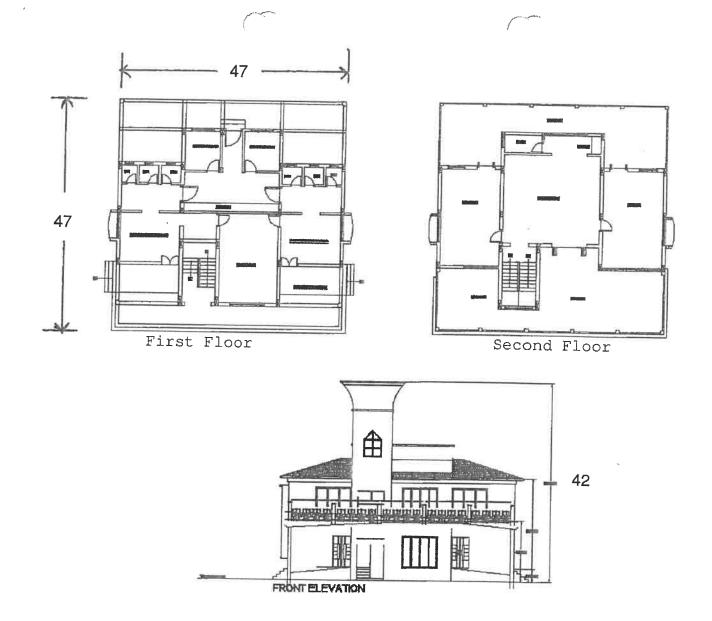
Building 1



Building 2



Building 3



Building 4

Guerin, John

From:

Melissa Perez < melissa.perez@webbassociates.com>

Sent:

Tuesday, May 28, 2019 5:42 PM

To:

Guerin, John

Subject:

FW: Thermal Beach Club OPEN AREA

Attachments:

LLA180034 Recorded Document.pdf

Hi Again!

Here's the LLA I referred to below. The tract map is Parcel B of the attached LLA showing as 117.18 acres.

Melissa Perez - Senior Environmental Planner Albert A. Webb Associates 3788 McCray Street, Riverside, CA 92506

t: 951.320.6007

e: melissa.perez@webbassociates.com w: www.webbassociates.com

<u>LinkedIn | Twitter | Facebook | YouTube</u>

From: Melissa Perez

Sent: Tuesday, May 28, 2019 5:32 PM
To: John J.G. Guerin < jguerin@rivco.org>
Subject: Re: Thermal Beach Club OPEN AREA

Hi John,

Thanks for getting back to me! I just met with our team this afternoon. We had a little scheduling conflict this morning. We are working on pulling together an open space exhibit for you and it will be based on a acreage of 117.18. There was a lot line adjustment that was recently recorded so does not reflect on County GIS yet that takes care of the other tract map overlap and provides the southern boundary line of the tentative tract map in review. We've also confirmed that the tract map is wholly in Zone D. I will forward the approved documents to you under separate email.

Melissa Perez
 Sent from my iPhone

On May 28, 2019, at 4:39 PM, Guerin, John < JGUERIN@rivco.org > wrote:

Based on Map My County, APN 751-170-034 is 150.53 acres. I have obtained additional information from GIS that APN 751-070-033 splits as follows: 104.21 acres in Zone D, 22.90 acres in Zone E, and 26.67 acres not in AIA. Therefore, the base for determining open area is 254.74 acres (before consideration of the impingement by the approved tentative map), and the open area requirement in Zone D is 25.47 acres. However, the portion of these two APNs in the approved, unexpired tentative map, as noted, may be excluded from the 254.74 acres in determining the base for the 10 percent requirement.

From: Guerin, John

Sent: Friday, May 24, 2019 5:43 PM

To: Melissa Perez < melissa.perez@webbassociates.com >

Subject: RE: Thermal Beach Club OPEN AREA

Thank you.

RECORDING REQUESTED BY RIVERSIDE COUNTY When recorded, return to:

Riverside County Transportation Department 6th Floor County Administrative Center 4080 Lemon Street, Riverside, CA 92502-1409 Mall Stop # 1080

No Fee, 6103 Government Codé Benefit of Riverside County Transportation Dept.

DOC # 2019-0101168

03/26/2019 04:07 PM Fees: \$146.00

Page 1 of 20

Recorded in Official Records

County of Riverside

Peter Aldana

Assessor-County Clerk-Recorder

This document was electronically submitted to the County of Riverside for recording Receipted by: MARIA #309

NOTICE OF	LOT LINE ADJUSTMENT NO. 180034
RECORD OWNERS	EXISTING PARCELS (Assessor Parcel Numbers)
Kohl Ranch Company, LLC	751-070-033
Kohl Ranch Company, LLC	751-070-034
	101010001
See attac	CRIPTION OF ADJUSTED PARCELS hed Legal Description - Exhibit "A"
SIGNATURE(S) OF F	RECORDED OWNER(6) (Must be Notarized)
Print Name/Title: David Kohl	Signature: Quality
Print Name/Title: David Kohl	Signature: (1) 2/2/
Print Name/Title:	Signature:
Print Name/Title:	Signature:
STATE OF CALIFORNIA. COUNTY OF	the Identity of the Individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or veildity of that document. Stophanic Scotten, Notary Public (Name and Title of Officer)
instrument and acknowledged to me that he/sh a/(h his/her/their signature(s) on the instrument the pers instrument.	(Name(s) of Signer(s)) dence to be the person(e) whose name(e) is/aire subscribed to the within sy executed the same in his/heritheir authorized capacity(ies), and that by on(s), or the entity upon behalf of which the person(s) acted, executed the way of the State of California that the foregoing paragraph is true and correct. STEPHANIE S. COHEN Compassion # 2112413 Notary Public - California



COUNTY OF RIVERSIDE

TRANSPORTATION AND LAND MANAGEMENT AGENCY

Patricia Romo, P.E. Director of Transportation

Transportation Department

Mojahed Salama, P.E.
Deputy for Transportation/Capital Projects
Richard Lantis, P.L.S.
Deputy for Transportation/Planning and
Development

Case Number: LLA180034	<u>Date: 3/22/2019</u>
Riverside County Surveyor's Office	Riverside County Surveyor's Office
SIGNATURE	Attest: SIGNATURE
Dennis Odenbaugh PRINTED NAME	Noah Lewis PRINTED NAME
Senior Land Surveyor TITLE	Engineering Technician II TITLE

PARCEL A

That portion of Section 9, Township 7 South, Range 8 East, San Bernardino Meridian, in the County of Riverside, State of California, being described as follows:

COMMENCING at the intersection of the centerline of 64th Avenue (60.00 feet in full width) with the centerline of Tyler Street (60.00 feet in full width), being the northwest quarter corner of said Section 9;

Thence leaving said intersection South 00°33'55" East along the west line of said northwest quarter of Section 9, said west line also being the centerline of said Tyler Street, a distance of 130.00 feet to the TRUE POINT OF BEGINNING;

Thence continuing South 00°33'55" East along said centerline of Tyler Street, a distance of 2529.88 feet, to the southwest corner of the northwest quarter of said Section 9;

Thence North 89°34'23" East along the south line of said northwest quarter and the south line of the northeast quarter of said Section 9, a distance of 2866.48 feet to a point thereon, said point being on a non-tangent curve, concave southeasterly, having a radius of 2039.00 feet, a radial line to said point bears North 77°33'44" West;

Thence northeasterly along said curve, to the right, through a central angle of 15°46'29", an arc distance of 561.38 feet;

Thence North 28°12'44" East, a distance of 1146.98 feet to the beginning of a tangent curve, concave westerly, having a radius of 1361.00 feet;

Thence northeasterly along said curve, to the left, through a central angle of 28°46'23", an arc distance of 683.47 feet;

Thence North 00°33'39" West, a distance of 346.13 feet to a point North 89°26'23" East, a distance of 1157.80 feet and 130.00 feet southerly from the north quarter corner of said Section 9, said point being on a line parallel with and distant southerly 130.00 feet, measured at a right angle, from said centerline of 64th Avenue and the north line of the northeast quarter of said Section 9;

Thence South 89°26'23" West along said parallel line, a distance of 1157.80 feet to a point on the east line of said northwest one quarter of Section 9, said point being on a line parallel with and distant southerly 130.00 feet, measured at a right angle, from the north line of said northwest quarter;

Thence South 89°35'41" West along said parallel line, a distance of 2628.50 feet to the TRUE POINT OF BEGINNING.

Containing 198.78 Acres, more or less.

PARCEL B

That portion of Section 9, Township 7 South, Range 8 East, San Bernardino Meridian, in the County of Riverside, State of California, being described as follows:

COMMENCING at the intersection of the centerline of 64th Avenue (60.00 feet in full width) with the centerline of Tyler Street (60.00 feet in full width), being the northwest corner of the northwest quarter corner of said Section 9;

Thence leaving said intersection South 00°33'55" East along the west line of said northwest quarter of Section 9, said west line also being the centerline of said Tyler Street, a distance of 130.00 feet to a point on a line parallel with and distant southerly 130.00 feet, measured at a right angle, from the north line of said northwest quarter of Section 9;

Thence North 89°35'41" East along said parallel line, a distance of 2628.50 feet to a point on the east line of the northeast quarter of said Section 9, said point also being on a line parallel with and distant southerly 130.00 feet, measured at a right angle, from the north line of the northeast quarter of said Section 9;

Thence North 89°26'23" East along said parallel line, a distance of 1157.80 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89°26'23" East along said parallel line, a distance of 1469.77 feet to a point on the east line of said northeast quarter of Section 9, said point being South 00°18'09" East 130.00 feet from the northeast corner of said northeast quarter of Section 9;

Thence South 00°18'19" East along said east line of the northeast quarter of Section 9, a distance of 1746.08 feet, to a point thereon;

Thence South 48°19'27" West, a distance of 2259.12 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 503.00 feet;

Thence southwesterly, westerly and northwesterly along said curve, to the right, through a central angle of 93°15'22", an arc distance of 818.70 feet to a point, a radial line to said point bears South 51°34'49" West;

Thence North 02°05'04" West, a distance of 119.14 feet to the beginning of a tangent curve, concave southeasterly, having a radius of 2039.00 feet;

Thence northerly and northeasterly along said curve, to the right, through a central angle of 30°17'49", an arc distance of 1078.18 feet;

Thence North 28°12'44" East, a distance of 1146.98 feet to the beginning of a tangent curve, concave northwesterly, having a radius of 1361.00 feet;

Thence northeasterly and northerly along said curve, to the left, through a central angle of 28°46'23", an arc distance of 683.47 feet;

Thence North 00°33'39" West, a distance of 346.13 feet to the TRUE POINT OF BEGINNING.

EXCEPTING therefrom that portion conveyed to Coachella Valley Water District by Grant Deed recorded April 16, 2004 as Instrument No. 2004-276701 of Official Records of Riverside County, California.

Containing 117.18 Acres, more or less.

PARCEL C

That portion of Section 9, Township 7 South, Range 8 East, San Bernardino Meridian, in the County of Riverside, State of California, being described as follows:

COMMENCING at the intersection of the centerline of 64th Avenue (60.00 feet in full width) with the centerline of Tyler Street (60.00 feet in full width), being the northwest quarter corner of said Section 9;

Thence leaving said intersection South 00°33'55" East along the west line of said northwest quarter of Section 9, said west line also being the centerline of said Tyler Street, a distance of 2659.88 feet to the TRUE POINT OF BEGINNING, said point being the northwest corner of the southwest quarter of said Section 9;

Thence North 89°34'23" East along the north line of said southwest quarter and along the north line of the southeast quarter of said Section 9, a distance of 2866.48 feet to a point thereon, said point being on a non-tangent curve, concave to the southeast, having a radius of 2039.00 feet, a radial line to said point bears North 77°33'44" West;

Thence southwesterly and southerly along said curve, to the left, through a central angle of 14°31'20", an arc distance of 516.80 feet;

Thence South 2°05'40" East, a distance of 475.22 feet to the beginning of a tangent curve, concave westerly, having a radius of 3061.00 feet;

Thence southerly along said curve, to the right, through a central angle of 6°12'29", an arc distance of 331.66 feet to the beginning of a reverse curve, concave easterly, having a radius of 1139.00 feet, a radial line to said point bears North 85°52'35" West;

Thence southerly and southeasterly along said curve, to the left, through a central angle of 29°57'48", an arc distance of 595.65 feet to the beginning of a reverse curve, concave westerly, having a radius of 1161.00 feet, a radial line to said point bears North 64°09'37" East;

Thence southeasterly and southerly along said curve, to the right, through a central angle of 25°28'15", an arc distance of 516.12 feet;

Thence South 00°22'08" East, a distance of 264.86 feet to a point on the south line of the southeast quarter of said Section 9 lying North 89°37'52" East a distance of 417.95 feet from the south quarter corner thereof, said south line also being the centerline of 66th Avenue;

Thence South 89°37'52" West along said south line and along said centerline, a distance of 417.95 feet to the southeast corner of said southwest quarter of Section 9;

Thence leaving said centerline and said south line of the southeast quarter of Section 9, North 00°25'50" West along the east line of said southwest quarter, a distance of 1331.18 feet to the southeast corner of the north half of the said southwest quarter of Section 9;

Thence South 89°36'01" West along the south line of said north half, a distance of 688.83 feet to a point on the northeasterly line of that certain parcel conveyed to Coachella Valley Unified School District by Grant Deed recorded December 4, 1998 as Instrument No. 528979, Official Records of Riverside County, California;

Thence North 45°22'24" West along said northeasterly line of said parcel so conveyed, a distance of 452.76 feet to the beginning of a tangent curve, concave to the northeast, having a radius of 1100.00 feet;

Thence northwesterly along said northeasterly line and along said curve, to the right, through a central angle of 36°48'34", an arc distance of 706.69 feet;

Thence North 08°33'50" West continuing along said northeasterly line, a distance of 181.00 feet to the northerly line of said parcel so conveyed to Coachella Valley Unified School District;

Thence North 89°26'10" East along the northerly line of said parcel conveyed to Coachella Valley School District, a distance of 1277.00 feet to the west line of said southwest quarter of Section 9;

Thence North 00°33'50" West along said west line, a distance of 212.89 feet to the northwest corner of the southwest quarter of said Section 9 to the TRUE POINT OF BEGINNING.

Containing 57.74 Acres, more or less.

PARCEL D

That portion of Section 9, Township 7 South, Range 8 East, San Bernardino Meridian, in the County of Riverside, State of California, being described as follows

COMMENCING at the southwest corner of the southeast quarter of said Section 9, said corner being on the centerline of 66th Avenue (60.00 feet in full width);

Thence North 89°37'52" East along the south line of said southeast quarter and along said centerline of 66th Avenue, a distance of 417.95 feet to the TRUE POINT OF BEGINNING;

Thence continuing North 89°37'52" East along said south line of said southeast quarter and along said centerline, a distance of 2198.41 feet to the southeast corner of said southeast quarter of Section 9, said corner being on the centerline of Polk Street (94.00 feet in full width);

Thence North 00°18'06" West along the east line of said southeast quarter and along the east line of the northeast quarter of Section 9 and along said centerline of Polk Street, a distance of 3453.94 feet to a point thereon, said point being South 00°18'06" East 1876.08 feet from the northeast corner of said northeast quarter of said Section 9;

Thence leaving said east line of the northeast quarter South 48°19'27" West, a distance of 2259.12 feet to the beginning of a tangent curve, concave northeasterly, having a radius of 503.00 feet;

Thence southwesterly, westerly and northwesterly along said curve, to the right, through a central angle of 93°15'22", an arc distance of 818.70 feet to a point, a radial line to said point bears South 51°34'49" West;

Thence South 2°05'04" East, a distance of 356.08 feet to the beginning of a tangent curve, concave westerly, having a radius of 3061.00 feet:

Thence southerly along said curve, to the right, through a central angle of 6°12'29", an arc distance of 331.66 feet to the beginning of a reverse curve, concave easterly, having a radius of 1139.00 feet, a radial line to said point bears North 85°52'35" West;

Thence southerly and southeasterly along said curve, to the left, through a central angle of 29°57'48", an arc distance of 595.65 feet to the beginning of a reverse curve, concave westerly, having a radius of 1161.00 feet, a radial line to said point bears North 64°09'37" East;

Thence southeasterly and southerly along said curve, to the right, through a central angle of 25°28'15", an arc distance of 516.12 feet;

Thence South 00°22'08" East, a distance of 264.86 feet to the TRUE POINT OF BEGINNING.

Containing 132.90 Acres, more or less.

SEE PLAT ATTACHED HERETO AS EXHIBIT "B" AND MADE A PART HEREOF.

PREPARED UNDER MY SUPERVISION

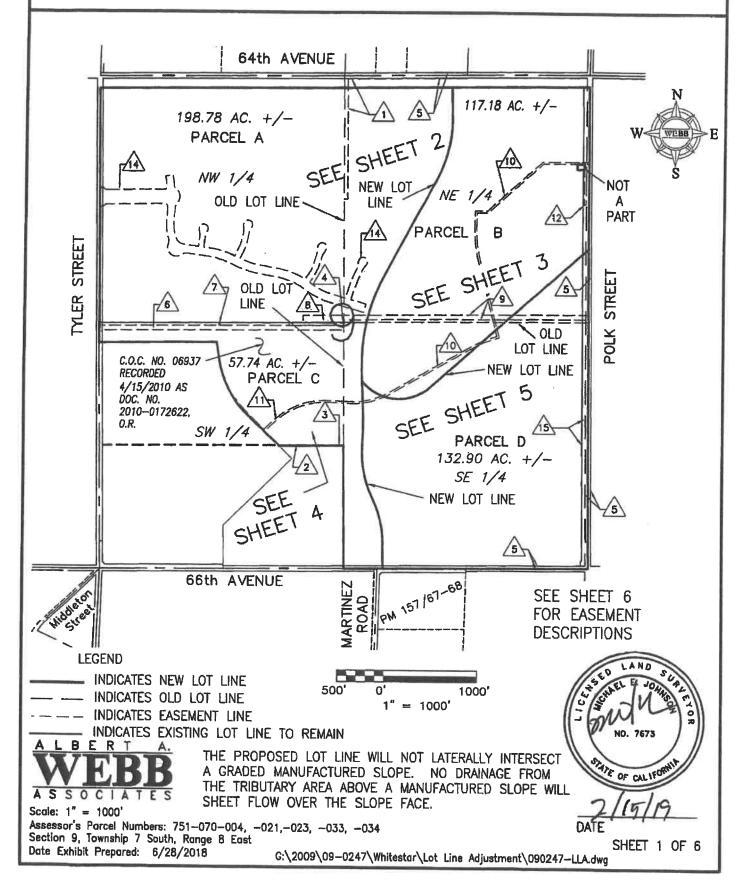
Michael E. Johnson, L.S. 7673

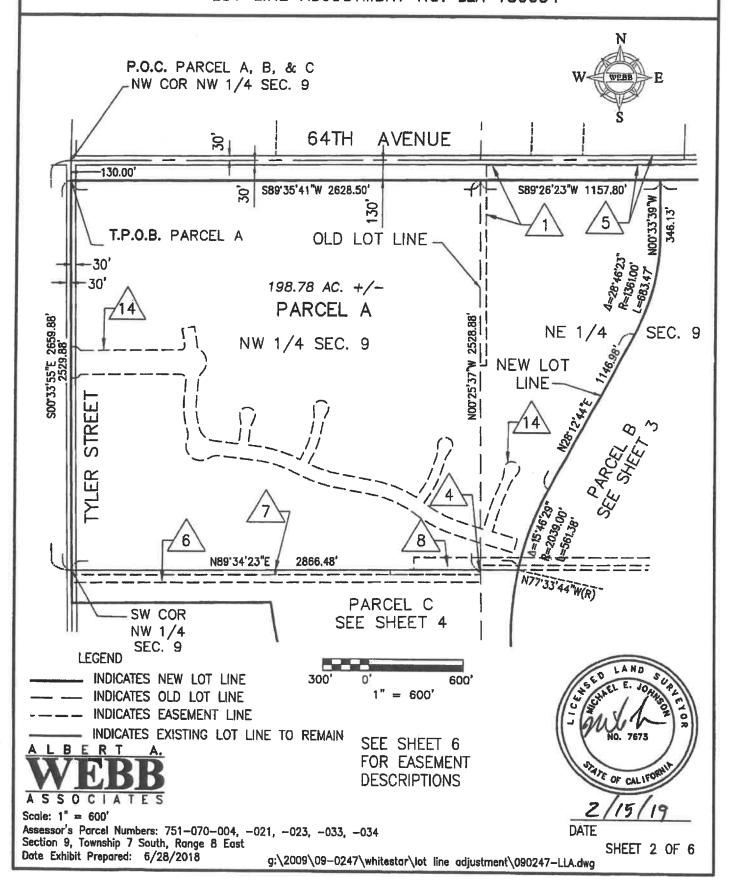
NO. 7673

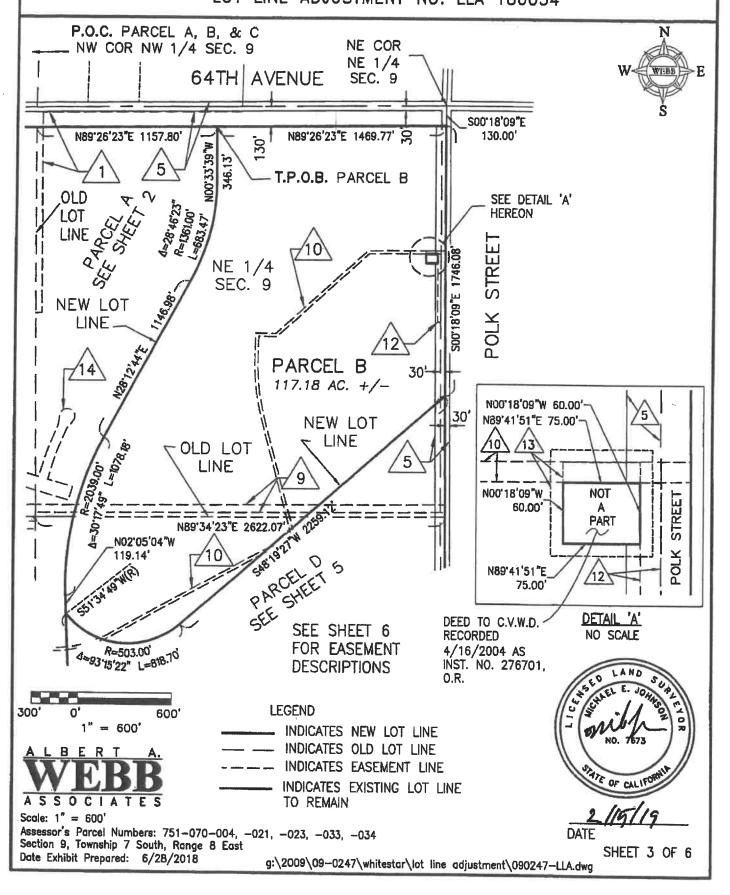
Prepared By: Checked By: 3

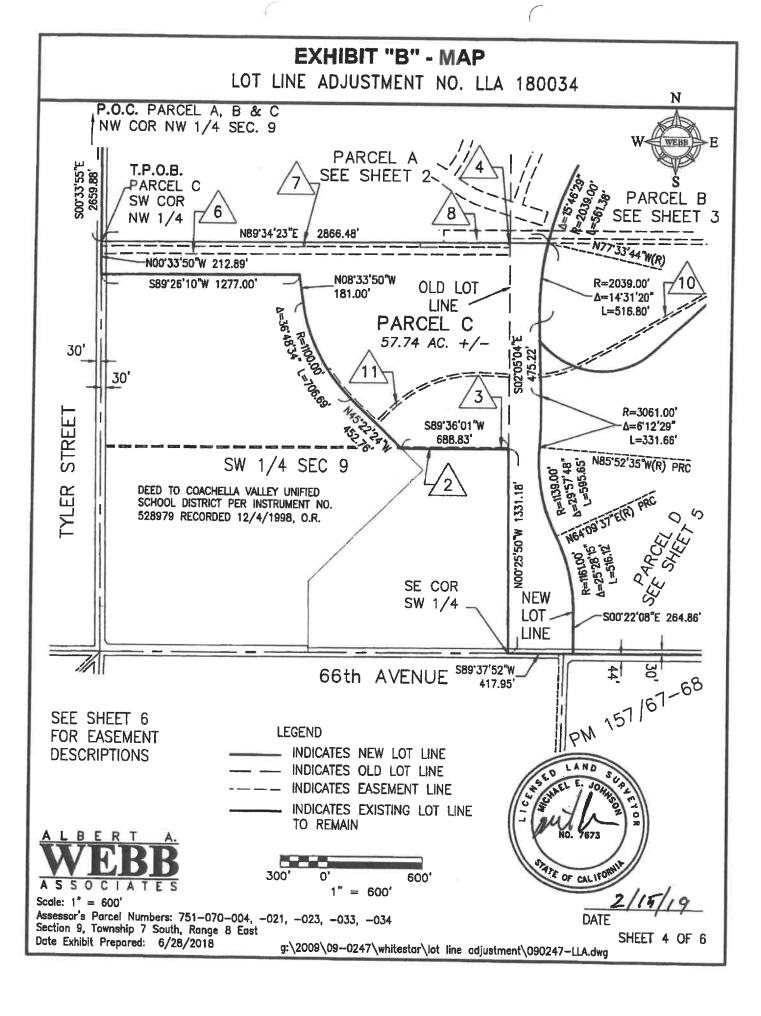
EXHIBIT "B" - MAP

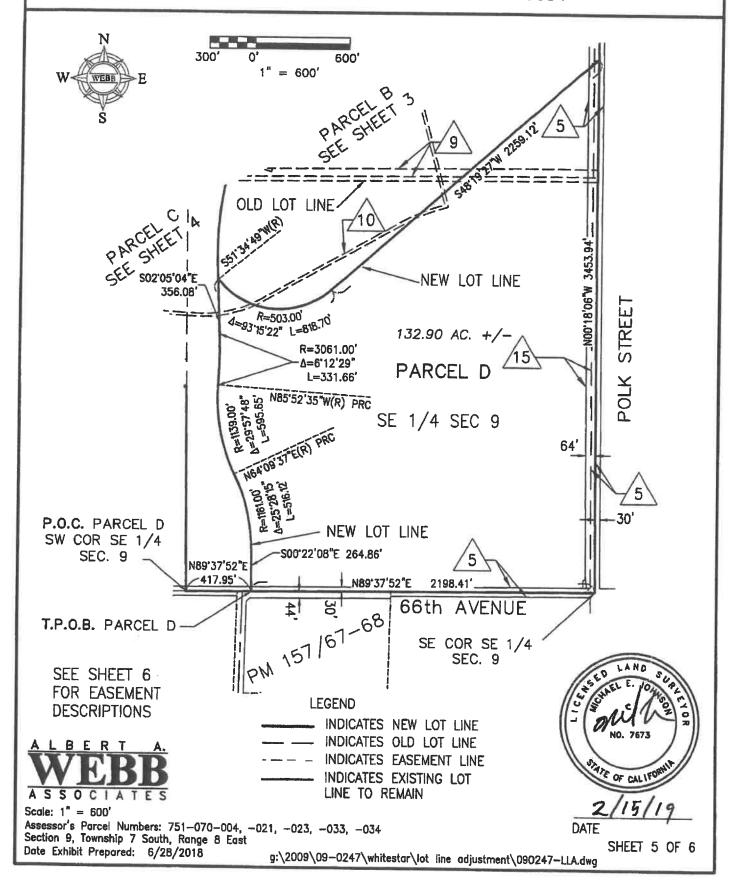
LOT LINE ADJUSTMENT NO. LLA 180034











EASEMENT NOTES

1. EASEMENT TO C.V.W.D. FOR IRRIGATION, DRAINAGE AND STORM WATER PROTECTION WORKS AND CANALS RECORDED 6/21/940 IN BOOK 466 PAGE 339, O.R. CANNOT BE LOCATED FROM THE RECORD.



C/L 10' EASEMENT TO U.S.A. FOR WATERLINE PURPOSES RECORDED 3/21/1949 IN BOOK 1061 PAGE 15, O.R.



10'x70' IRRIGATION EASEMENT TO U.S.A. RECORDED 8/1/1949 IN BOOK 1098 PAGE 417,



IRRIGATION DISTRIBUTION EASEMENT TO U.S.A. RECORDED 1/17/1950 IN BOOK 1139 PAGE 365, O.R.



60' PUBLIC HIGHWAY PER INSTRUMENT NO. 32692 RECORDED 4/17/1959, O.R.



WATER DISTRIBUTION FACILITIES AND PERMANENT UNDERGROUND PIPELINE EASEMENT TO C.V.W.D. RECORDED 4/26/1965, AS INST. NO. 47983, O.R.



10'X30' PIPELINE EASEMENT TO SUSAN TOCCHINI RECORDED 4/2/1965 AS INST. NO. 88802, O.R.



50' PIPELINE EASEMENT TO C.V.W.D. PER INST. #70394, REC. 6/17/1965, O.R.



50' PIPELINE EASEMENT TO C.V.W.D. PER INST. #70395, REC. 6/17/1965, O.R.



10\ 20' SEWER EASEMENT TO C.V.W.D. PER INST. #2003-873775, REC. 11/04/2003, O.R.



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20' POWER EASEMENT TO I.I.D. PER INST. #2004-131462, REC. 02/26/2004, O.R.



12' SLOPE EASEMENT TO C.V.W.D. PER INST. #2004-276699, REC. 04/16/2004, O.R.



WATER, SEWER & IRRIGATION EASEMENT TO COACHELLA VALLEY WATER DIST. PER INST. #2006-0685526, REC. 09/15/2006, O.R.



PUBLIC ROAD AND UTILITY EASEMENT TO RIVERSIDE COUNTY PER INST. #2010-0402681 RECORDED 8/24/2010, O.R.



Scale: 1" = 600'

Assessor's Parcel Numbers: 751-070-004, -021, -023, -033, -034

Section 9, Township 7 South, Range 8 East

Date Exhibit Prepared: 6/28/2018

g:\2009\09-0247\whitestar\lot line adjustment\090247-LLA.dwg



SHEET 6 OF 6

EXHIBIT "C" - SITE PLAN

LOT LINE ADJUSTMENT NO. LLA 180034

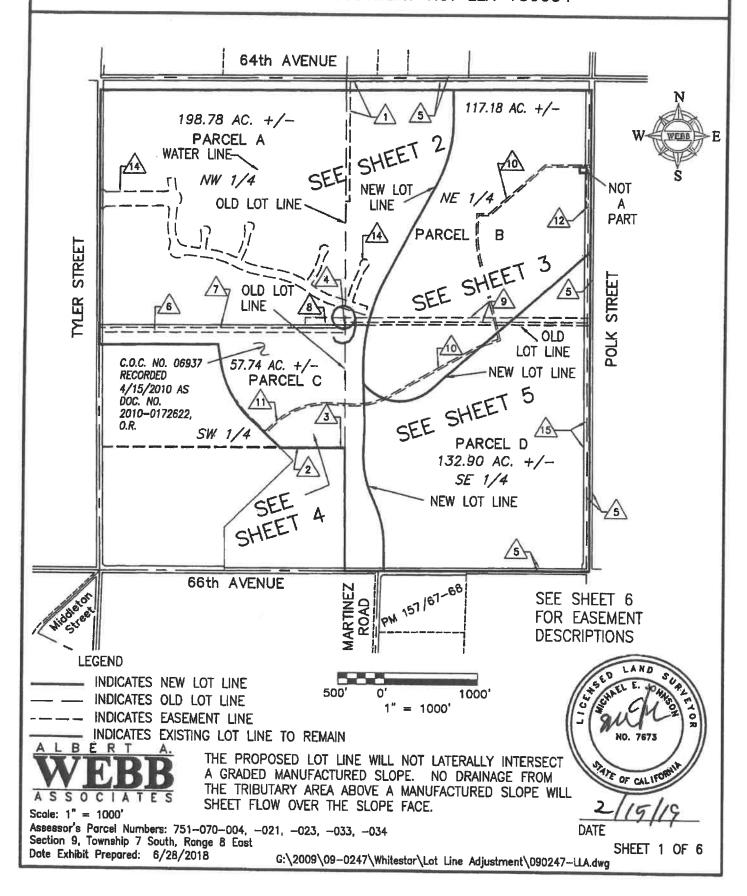
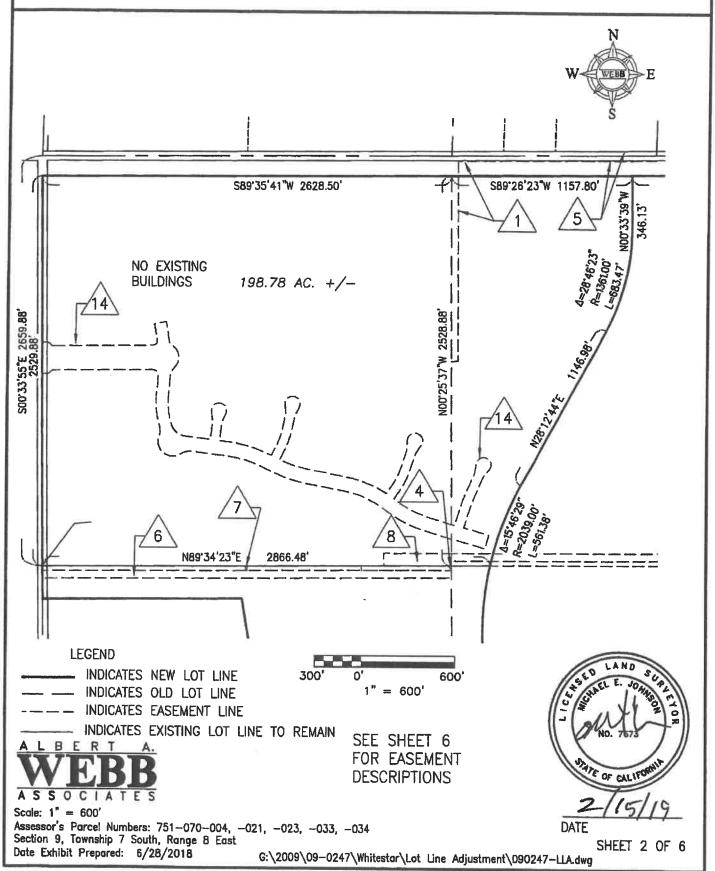


EXHIBIT "C" - SITE PLAN

LOT LINE ADJUSTMENT NO. LLA 180034



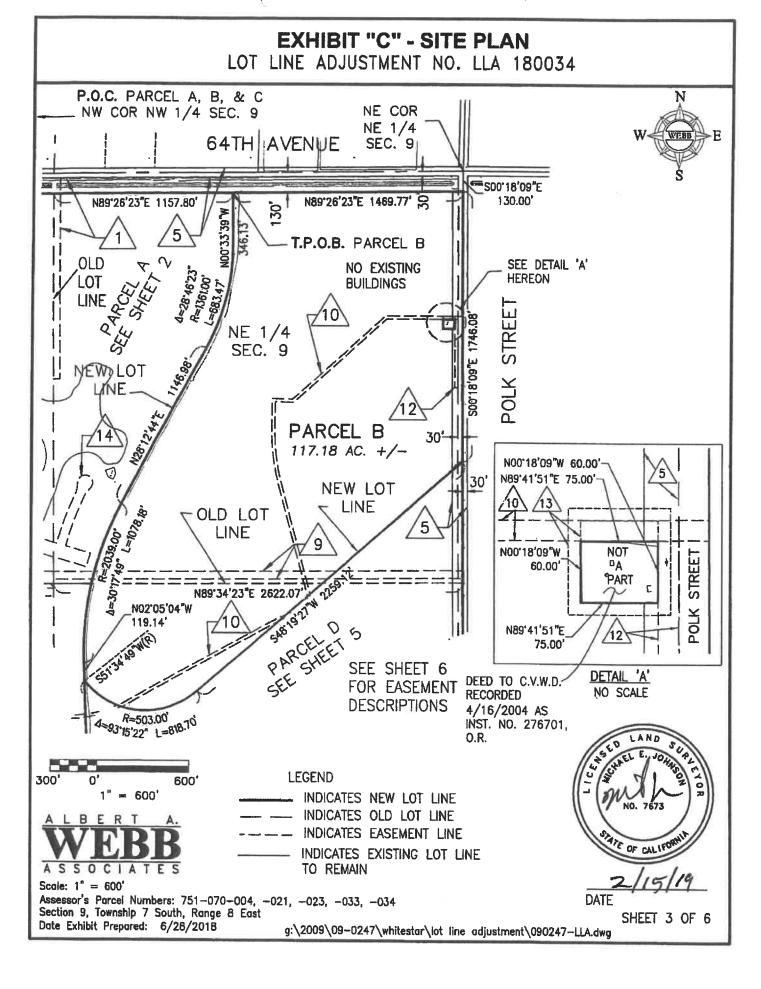


EXHIBIT "C" - SITE PLAN LOT LINE ADJUSTMENT NO. LLA 180034

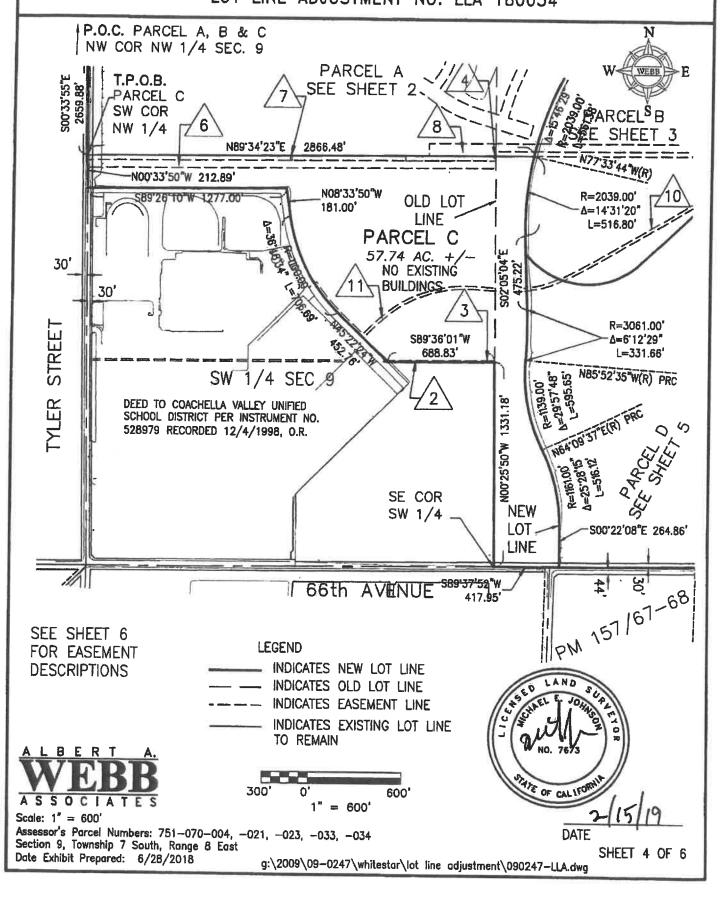


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LOT LINE ADJUSTMENT NO. LLA 180034

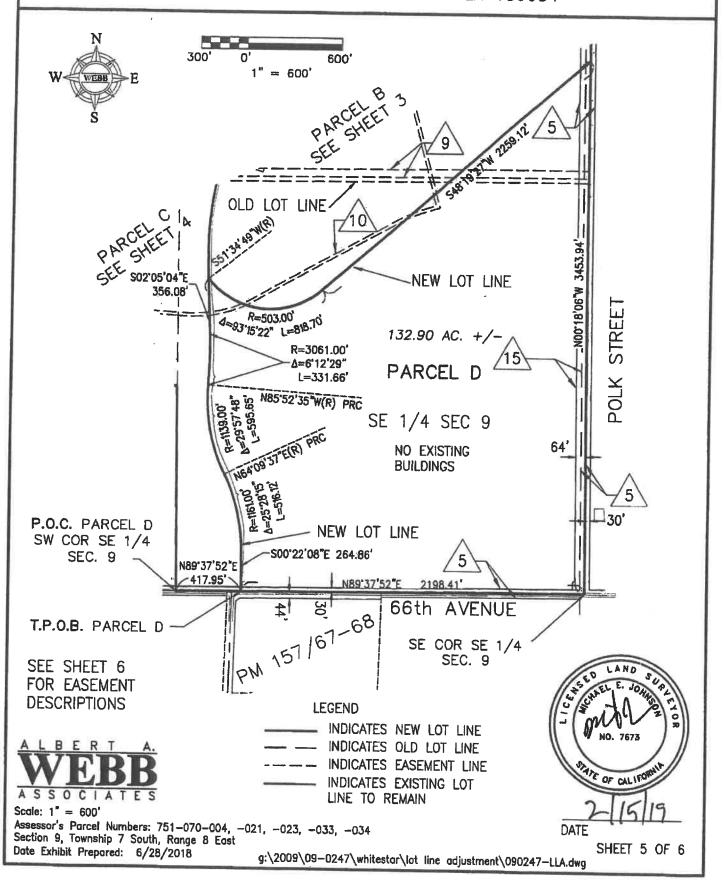


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Scale: 1'' = 600'

Assessor's Parcel Numbers: 751-070-004, -021, -023, -033, -034

Section 9, Township 7 South, Range 8 East

Date Exhibit Prepared: 6/28/2018

OF CALIFOR

DATE

SHEET 6 OF 6

g:\2009\09-0247\whitestar\lot line adjustment\090247-LLA.dwg

Guerin, John

From:

Melissa Perez <melissa.perez@webbassociates.com>

Sent:

Wednesday, June 26, 2019 11:24 AM

To:

Guerin, John

Cc:

Maranda Thompson; Lisa Harmon

Subject:

RE: Case No. ZAP1046TH19 - Thermal Beach Club: Revised Wildlife Hazard

Management Measures

Attachments:

Updated WHSV _06-26-19.pdf; Updated WHMP_06-26-19.docx

CAUTION: This email originated externally from the Riverside County email system.

DO NOT click links or open attachments unless you recognize the sender and know the content is safe.

Good morning and thank you for your comments. The revised WHA that includes the revised Whitestar Plan (Appendix D-as of 6/26/19) addressing comment letter dated 6/25/19 is attached. For your convenience, the Whitestar Plan is also attached in a Word document in Tracked Changes to easily find the edits. Please let me know if anything further is needed. The use of drones has been eliminated as an active measure.

Melissa Perez - Senior Environmental Planner Albert A. Webb Associates 3788 McCray Street, Riverside, CA 92506

t: 951.320.6007

e: melissa.perez@webbassociates.com w: www.webbassociates.com

<u>LinkedIn | Twitter | Facebook | YouTube</u>

From: Lisa Harmon [mailto:Lisa.Harmon@meadhunt.com]

Sent: Tuesday, June 25, 2019 5:47 PM **To:** John J.G. Guerin <jguerin@rivco.org>

Cc: Melissa Perez < melissa.perez@webbassociates.com >; Maranda Thompson < maranda.thompson@meadhunt.com >

Subject: Case No. ZAP1046TH19 - Thermal Beach Club: Revised Wildlife Hazard Management Measures

John,

John,

Mead & Hunt reviewed the WHSV and Management Plan Review report submitted on Saturday, June 22. Because the report was forwarded to me by Melissa Perez of Webb Associates, I am copying her on our correspondence.

The project proponent has responded to the comments forwarded to the ALUC on June 12, 2019, and the revised wildlife hazard management measures coincide much more closely with Dr. DeFusco's WHSV report.

I have only a few items remaining as shown in the attached letter, and these items are associated with the assignment of management measures to employees, necessary training for Thermal Beach Club employees by a qualified airport wildlife biologist, and questions regarding the applicability of UAS (drone) use to manage wildlife. The revised plan identifies the approximate altitudes at which aircraft would be flying over the site (900 to 1,100 feet above ground level); however the report did not identify that the proposed project is located beneath the horizontal surface. It is also possible that portions of the site reside beneath the 20:1 conical surface and 50:1 precision approach. (I did not prepare a graphical analysis, but it is clear that the horizontal surface overlies the site.) The maximum allowable altitude beneath the horizontal surface is defined as 150 feet above the runway elevation. (The runway elevation identified on the ALP is -114.4 feet msl.) Although I do not know what the finished site grade will be, it seems that UAS (drone)

technology might not be appropriate for the site. If the project proponent chooses to use UAS technology, an airspace analysis and coordination with both the FAA and Airport staff will be required.

Assuming that few remaining items identified in Table 1 of the attached letter are addressed, Mead & Hunt has no further comment. Thank you for the opportunity to work with the Riverside County ALUC.

Thanks, Lisa

Lisa Harmon | Aviation Planner

Mead & Hunt, Inc | M & H Architecture, Inc 180 Promenade Circle, Suite 240 | Sacramento, CA 95834

Direct: 916.993.4650 / Mobile: 530.574.7620

lisa.harmon@meadhunt.com | www.meadhunt.com

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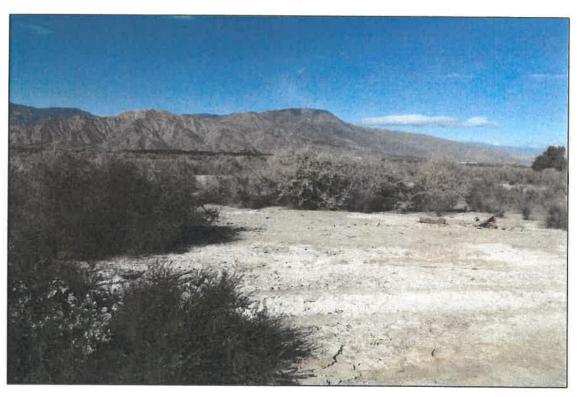
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Protection Notice

Wildlife Hazard Site Visit and Management Plan Review

Thermal Beach Club Thermal, California June 26, 2019



Prepared by:

Russell P. DeFusco, PhD, USAF (ret) BASH Incorporated 5010 Lanagan Street Colorado Springs, CO 80919 (719) 200-2252 BirdmanRuss@aol.com



EXECUTIVE SUMMARY:

The Thermal Beach Club project is part of the Kohl Ranch and lies approximately two miles south of the Jacqueline Cochrane Regional Airport in the unincorporated area of Thermal, Riverside County, California. The project will include residential housing and a lake with wave-making capabilities that will be used for recreational purposes. The County of Riverside Planning Department issued a permit for the site as originally proposed. Modifications to the planned lake prompted the County Airport Land Use Commission to request an evaluation of the final plans to determine if any hazards to aviation could be caused by wildlife that may be attracted to the site and recommendations for mitigation to minimize those hazards. Dr. DeFusco of BASH Inc. was contracted by Albert A. Webb Associates to conduct a Wildlife Hazard Site Visit in the manner described by the Federal Aviation Administration to evaluate the project and make recommendations for wildlife mitigation. Surveys of the property and surrounding areas were conducted in March 2019 to determine baseline habitat features as well as bird and other wildlife presence and their relative abundance. Species present in the area and their legal status were determined. Results indicated that the changes in the orientation and design of the lake would result in a decrease in potential attractiveness compared to the originally permitted plan. Mitigation measures directed at any wildlife would further diminish the potential attractiveness of the site. These measures include a comprehensive landscape plan, physical design of the water bodies, trash management, no wildlife feeding policies, and active harassment of birds or other wildlife using a variety of acoustic, visual, biological, and other dispersal techniques. Each of these are detailed for inclusion in a comprehensive, integrated Wildlife Mitigation/Management Plan for the property. Implementation of the plan by trained and equipped personnel as recommended will ensure bird and other wildlife risks to nearby aviation operations will be minimized if not eliminated at the project site.

Wildlife Hazard Site Visit and Management Plan Review Thermal Beach Club Thermal, California March 2019

Introduction

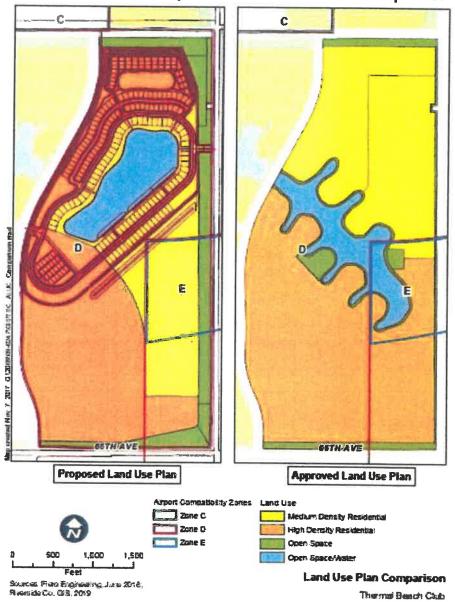
The Thermal Beach Club project is on a site that is part of the Kohl Ranch in Thermal, Riverside County, California. It lies approximately two miles south of the Jacqueline Cochrane Regional Airport (FAA identifier TRM) and as such must address any issues that could affect the safety of flight from the airport. The potential risks presented by wildlife with development of the site required consideration. The Thermal Beach Club lies within the Airport Influence Area (AIA) of TRM. Advisory guidance (see FAA 2007, CALTRANS 2011, ALUC 2018) and requirements of the permitting agency itself identify that waterbodies may be best suited elsewhere, However, the Riverside County Airport Land Use Commission (ALUC) issued conditions ultimately finding the Kohl Ranch consistent with the Jacqueline Cochran Regional Airport Land Use Plan. The County of Riverside Planning Department issued the Specific Plan 303, Amendment 4 permit to the Thermal Beach Club as presented (1999 and as variously amended through 2018). Whitestar Development has prepared a comprehensive Wildlife Mitigation/Management Plan to address the issue (see Appendix D). The ALUC requested an assessment of the plan and a review of wildlife hazards that could affect the flight operations at the nearby Jacqueline Cochrane Regional Airport. The ALUC approved a Wildlife Hazard Site Visit (WHSV) that could be performed over a single visit versus a full Wildlife Hazard Assessment (WHA) that requires 12 months of field studies in accordance with FAA guidelines. This document follows those guidelines as established in Federal Aviation Administration Advisory Circular (FAA AC) 150/5200-38: "Protocol for the Conduct and Review of Wildlife Hazard Site Visits, Wildlife Hazard Assessments. and Wildlife Hazard Management Plans" (FAA 2018). A full 12-month WHA was completed by the Jaqueline Cochrane Regional Airport under the same guidelines (TRM 2017). It is unknown whether the project underwent a similar assessment during the time it was originally proposed.

Dr. Russell DeFusco of BASH Incorporated was contracted by Albert A. Webb Associates to conduct the actual field work and prepare this report. The FAA requires anyone working on such projects on or in the vicinity of airports to be fully Qualified Airport Wildlife Biologists (QAWB) as specified in FAA AC 150/5200-36A "Qualifications for Wildlife Biologists Conducting Wildlife Hazard Assessments and Training Curriculums for Airport Personnel Involved in Controlling Wildlife Hazards on Airports" (FAA 2012). Dr. DeFusco is fully qualified under these provisions. The purpose of this assessment is to determine if the project could attract potentially hazardous wildlife that could adversely affect flight safety to nearby aircraft operations and to assist the developers in the implementation of wildlife management plan to ensure any potential hazards are mitigated.

1. Thermal Beach Club Site and Plans: The Thermal Beach Club project covers approximately 239 acres of vacant land within the Kohl Ranch Specific Plan No. 303 located in the unincorporated area of Thermal. Riverside County, California. Development plans include a private residential community of permanent and vacation homes and a clubhouse to provide amenities to residents. A key feature of the community is a 20 acre lake with wave-making capabilities that will enable inland surfing and other activities, along with a 3 acre reservoir to hold irrigation water. The adopted Specific Plan for the site included a lake with complex shoreline that was very similar to the adjacent Kohl Ranch property to the west of the current proposed project. The project was approved in its initial configuration in 1999. The current plan changes the orientation and purpose of the lagoon, with wave-making capabilities and water treatments added (see figure 1). The property lies approximately two miles south of the Jaqueline Cochrane Regional Airport with its boundary approximately 10,800 feet from the end of Runway 17. Because it falls within the Airport Land Use Compatibility Plan Zones D and E with the edge of the property just contacting Zone C, wildlife mitigation is necessary to ensure no adverse effects on flight safety at the nearby airport and to meet ALUC It should be noted that portion of the Project touching Zone C lies within the road right-of-way and only roadway improvements will be constructed; no vertical development will take place.

The current site is highly suitable to development of residences as it is nearly flat, with soils conducive to construction. The soils are highly saline and support some mixed native desert vegetation, but is primarily dominated by invasive tamarisk or salt cedar (*Tamarix ramosissima*). From a wildlife standpoint, the conditions are almost entirely benign as the habitat and sparse vegetation support very few species. Current conditions are not suitable for foraging and only provide marginal cover for some smaller songbirds and low densities of small mammals.

Figure 1. Thermal Beach Club Project Land Use Plan and Previously Approved Plan with TRM Airport Influence Area Zones Depicted.



2. Jacqueline Cochrane Regional Airport: The Jacqueline Cochrane Regional Airport (TRM) is an uncontrolled General Aviation airport open to the public and operates 24 hours a day. It has two runways; 17/35 and 12/30. It has several Fixed Based Operators (FBOs) including a jet training center. Forty four aircraft are based at the field including single engine aircraft, multi-engine aircraft, jet aircraft, helicopters, and ultralights. As of 2018, aircraft operations averaged 209 per day including 62% transient general aviation, 36% local general aviation, 1% military, and <1% air taxis (AirNav 2019). Aircraft operations have been increasing over the past several years and it is anticipated that this trend will continue in the future.

A total of 7 wildlife strikes have been reported and documented in the FAA Wildlife Strike Database (FAA 2019) for aircraft operating from TRM, All reported strikes occurred since 2002. Four of the seven strikes caused significant damage to the aircraft and are a high proportion of reported strikes when compared to other airports nationwide. One was caused by coyotes, one by a California Gull, and two by Canada Geese (see Appendix B). However, strike reporting rates for TRM are well below those observed for other airports of similar size and likely indicate a relatively lower risk compared to other locations, though it is unknown how many unreported strikes have been experienced there. Further, each of these strikes took place within the local area, including in the approach and departure airspace and one on the airport itself. It is not possible to determine the exact location of the strikes other than the one reported on landing roll at the airport. A brief interview with one of the lead instructor pilots at the jet training center indicated that bird strike risk is considered minimal by pilots operating from the airport.

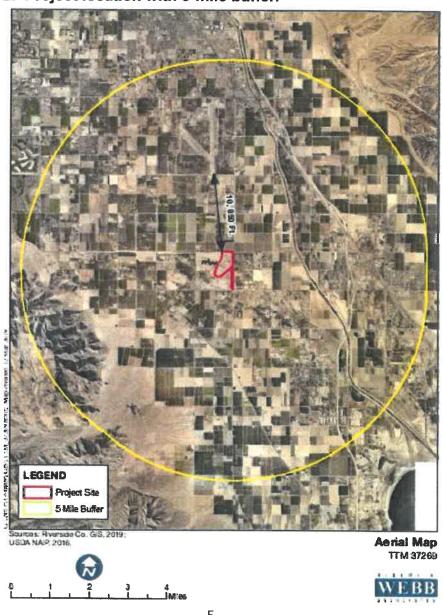
Site Visit Protocol

- 1. Document Review: Relevant documents were provided by Webb Associates and Whitestar Development for review and included Riverside County Planning Department permits, maps, extensive site plans, engineering design, landscaping plans, descriptions of the surf lagoon operation, a wildlife mitigation plan, and others. Additional documents were obtained from the Riverside County Airport Land Use Commission, the Airport, and through internet research on FAA, ALUC, and other sources. Review of documents was conducted prior to, during, and after the site visit to determine history, current conditions, and future plans for the site.
- 2. Site Visit: The Thermal Beach Club site and surrounding areas were visited by Dr. DeFusco on March 20-21, 2019. Timing of the visit was determined by scheduling and contracting timelines, but was fortuitous from a wildlife standpoint. While many of the larger birds such as waterfowl had already begun migrating, many still remained. Smaller songbirds were just beginning their spring migratory arrivals in the area and were representative of those passing through and resident in the vicinity of the project. Thus, a very good representation of avifauna in the area was present during the visit. Nevertheless, it must be emphasized that a short-term site visit cannot capture the full annual cycle of presence and abundance of species in the vicinity of the project and past experience and reliance on other data sources were necessary while conducting the review.

A tour of the project area and much of the Kohl Ranch was arranged by Mr. Tim Bradshaw and provided by Mr. Hector Rochin to begin the site survey. Unlimited access was granted for repeated unescorted visits to the facility during the survey period. Surveys of the surrounding areas were also

conducted to determine potential attractiveness to wildlife as the project will substantially alter the current environment. These surrounding area surveys were also essential as the project does not exist in a vacuum, but is part of a complex landscape that determines wildlife presence on a larger scale. Surveys focused on the immediate surrounding areas, primarily within five miles, but extended to the Salton Sea whose northern reaches are seven miles to the south and is the major landscape feature attracting a wide variety of species to, and passing through, the Coachella Valley. Other areas included the airport itself (only accessed in the public areas and viewed through perimeter fences), agricultural fields, suburban developments, recreational areas, and others potentially influencing wildlife presence in the valley. Also see Figure 2.

Figure 2. Project location with 5-mile buffer.



Results and Findings

1. Species Observed: One hundred eleven species of birds, and thirteen species of mammals, or their sign, were observed during the two day site visit. It must be emphasized that these observations are only a fraction of the over 400 bird species and dozens of mammal species recorded and documented in other sources for the Coachella Valley. A full listing of species observed during this site visit is included in Appendix A. Mammals are only listed as they can be a potential source of prey for predatory or scavenging birds in the area, but do not pose a direct threat to aircraft at the project site and would only be so if on the airport property itself. Reptiles were not included as they pose no issues in the context of this report. Observed species include those found on the Thermal Beach Club project site and in the surrounding areas. The current habitat conditions at the project site are such that very few birds or other wildlife species were observed there. The vast majority of species were found in the surrounding areas where more suitable habitat occurred, but would indicate presence in the vicinity, including migratory birds that pass through and overwinter in the Coachella Valley. Special consideration was given to observations on lakes, ponds, canals, and other water sources in the area, including on the adjacent Kohl Ranch parcel to the west, as these could indicate the potential to attract birds and other wildlife to the Thermal Beach Club lagoon when constructed. As required for a qualifying WHSV, the federal and state status of listed species as a subset of the total observation list is included in Table 1. Of the total species observed, none were listed as Federally Threatened or Endangered. However, virtually all are protected under the Migratory Bird Treaty Act and several species observed are afforded additional state-level protections as detailed in the table. Of those on the state list, the Northern Harrier, Cooper's Hawk, Black-tailed Gnatcatcher, Loggerhead Shrike, and Round-tailed Ground Squirrel were observed on the Thermal Beach Club Property development site during the site visit.

Table 1: Federal and State-Listed Species Status

Common Name	<u>Status</u>
Peregrine Falcon	Fully Protected State Species
Burrowing Owl	Species of Special Concern
Black-tailed Gnatcatcher	State Watch List
California Gull	State Watch List
Cooper's Hawk	State Watch List
Ferruginous Hawk	State Watch List
Savannah Sparrow	Species of Special Concern
Loggerhead Shrike	Species of Special Concern
Northern Harrier	Species of Special Concern
American Badger	Species of Special Concern
Round-tailed Ground Squirrel	Species of Special Concern

2. Water Bodies in the Vicinity of the Project: There are numerous water bodies in the vicinity of the Thermal Beach Club project. They range in size from small intermittent puddles following rain events to the enormous Salton Sea to the south. Rivers, irrigation canals, stormwater detention/retention ponds, recreational lakes, landscaping features, a sewage treatment plant, and others exist throughout the area. Of particular note, and where some effort was spent to observe over the course of the visit, is the approximately 20 acre lake on the adjacent Kohl Ranch property immediately to the west of the current project. The Riverside County ALUC produced a brochure entitled "Airports, Wildlife and Stormwater Management" (Undated a) with guidelines that can be referenced and adapted to minimize attractiveness of water features near airports and may be applied to this project.

By far the most significant water feature in the entire Coachella Valley is the Salton Sea. It is the major attraction and determines the migratory route for birds each fall and spring and holds many thousands of wintering birds each year. The wetlands along its margins are extremely important to migratory, over-wintering, and resident birds including those that are potentially hazardous to aircraft operations such as waterfowl, gulls, pelicans, waders, shorebirds, and others. The presence of the Thermal Beach Club development will have no impact on these large-scale movement patterns. However, the Salton Sea has undergone significant recession in the recent past following extended periods of drought. The wetlands on its margins are most significantly affected and has forced birds to find other suitable places to forage, breed, and shelter. In the long term, it is unknown whether continued receding water levels will cause birds to short stop their migrations or continue further south into Mexico and the Sea of Cortez, or whether some of these birds will find other local water sources to meet their requirements. Restoration of the Salton Sea to historic water levels is planned but the schedule for such is unknown. Most birds remain on, in, or very close to the Salton Sea once they establish there. However, during the site visit it was noted that several very large flocks of gulls (primarily Ringbilled Gulls) would leave the Sea and forage in the agricultural fields and seek fresh water in the nearby area. None of these flocks were specifically noted near the Thermal Beach Club property as most remained two or more miles south of there, but it is possible that they could do so with the presence of a new freshwater lake. If so, dispersal methods could be used as detailed in the management plan to encourage them to move on.

Other water features in the area variously attracted birds in generally small numbers. An overall observation is that the larger, shallower water bodies,

and those that supported emergent vegetation contained the most birds. Small, steep-sided, or lined detention structures and canals were least attractive. Ring-billed Gulls were observed in and around the sewage treatment plant to the east of the project. Birds observed in some of the agricultural and stormwater detention ponds included gulls of mixed species, waterfowl of mixed species, coots, grebes, herons, egrets, ibises, and others. In ponds that held some shoreline or emergent vegetation, flocking birds such as Great-tailed Grackles, and Red-winged Blackbirds were observed in small numbers. In these same areas, raptors such as hawks and vultures were noted, also in small numbers. Songbirds such as Blacktailed Gnatcatchers, Marsh and Bewick's Wrens, Verdins, Song Sparrows, Loggerhead Shrikes, and others were also noted in pondside vegetation, but these species are of no concern to aviation safety.

The lake on the adjacent Kohl Ranch property was surveyed at various times during the visit as it is closest to the project and of similar size. The convoluted shoreline and dense emergent vegetation makes this impoundment particularly attractive to birds. Birds observed on the lake included Northern Shovelers, Green-winged Teal, American Coots, Ringbilled Gulls, Great Egrets, and a Great Blue Heron. All were in relatively small numbers with the coots being most numerous. Turkey Vultures were observed soaring over the lake during late morning and mid-day hours. One Cooper's Hawk, one Northern Harrier, and two Red-tailed Hawks were also observed flying over the property and lake. Each of these species could be considered hazardous and indicate the potential attractiveness of the Beach Club lagoon if it were not to be mitigated. Small songbirds including those listed above from other such water features, as well a small numbers of Abert's Towhees, Black Phoebes, Common Yellowthroats, Orange-crowned Warblers, and European Starlings, were also noted on the lake margins, though none except the starlings would be of concern, and then only when present in dense flocks. It must be noted that the approved Thermal Beach Club plan includes a lake of similar dimensions and shape. However, the updated plan changes the orientation of the lake, eliminates the convoluted shoreline, eliminates the shoreline vegetation, and implements a high-tech water treatment regime. The change in orientation will have no effect whatsoever on its potential attractiveness, but all the other measures in and of themselves will have a deterrent effect and make the facility much less attractive than the adjacent property lake or of many of those in the surrounding area. Also important is the fact that there are numerous other water features in the surrounding area, as birds deterred or dispersed from

the project site will have ample alternative sites in which to relocate. That would not be the case if this was the only available water in the area.

- 3. Agriculture in the Vicinity of the Project: There are a variety of agricultural activities in the vicinity of the Thermal Beach Club project, including on the Kohl Ranch itself. These range from date palms, to row crops, to small-scale livestock operations. Each of these attract a variety of wildlife species including birds that can be hazards to aviation. Nearly every stage of operations can attract wildlife of various species, including plowing and field preparation, planting, harvesting, and transportation. Birds such as grackles and starlings were noted in several fields, gulls in others, and geese and ducks in still others. Farmers and ranchers were noted taking various measures to deter wildlife from ripening fruit and other crops. No such agricultural activity will take place at the project site and the developers have no control over these outside operations. However, the presence of agriculture in the surrounding landscape, and associated water systems as noted above, do contribute significantly to the presence and abundance of birds and other wildlife in the area and elevates populations beyond the natural background that would otherwise occur in the absence of such operations. Birds might be attracted to the project from nearby agricultural fields and must be deterred or dispersed when that might occur.
- 4. Community Development in the Vicinity of the Project: There are several other community developments existing or planned in the area that can potentially affect local bird and other wildlife populations. Small-scale industry, suburban housing areas, and rural residences may attract birds to the structures themselves, but mostly due to landscaping features including non-native vegetation. Rock Pigeons, Eurasian Collared-Doves, European Starlings, House Sparrows, Common Ravens, American Crows, House Finches, and others were noted in such areas. In fact, the first four species listed are non-native and never occurred in the area prior to human settlement. Many other species would not occur in the absence of such landscaping and infrastructure. Any vegetation that produces food sources, shelter, or breeding sites can attract birds beyond those naturally present in the desert environment. Landscaping vegetation must be carefully selected in sensitive areas where airport operations may be affected. The Riverside County ALUC produced a brochure entitled "Landscaping Near Airports" (Undated b) that should be followed and will significantly assist in deterring birds and other wildlife that may be attracted to the project.

Recommendations

- 1. Implement the Bird Mitigation/Management Plan: The Thermal Beach Club developers plan to implement a Bird Mitigation/Management Plan as introduced above and included in Appendix D. It is thorough, comprehensive, and will significantly reduce any potential risks posed by hazardous species for aircraft operating from the airport as well as address possible human health, safety, and economic issues for the community itself. It should be implemented in full. The following sections expand on the specific passive and active measures listed in the plan to ensure procedures follow industry-stand best management practices as the plan is implemented.
- 2. Passive Control Measures: Passive wildlife control measures are those that do not require the active participation of personnel once in place and on their own act to deter attractiveness. In general, these are grouped into habitat management, and exclusionary features and may include engineering design, construction, landscaping, and other physical features of the site. Overall, such provisions must be implemented for more active methods to be successful in the long term.
 - a. Physical Design and Management of the Surf Lagoon. The updated plans for the 20 acre surf lagoon changed the orientation of the impoundment within the property boundary, but as mentioned above and depicted in Figure 1, the orientation itself will have no impact on its potential attractiveness. However, the significant change in shape and function will definitely reduce its attractiveness. The original plans were for a complex, convoluted shoreline with multiple coves and peninsulas and would have provided substantial shoreline cover for feeding and breeding areas for a variety of species. The updated design eliminates those coves and peninsulas and creates a much more open structure that is less attractive to all species of interest. Additionally, the elimination of all shoreline and emergent vegetation will significantly deter species that would have fed, bred, or taken shelter there. The high-tech water clarification system will essentially "sterilize" the water and virtually remove all organic matter that would otherwise form the base of a food chain that could have promoted zooplankton, macroinvertebrates, and the larger species that would feed on them. Even without intentional introduction, fish and amphibians (and therefore birds and other wildlife that would feed upon them) would have eventually found their way into the original planned lake, but it is unlikely that they could be supported in the new facility with the treatment regime in place. So long as the shoreline of the lagoon is maintained in sand or gravel and vegetation is prevented from growing along its margins, its attractiveness will remain minimal and will limit the possibility of introducing organic matter to the lagoon. Where possible, segments

of the shoreline slope should also be maintained as steeply as possible to limit shallow water access along its margins. With all these provisions in place, the only remaining potential attractant will be the fresh water itself as all other resources will be virtually eliminated.

It is understood that there will be several full-time staff dedicated to daily maintenance of the lagoon. Maintenance of equipment, cleaning of debris, and other duties will keep them occupied for many hours each day. Their presence and activity will act as a deterrent to any potentially hazardous birds that may attempt to enter the lagoon, particularly if personnel are equipped with active dispersal techniques as further described below. Additionally, the wave making process itself will create substantial disturbance of the surface water and will also act as a deterrent. Finally, the presence of residents and patrons using the facility, so long as they are not actively or unintentionally feeding birds, will add another level of disturbance at the facility.

b. Physical Design and Management of the Irrigation Reservoir: In addition to the recreational surf lagoon described above, there will also be a three acre reservoir that will hold water to maintain the surf lagoon. It is presumed that there is no recreational purpose for the reservoir, so management techniques are not dependent on aesthetic conditions. The plan details measures to eliminate weeds and other organic matter that would attract birds and floating fountains to maintain movement to prevent water stagnation. Additionally, landscaping around the reservoir will be maintained to discourage use. These measures will definitely act as deterrents to birds that may be attracted to the structure. Other measures should be adapted to further reduce attractiveness. The reservoir should be constructed with steep sides (minimum slope of 3:1), minimal surface area, and deep water. Concrete or other impervious liners should be considered to prevent vegetation growth along the margins. Water can be optionally treated chemically to eliminate weed and algae formation using copper sulfate or other sterilants. If not possible or permitted for use, then other standard water quality measures can be employed. Active harassment measures (as described below) should be employed as needed at the reservoir, as in the surf lagoon itself. These measures taken together should prevent birds from being attracted to the reservoir, but the addition of a UV-protected polypropylene shade cloth cover appears to be an additional requirement added to the ALUC recommendations in their revised permit dated October 2013. There is no doubt that this would virtually eliminate any possibility that birds would be attracted to the reservoir and has the added benefit of reducing evaporative water loss. In general the guidelines detailed in the ALUC brochure entitled

- "Airports, Wildlife and Stormwater Management" should be followed (Undated a).
- c. Landscape Plans: The Bird Mitigation/Management Plan also specifies landscaping that would not attract birds to the property. It further stipulates that the Thermal Beach Club will be responsible for managing all landscaping and will ensure uniform compliance with guidelines established to prevent attracting nuisance birds. Selecting vegetation suitable for xeriscaped landscapes to ensure species adapted to local conditions and minimize necessity for irrigation is highly encouraged. Vegetation that produces seeds, fruits, or berries, or that will provide dense cover for nesting or roosting should be prohibited. The Riverside County ALUC published a brochure entitled "Landscaping Near Airports" (Undated b) that is an excellent resource in that it provides a suitable species list and general planting guidelines to limit birds and other wildlife. Following these guidelines and selecting vegetation species from the list will assure hazardous wildlife are minimized throughout the property.
- d. Trash and Food Management: Many birds can be attracted to trash or food intentionally or unintentionally provided them. Other wildlife such as coyotes, mesomammals, or feral pets may access and expose trash or food items left unattended or in unprotected conditions. It is imperative that all household or industrial trash on site that contains organic material or food items be contained and covered at all times. Dumpsters and household trash containers must have lids that remain closed and cannot be breeched or opened by birds or other wildlife. It is also imperative that the surf lagoon concession and patrons using the beach club do not intentionally feed birds anywhere on site. It is recommended that signs be prominently placed in strategic locations around the lagoon and that a no feeding policy be strictly enforced. These provisions should also be a mandatory inclusion in the project covenants governing residents and their guests.
- 3. Active Deterrent Measures: Each of the measures described above are passive measures that will deter birds without constant or purposeful intervention. It is recognized that passive measures alone may on occasion require active measures to supplement their effects. The Thermal Beach Club Bird Mitigation/Management Plan specifies options that can be used to reinforce passive deterrents as needed and as further detailed below. These should be used in combination, but are arranged somewhat in order of priority. Also see Cleary and Dickey 2010, Belant and Martin 2011, and DeFusco and Unangst 2015 for much more detailed discussion of all the techniques described.

- a. Trained and Equipped Personnel: As mentioned above, several maintenance personnel will regularly be present on site to clean and maintain the surf lagoon. The mere presence of these individuals will act as a deterrent to birds as will residents and others using the facility for recreational purposes. Ensure that staff are further trained and equipped to disperse birds that may attempt to access the facility. In addition to maintenance staff, it is understood that contracted wildlife management professionals may be used as needed to supplement local staff. These professionals may bring their own equipment and techniques to the program and diverse, innovative strategies are always encouraged to add to the options available on site.
- b. Sonic Devices: Most bird harassment programs rest on a foundation of active dispersal techniques employing a variety of pyrotechnic devices that produce loud sounds and explosive visuals. It is recognized that these devices cannot be used in highly populated or urban areas and are not recommended at this location due to human disturbance and potential fire hazards. Therefore, alternative harassment techniques are needed. For this project, it is recommended that long-range hailing devices be used. These are essentially high-tech "bullhorns" that project high decibel sound pressures in a focused beam using parabolic speakers. Sound attenuates and can be perceived outside the central beam, but unless in the beam itself, sound levels are fairly innocuous. Commercial versions of these devices are available in small, handheld applications and come with a variety of pre-programmed sounds specifically designed for bird dispersal. However, virtually any sound can be projected with these devices if desired. Generally, distress or alarm calls of the actual species targeted are most effective, though some species (such as waterfowl and raptors) do not possess these calls. Projected calls are effective over extreme ranges and have been tested at distances over one half mile. They are also effective on soaring raptors and other birds that may not respond to other standard techniques. Although there are likely others, two companies that produce these devices for bird control are the LRAD Corporation (for Long-Range Acoustic Device) (www.lrad.com) and Ultra Electronics Hyperspike (www.Ultra-Hyperspike.com). Each make a variety of models including small handheld versions suitable for this project. It is important to use these properly. They must only be used when birds are noted present or approaching the site, and then focused upon them to "herd" them away from the site. DO NOT USE CONTINUOUSLY in a static mount or orientation as habituation to the sounds will rapidly erode effectiveness and compromise all other methods.

- c. Remote-controlled Devices: Remote controlled devices such as aerial drones or boats can be effectively used to disperse birds that may be out of reach by other means. Used in combination with sonic devices, the visual disturbance and the sound they themselves generate can be highly deterrent to potentially hazardous species. They are particularly effective on flocking species such as waterfowl, gulls, shorebirds, blackbirds, grackles, and starlings as they may cause panic in the flock and encourage their departure. It is imperative that coordination with the airport be established before considering aerial drones as they may be prohibited at certain altitudes and distances from any active airport. Frequency interference and the obvious threat of collisions must be addressed before implementing these devices. There should be no reason to use these against birds at this location at altitudes that would conflict with aircraft, but prior coordination and approval is necessary.
- d. Trained Dogs: The Bird Mitigation/Management Plan lists specifically trained dogs as an option and these can certainly be effective. Dogs are most effective on larger and flocking birds such as geese, ducks, and gulls. Any of these birds found on the lagoon shoreline can effectively be dispersed, but if they become habituated, they may only retreat to the deep water where other techniques must be on hand to finish the harassment program. Dogs can be expensive to obtain, train, and maintain and may require local volunteers or contractors to effectively implement.
- e. Trained Birds of Prey: The Bird Mitigation/Management Plan lists specifically trained hawks or falcons as an option and these, like dogs, can certainly be effective. Potentially hazardous birds have evolved to fear airborne predators and virtually never habituate to their presence. They are most effective against small to medium sized flocking birds such as ducks, gulls, blackbirds, grackles, and starlings. However, falconry has even more limitations than do dogs. They are more expensive to obtain, train, and maintain. They cannot fly during inclement weather, in fog, in rain, in very high winds, at night, after they have fed, or while they are moulting. They also require special permits to obtain and use by specially trained handlers. This option would certainly require contracted effort and if used, should only be a part of a larger program as a supplement to other, more standard methods. The Thermal Beach Club developers have used such a contractor and have experience at other locations that may be used here for both bird control and the educational benefits such a program would promote.
- f. Lasers: The Bird Mitigation/Management Plan lists laser conditioning as an option for bird harassment and dispersal. While lasers can be effective, there are some limitations. They are most

effective on roosting birds in low light conditions. Gulls and waterfowl have been effectively deterred from such locations. Other methods should work to prevent these conditions from developing, but if needed, lasers could be used to supplement more standard techniques to move roosting birds from ground-level sites. As with remote aerial drones, it is imperative that coordination with the airport be conducted before considering the use of lasers. It is a federal offense to use lasers near airports if elevated above the horizon, used to illuminate aircraft, or pointed in pilot's eyes. Therefore, it is not recommended that these be used at this location unless highly restricted in their application.

- g. Removal of Nests: Any nests that may be established on the property may be removed at any time when they are not actively occupied by brooding adults, eggs, chicks, or fledglings. Generally, nests are removed after nesting seasons to comply with federal and state law. Any active nests can only be removed under the conditions of specific permits, with the some exceptions granted for non-native species. Migratory Bird Treaty Act Federal Depredation Permits may be issued to deal with individual birds or their nests if they are found to compromise human health or safety and the Thermal Beach Club may consider obtaining these permits if other non-lethal methods fail.
- h. Lethal Control: While the intent of this overall bird control program is to rely on non-lethal methods and those are most effective in the long-run, there may be exceptional circumstances where lethal control may be required. Generally, and for this site in particular. lethal control measures are not recommended until all non-lethal options have been exhausted. However, on rare occasion, an individual or group of birds or other wildlife habituates to other methods and must be permanently removed. Should this situation arise at this project, a Federal (and applicable state) depredation permit may be considered. All species listed under the Migratory Bird Treaty Act require depredation permits to lethally remove. There are certain provisions and exceptions granted for some species such as resident Canada Geese, blackbirds, grackles, cowbirds, magpies. and crows, as well as non-native species such as Rock Pigeons. Hose Sparrows, European Starlings, and Eurasian Collared-Doves that may require consideration. Whitestar Development has outlined many of the requirements in their management plan and can further implement this option if necessary in the future. If all other provisions of the plan and as outlined in this report are implemented, it is not anticipated that lethal control will be needed at this site.

Conclusion

This report summarized the findings of the site visit to determine presence and abundance of birds that might be potentially attracted to the Thermal Beach Club and the program to deter their presence to minimize adverse impacts in the local area. Overall, results of this WHSV indicate a generally moderate risk of bird strikes to aircraft operating from the Jacqueline Cochrane Regional Airport on the overall landscape level. However, the potential is recognized as there are a large number and diverse mix of species that annually migrate through the region and overwinter on the Salton Sea and in surrounding areas. Some of these birds will certainly be attracted to any water features in the area including at the Thermal Beach Club site. An aggressive Bird Mitigation/Management Plan has been developed for the project and includes engineering design, landscaping, passive, and active deterrent measures that will minimize if not eliminate the potential risks not only to aircraft, but to human health and safety as well. Implementing the plan would ensure any added potential risks would be negligible at best in the overall landscape as it currently exists. With the implementation of their plan, and the slight modifications suggested herein, the Thermal Beach Club should be highly successful at mitigating any possible issues at the site.

Appendix A: Wildlife Observations in the Area Surrounding the Thermal Beach Club Property and Coachella Valley During the March 2019 WHSV*

*Note: These observations were made during the two day visit to the area on March 20-21, 2019 and are therefore not comprehensive. The list only represents a fraction of the over 400 species documented in the Coachella Valley and only during this seasonal timeframe. Other references should be used to supplement this list and more fully represent the presence and abundance of birds in the vicinity.

Birds:

Anseriformes - Waterfowl

Anatidae

Snow Goose Chen caerulescens Canada Goose Branta canadensis Blue-winged Teal Anas discors Cinnamon Teal Anas cyanoptera **Green-winged Teal** Anas crecca Northern Shoveler Anas clypeata Gadwall Anas strepera **American Wigeon** Anas americana Mallard Anas platyrhynchos

Northern Pintail Anas acuta

Redhead
Lesser Scaup
Aythya americana
Aythya affinis
Bufflehead
Bucephala albeola
Red-breasted Merganser
Ruddy Duck
Aythya americana
Aythya affinis
Bucephala albeola
Mergus serrator
Oxyura jamaicensis

Pelicaniformes - Pelicans. Cormorants, and Ibises

Pelicanidae

American White Pelican Pelecanus erythrorhynchos

Phalacrocoracidae

Double-crested Cormorant Phalacrocorax auritus

Threskionithidae

White-faced Ibis Plegadis falcinellus

Podicipediformes - Grebes

Podicipedidae

Pied-billed Grebe
Horned Grebe
Podiceps auritus
Eared Grebe
Podiceps nigricollis

Western Grebe Aechmophorus occidentalis

Falconiformes - Vultures, Hawks, and Falcons

Cathartidae

Turkey Vulture Cathartes aura

Accipitridae

Northern Harrier Circus cyaneus
Cooper's Hawk Accipiter cooperii

Ferruginous Hawk Red-tailed Hawk

Falconidae

American Kestrel

Merlin

Peregrine Falcon

Buteo regalis Buteo jamaicensis

Falco sparverius Falco columbarius Falco peregrinus

Galliformes - Upland Game Birds

Odontophoridae Gambel's Quail

Callipepla gambelii

Ciconiiformes - Herons and Egrets

Ardeidae

Black Crowned Night Heron

Great Egret
Great Blue Heron
Snowy Egret
Cattle Egret

Nycticorax nycticorax

Ardea alba Ardea herodias Egretta thula Bubulcus ibis

Gruiformes - Cranes and Allies

Rallidae

American Coot Virginia Rail Fulica americana Rallus limicola

Charadriiformes - Shorebirds and Gulls

Recurvirostridae

Black-necked Stilt American Avocet

Charadriidae

Black Bellied Plover Snowy Plover Semipalmated Plover

Killdeer Scolopacidae

Spotted Sandpiper Lesser Yellowlegs

Willet

Marbled Godwit Western Sandpiper Least Sandpiper

Dunlin

Long-billed Dowitcher

Laridae

Bonaparte's Gull Herring Gull Ring-billed Gull California Gull Yellow-footed Gull Caspian Tern

Forster's Tern

Himanoptus mexicanus Recurvirostra americana

Pluvialis squatarola Charadrius nivosus Charadrius semipalmatus

Charadrius vociferus

Actitis macularius Tringa flavipes

Catoptrophorus semipalmatus

Limosa fedoa Calidris mauri Calidris minutilla Calidris alpina

Limnodromus scolopaceus

Croicocephalus philadelphia

Larus argentatus Larus delawarensis Larus californicus Larus livens

Hydroprogne caspia

Sterna forsteri

<u>Cuculiformes – Cuckoos and Roadrunners</u>

Cuculidae

Greater Roadrunner Geococcyx californianus

Columbiformes - Pigeons and Doves

Columbidae

Rock Pigeon Columba livia

Eurasian Collared-Dove

Mourning Dove

White-winged Dove

Common Ground Dove

Streptopelia decaocto
Zenaida macroura
Zenaida asiatica
Columbina passerina

Strigiformes - Owls

Strigidae

Barn Owl Tyto alba

Great Horned Owl Bubo virginianus
Burrowing Owl Athene cunicularia

Caprimulgiformes - Nightiars

Caprimulgidae

Lesser Nighthawk Chordeiles acutipennis

Apodiformes - Swifts and Hummingbirds

Apodidae

White-throated Swift Aeronautes saxatalis

Trochilidae

Black-chinned Hummingbird Archilocus alexandri

Anna's Hummingbird Calypte anna
Costa's Hummingbird Calypte costae

Coraciformes - Kingfishers

Alcedinidae

Belted Kingfisher Megaceryle alcyon

Piciformes - Woodpeckers

Picidae

Ladder-backed Woodpecker Dryobates scalaris

Passeriformes - Perching Birds

Tyrannidae

Western Kingbird Tyrannus verticalis
Black Phoebe Sayornis nigricans
Say's Phoebe Sayornis saya

Ptiliogonatidae

Phainopepla nitens

Hirundinidae

Barn Swallow Hirundo rustica
Tree Swallow Tachycineta bicolor

Northern Rough-winged Swallow Stelgidopteryx serripennis
Cliff Swallow Petrochelidon pyrrhonota

Corvidae

Common Raven American Crow

Alaudidae

Horned Lark

Motacillidae

American Pipit

Turdidae

Western Bluebird American Robin

Sturnidae

European Starling

Mimidae

Northern Mockingbird

Laniidae

Loggerhead Shrike

Remizidae Verdin Troglodytidae

House Wren
Marsh Wren
Bewick's Wren

Polioptilidae

Black-tailed Gnatcatcher

Parulidae

Orange Crowned Warbler Common Yellowthroat Yellow-rumped Warbler

Passerellidae

Abert's Towhee Savannah Sparrow White-crowned Sparrow

Song Sparrow

Passeridae

House Sparrow

Icteridae

Western Meadowlark Red-winged Blackbird Brewer's Blackbird Brown-headed Cowbird Great-tailed Grackle

Fringillidae

Lesser Goldfinch

House Finch

Corvus corax

Corvus brachyrhynchos

Eremophila alpestris

Anthus rubescens

Sialia mexicana Turdus migratorius

Sturnus vulgaris

Mimus polyglottos

Lanius Iudovicianus

Auriparus flaviceps

Troglodytes aedon Cistothorus palustris Thryomanes bewickii

Polioptila melanura

Vermivora celata Geothlypis trichas Setophaga coronata

Melozone aberti

Passercullus sandwichensis Zonotrichia leucophrys Melospiza melodia

Passer domesticus

Sturnella neglecta Agelaius phoeniceus Euphagus cyanocephalus Molothrus ater

Quiscalus mexicanus

Spinus psaltria

Haemorhous mexicanus

Mammals*:

*Note: No specific mammal surveys such as trapping were conducted as part of this WHSV. Mammals at the Thermal Beach Club would not constitute a direct hazard to aviation at the Jacqueline Airport and therefore were not a focus of this review. Mammal and mammal sign (tracks, scat, burrows, bones) were noted incidental to other surveys conducted. This list represents only a small portion of those found in the region and may be supplemented with other data.

Carnivora

Canidae

Coyote Domestic Dog

Felidae

Feral Cat

Mephitidae

Striped Skunk

Mustelidae

Badger

Canis latrans Canis familiaris

Felis catus

Mephitis mephitis

Taxidea taxus

Lagomorpha

Leporidae

Desert Cottontail
Black-tailed Jackrabbit

Sylvilagus auduboni Lepus californicus

Rodentia

Sciuridae

Round-tailed Ground Squirrel

Geomyidae

Botta's Pocket Gopher

Cricetidae

California Mouse

Bushy-tailed Wood Rat

Xerospermophilus tereticaudus

Thomomys bottae

Peromyscus californicus

Neotoma lepida

Appendix B: Wildlife Strikes Reported at the Jacqueline Cochrane Regional Airport (2002-present)

Date	Aircraft Type	Species	Time of Day	/ Damage
4/16/2002	Hawker 800	Unknown Medium	Day	None
2/22/2004	GulfAero IV	Canada Geese	Dawn	Substantial
3/27/2006	MU-300	CA Gull	Day	Substantial
10/17/2013	C-340	Geese	Night	Substantial
3/31/2017	C-550	Unknown Large	Day	None
4/20/2018	Citation Jet	Coyote	Unknown	Minor
10/26/2018	PA-28	Unknown Small	Day	None

Birds: Three reported to species level

Mammals: One reported to species level

Wildlife strikes not reported at a species level: Three

Appendix C: References

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WHITESTAR DEVELOPMENT

THERMAL BEACH CLUB

Bird Mitigation/Management Plan

Project

Thermal Beach Club (the "Project") is located within the Kohl Ranch boundaries, approximately two to three miles south of Jacqueline Cochran Regional Airport. The Project consists of approximately 116 acres containing a private residential neighborhood surrounding one 3 acre reservoir and one 20 acre surfing lagoon. Located immediately next to the Thermal Beach Club project, and part of the Kohl Ranch, is an approximate 20 acre lake with no active bird mitigation plan.

Major Components of Project

- 3 Acre reservoir to be used for the delivery and retention of canal water for recreational use within the surf lagoon.
- 20 Acre Crystal Lagoon with surf technology. The surf lagoon will be used for recreational use by the residents and members of Thermal Beach Club. The lagoon will be capable of producing 6 waves per second with heights to seven feet.
- 116 Acres containing 362 Residential units ranging from 4-plexes to single family residences.
 - O It is recognized that various architectural structures within the village and the community may provide opportunity for birds to nest and or loaf. Care will be taken in the design phase to minimize these areas as much as practical. In addition, Thermal Beach Club maintenance staff will work to ensure that any problem areas are addressed with measures that make it undesirable for birds to nest.
 - o This area is further addressed in the *Implementation Section* of this plan.
- All landscaping in common area and residential unit yards (both front and back) installed and maintained by Thermal Beach Club.
- Village area providing the location for various private club amenities including clubhouse, pools, tennis, fitness center, restaurant, etc.
 - O It is recognized that various architectural structures within the village and the community may provide opportunity for birds to nest and or loaf. Care will be taken in the design phase to minimize these areas as much as practical. In addition, Thermal Beach Club maintenance staff will work to ensure that any problem areas are address with measures that make in undesirable for birds to nest.
 - o This area is further addressed in the Implementation Section of this plan.

The project will create job opportunities for at least 150 people within the first two years.

Purpose of Bird Mitigation Plan

The purpose of a Bird Mitigation/Abatement program is:

- To reduce threats to human health and safety.
- To ensure the health and safety of the residents of Thermal Beach Club and the adjoining properties including Jacqueline Cochran Regional Airport.
- To mitigate the risk of bird strikes to aircraft on approach to and departure from Jacqueline Cochran Regional Airport.
- To reduce damage to property.
- To remove birds and or encourage birds to seek other locations safer and more desirable for their occupation.

Many species of birds that present hazards to aircraft including various waterfowl, California Gulls, pelicans, falcons, hawks and other birds exist in the proximity of the site as noted in Appendix A. This bird mitigation plan is designed to focus on all species of birds found in the proximity of the site to ensure the site stays free of all species of birds for both the safety of the members and risks to flight of aircraft.

Migratory geese, due to their size, present the most danger to aircraft on approach to and departure from Jacqueline Cochran Regional Airport. As noted below, there were six bird strikes at Jacqueline Cochran Regional Airport from 2002 to present. Three of the six strikes caused substantial damage the other three caused no damage. Of the three strikes causing damage, two were reported as Canada Geese and one was reported as a California Gull. Migratory geese may also create a health hazard to residents due to the large amounts of fecal matter that they leave behind. A single goose can weigh 12 pounds, eat up to four pounds of grass per day and create about three pounds of fecal matter per day. The average flock of geese can range from 25 to 100 geese. Just 25 geese can eat 100 pounds of grass and leave 75 pounds of fecal matter per day or 525 pounds per week. A flock of 100 geese can eat 400 pounds of grass and leave 300 pounds of fecal matter per day or 2,100 pounds of fecal matter per week. These numbers equate to significant property damage and some serious health concerns due to potential disease. For these reasons, Thermal Beach Club will maintain and implement this bird mitigation plan on a daily basis.

Bird Strikes

Bird strikes reported in the Coachella Valley since 2002 relative to aircraft operations:

- Jacqueline Cochran Regional Airport:
 - o 6 total birds strikes since 2002 (Appendix B)
 - o 110,595 flight operations during 2018 (Appendix C)
- Palm Springs International:
 - o 66 total bird strikes since 2002 (Appendix B)
 - o 51,830 flight operations during 2018 (Appendix C)

As noted in Dr. DeFusco's report dated March 2019, page 4, bird strike reporting rates are well below that of other airports of similar size and are likely indicative of relatively lower risk of occurrence compared to other locations. Dr. DeFusco briefly interviewed one of the lead instructor pilots at the Jet Training Center who indicated that bird strike risk is considered minimal by pilots operating from the airport. Additionally, as identified in Dr. DeFusco's report

dated March 2019 page 7, there is an existing approximately 20 acre lake that is adjacent to the site that has not maintained a bird mitigation plan.

Bird Mitigation/Depredation Methods:

Bird Mitigation and Goose Depredation programs will follow all licensing requirements of the U.S. Fish & Wildlife Services, the Migratory Bird Treaty Act, and the California Department of Fish and Game. The program will utilize multiple methods of non-lethal abatement such as:

- Specially trained and equipped personnel.
- Specially trained dogs.
- Remote controlled devices.
- Use of Parabolic Speakers/Sound Hailing devices for bird harassment.
- Removal of nests will be by permit and within the legal limits of such permit.
- No feeding policy strictly enforced within community.
- Dedicated staff members that are part of the Thermal Beach Club landscape maintenance staff and lagoon cleaning/maintenance staff will receive training in bird mitigation tactics from a qualified airport wildlife biologist in accordance with FAA guidance. Minimum of 5 lagoon cleaning/maintenance staff will clean crystal lagoon 8 hours per day, 7 days per week.
- Migratory Bird Treaty Act Federal Depredation Permits will be maintained at all times by Thermal Beach Club.

Implementation

The mitigation plan will be implemented in full by using every method of deterrent, both passive and active, as needed. Thermal Beach Club landscape maintenance staff and lagoon cleaning/maintenance staff will be trained in proper maintenance and monitoring of all passive measures and may be trained in active measures such as the use of sonic devices. Staff will receive training from a qualified airport wildlife biologist in accordance with FAA guidance. Staff to be trained in the use of sonic devices for bird mitigation may receive additional training from wildlife management professional(s). Trained staff will be responsible for bird mitigation at all times while on duty. In addition to Thermal Beach Club trained staff performing bird mitigation measures, Thermal Beach Club will maintain a contract with a wildlife management professional(s) that possess the skills and equipment to provide bird mitigation services as needed to supplement Thermal Beach Clubs efforts.

Passive Measures:

- Trained and Equipped Thermal Beach Club Personnel
 - Five (5) to eight (8) lagoon cleaning techs will be on site daily, equipped to implement Thermal Beach Club passive bird mitigation strategies.
 - Two (2) to eight (8) landscape maintenance personnel will be on site daily equipped to implement Thermal Beach Club passive bird mitigation strategies.
- Physical Design of surf lagoon
 - o Open structure without coves and peninsulas.
 - O Depth of the water ranging from 1 to 16 feet with 85% of the lagoon depth of 3 feet or more.
 - o Concrete lining around shoreline.
 - o Mix of liner and concrete in all bottom areas of lagoon.

- Southeast edge of lagoon is concrete curb like structure which is perpendicular to the surface of the water and extends 16 feet below the surface of the water.
- o 25-75 foot sand perimeter of lagoon will have no vegetation allowed and will be kept clean and free from organic material daily by lagoon cleaning/maintenance staff for health and safety of members and to deter birds by not allowing any areas for shelter, nesting or food.
- Water clarification system will treat water by removing all organic material that enters water as well as treating for bacteria, amoebas, and algae. No organic life will be able to live in the lagoon due to the clarification/treatment system.
- Water clarification system and condition of water are monitored 24 hours per day, 7 days per week by a remote telemetry system that treats the water 24/7 to ensure water is free from any organic material that might attract birds.
- Maintenance and cleaning of lagoon. Full time lagoon cleaning/maintenance staff of up to 8 will be cleaning the lagoon during daylight conditions all days of the week. This staffs presence and training in bird mitigation, will deter birds every day of the week during daylight hours.
- Activity of members using the lake for surfing, stand up paddle boarding, kayaking, swimming, etc. will deter birds from the lagoon. Use of the lagoon will be daily from surrise to sunset.
- Physical Design of Irrigation Reservoir
 - Treated to reduce and or eliminate weeds and all organic matter that attracts birds by landscape maintenance staff.
 - Floating fountains will be installed in reservoir to maintain water movement to prevent stagnation. Stagnation allows for growth of organic material.
 - Landscaping surrounding the lagoon will be maintained by landscape maintenance staff to discourage nesting.
 - o Perimeter will be impervious material with a minimum slope of 3:1
 - o Water depth will be 5' or greater.
 - o UV shade cloth covering the reservoir will be implemented.

Landscape Plan

- All landscape for the club common areas as well as the individual residences will be maintained by Thermal Beach Club landscaping maintenance staff ensure the proper planting and maintenance required to deter birds.
- The beach area immediately surrounding the lagoon will be kept free of plant material by landscape maintenance staff.
- All plant material will be chosen to eliminate nesting areas or attraction to nuisance birds. No plants producing seeds or fruit will be planted.
- All plants or trees will be planted in a manner to not allow birds the ability to transfer tree to tree without being exposed to predators, wind, elements, etc.
- All landscape will be maintained by landscape maintenance staff in accordance with standards such as the ALUC published brochure entitled "landscaping near airports", that prevent nesting and attraction of birds.
- Village Area/Restaurant/Bar/Food Management
 - No feeding of wildlife will be permitted. Signs will be present in key locations to remind members of no wildlife feeding policy. Food service staff will enforce no

feeding policy and continually keep entire food service area, including the floor, free of sitting food and debris that would be attractive to birds.

- o Special care in design will be used to minimize areas of attractiveness to birds.
- All trash will be maintained in trash containers that close after use and cannot be opened by birds or other wildlife.
- Daily janitorial duties by trained staff will ensure the site is free from food and trash that any member may have left behind.
- Food refuse will be kept in covered trash containers in a location that will be difficult
 to be accessed by birds. The food containment areas will be kept clean regularly
 throughout each day.

• Residential Area

- o Special care in design will be used to minimize areas of attractiveness to birds.
- Landscaping will be installed and maintained by Thermal Beach Club landscape maintenance staff in accordance with this plan and the ALUC published brochure entitled "landscaping near airports".
- o Problem areas will be addressed with measures that make it undesirable for birds to nest by landscape maintenance staff.

Trash

- All homes within the project will be required to have trash containers that are closed/covered at all times in a manner that birds or other wildlife would not be able to open them.
- o All trash containers, residential, commercial, and industrial will have lids that force them to remain closed at all times.
- Daily maintenance walks will be conducted by trained employees to recognize signs of bird occupancy in order to take action to harass the birds.
- O Daily janitorial duties by trained staff will ensure the site is free from food and trash that any member may have left behind.
- Signs will be located strategically to ensure that members do not feed birds or leave food out.

Documentation and Covenants

- Covenants, Conditions, and Restrictions will be used to enforce the provisions noted above.
- o Membership documents will be used to enforce the provisions noted above.

Active Measures:

- Trained and Equipped Personnel
 - o Five (5) to eight (8) lagoon cleaning techs will be on site daily, will be trained and equipped to implement Thermal Beach Club active bird mitigation strategies with respect to the use of sonic devices.
 - Two (2) to eight (8) landscape maintenance personnel will be on site daily will be trained and equipped to implement Thermal Beach Club active bird mitigation strategies with respect to the use of sonic devices.
 - At all times, a contract with wildlife management professional(s) will be maintained and used to supplement Thermal Beach Club mitigation strategies and to implement active measures related to the use of dogs, legal control, nest removal, and sonic devices.

Sonic Devices

O Active dispersal will be done via long range hailing devices which project high decibel sound within a central beam that allows for the birds to be targeted without being disruptive to members. These devices can be effective up to ½ mile which will allow them to be effective across the lagoon from any location. These devices will be used by hand and only during the presence of birds.

Trained Dogs

o Trained dogs will also be utilized to disperse/harass birds in concert with all other methods of dispersion/harassment.

Nest Removal

- If any nests become established on the property, the nests will be removed in compliance with federal and state laws.
- o Migratory Bird Treaty Act Depredation Permits will be obtained and maintained by Thermal Beach Club in the event that all other non-lethal methods fail.

Lethal Control

- o All non-lethal methods will be used to disperse birds before using lethal methods.
- o Migratory Bird Treaty Act Depredation Permits will be obtained and maintained by Thermal Beach Club in the event that all other non-lethal methods fail.

Responsibility, Frequency, and Coordination

• Responsibility

- o Thermal Beach Club will permanently employ staff that will be responsible for the oversight of the bird mitigation plan.
- There will be a minimum of 5 lagoon cleaning/maintenance staff that will be cleaning and maintaining the lagoon 7 days a week during daylight hours. These techs will be trained to implement the passive and active bird mitigation methods as identified in the *Implementation* section of this plan.
- A full time landscape maintenance crew will be employed who will also be trained as identified in the *Implementation* section, to implement the passive and active bird mitigation methods as identified in the *Implementation* section of this plan.

Frequency

Bird mitigation methods will be implemented and acted upon 7 days a week, as necessary, to insure the safety of the members and aircraft in flight; passive measures will be on going, while active measures will be implemented as necessary to support passive measures and to enhance safety.

Monitoring

Thermal Beach Club staff responsible for bird mitigation plan will monitor the success of the plan by the number of birds present each week. Any changes in numbers of birds will require the assessment of effectiveness of the measures being used. As changes occur, other methods identified in this plan or by the maintenance crew and airport, will be used. In the event that all non-lethal methods have been used, lethal methods will be used in accordance of all applicable laws.

Coordination

 Thermal Beach Club will coordinate with airport manager on a monthly basis to compare wildlife observations and work together to minimize risk to flight. Input from the maintenance crew and airport can prompt tweaks to the program as needed.

Experience

Whitestar Development/Whitestar Management has managed many communities throughout Coachella Valley representing thousands of homes and many artificial/man-made lakes for more than a decade. This bird mitigation and goose depredation program has been implemented and is currently in use throughout our portfolio. The success of the program has been achieved by the combination of landscape management, lake water quality management, and the use of the specific non-lethal abatement methods described above.

Professional Abatement Experience

Whitestar has contracted with Winged Solutions for the abatement of multiple species of birds, including geese for many years. Winged Solutions is a specialist in non-lethal bird and goose abatement and is licensed by the U.S. Fish and Wildlife Services and the California Department of Fish and Game. Winged Solutions utilizes dogs, sonic devices, nest removal, and remote controlled devices to remove birds and keep birds away at all times. Winged solutions also keeps and active Migratory Depredation Permit with the U.S. Fish and Wildlife Service and complies with all Federal and State reporting requirements of the permit. Thermal Beach Club will contract with Winged Solutions or other professional wildlife experts to supplement its efforts in implementing this bird mitigation plan.

Existing Resort clients of Winged Solutions:

- Renaissance Esmeralda
- Hyatt Grand Champions
- Indian Wells Golf Resort

Federal Law

Migratory birds are protected under four bilateral migratory bird treaties the United States entered into with Great Britain (for Canada in 1916 as amended in 1999), the United Mexican States (1936 as amended in 1972 and 1999), Japan (1972 as amended in 1974), and the Soviet Union (1978). Regulations allowing the take of migratory birds are authorized by the Migratory Bird Treaty Act (16 U.S.C. 703-711), and the Fish and Wildlife Improvement Act of 1978 (16 U.S.C. 712). The Migratory Bird Treaty Act (Act), which implements the above-mentioned treaties, provides that, subject to and to carry out the purposes of the treaties, the Secretary of the Interior is authorized and directed to determine when, to what extent, and by what means allowing hunting, killing, and other forms of taking of migratory birds, their nests, and eggs is compatible with the conventions.

On August 10, 2006, in the Federal Register (71 FR 45964), a final rule was published establishing regulations in 50 CFR parts 20 and 21 authorizing state wildlife agencies, private landowners, and airports to conduct (or allow) indirect and/or direct population control management activities, including the take of birds, on resident Canada Goose populations. It is the intention of the Thermal Beach Club bird mitigation program to use non-lethal methods of abatement for all species of birds that bring risks to the residents of Thermal Beach Club and to the surrounding properties including Jacqueline Cochran Regional Airport. In the event that non-lethal methods are not successful in removing an individual or group of birds, all federal permits will be obtained in order to lethally remove the individual or group of birds that has

otherwise not been removed through all other methods. All federal and state laws will be directly followed as it relates to the particular species of bird involved.

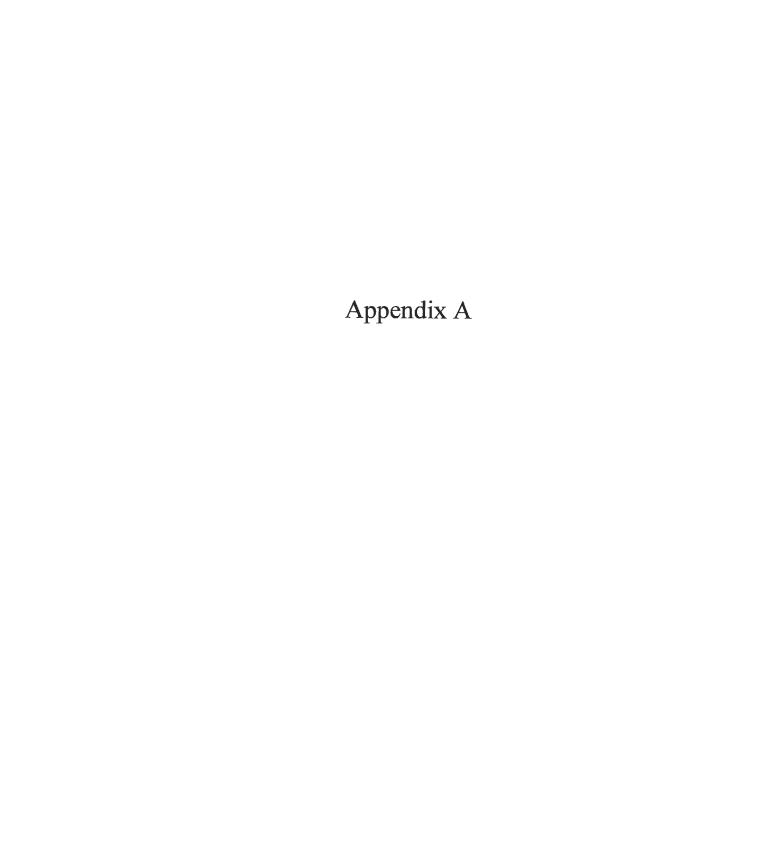
FAA Regulations

Thermal Beach Club will implement this bird mitigation plan and revise the plan when necessary in accordance with the guidance provided in the following FAA publications:

- CFR part 139.337 (Appendix C)
- FAA Advisory Circular 150/5200-33B (Appendix D)
- FAA Cert Alerts issued that may be applicable
- Reports prepared by the Airport Cooperative Research Program

Contingency Plan

In the very unlikely event that the Thermal Beach Club is not successful and the lagoon has been constructed and filled with water, Thermal Beach Club will cause the lagoon to be drained and maintained in a drained and dry state.



Appendix A: Wildlife Observations in the Area Surrounding the Thermal Beach Club Property and Coachella Valley During the March 2019 WHSV*

*Note: These observations were made during the two day visit to the area on March 20-21, 2019 and are therefore not comprehensive. The list only represents a fraction of the over 400 species documented in the Coachella Valley and only during this seasonal timeframe. Other references should be used to supplement this list and more fully represent the presence and abundance of birds in the vicinity.

Birds:

Anseriformes - Waterfowl

Anatidae

Snow Goose Chen caerulescens Canada Goose Branta canadensis Blue-winged Teal Anas discors **Cinnamon Teal** Anas cyanoptera **Green-winged Teal** Anas crecca Northern Shoveler Anas clypeata Gadwall Anas strepera American Wigeon Anas americana Mallard Anas platyrhynchos

Northern Pintail Anas acuta

Redhead
Lesser Scaup
Aythya americana
Aythya affinis
Bufflehead
Bucephala albeola
Red-breasted Merganser
Ruddy Duck
Aythya affinis
Bucephala albeola
Mergus serrator
Oxyura jamaicensis

Pelicaniformes - Pelicans, Cormorants, and Ibises

Pelicanidae

American White Pelican Pelecanus erythrorhynchos

Phalacrocoracidae

Double-crested Cormorant Phalacrocorax auritus

Threskionithidae

White-faced lbis Plegadis falcinellus

<u>Podicipediformes - Grebes</u>

Podicipedidae

Pied-billed Grebe
Horned Grebe
Podiceps auritus
Eared Grebe
Podiceps nigricollis

Western Grebe Aechmophorus occidentalis

Falconiformes - Vultures, Hawks, and Falcons

Cathartidae

Turkey Vulture Cathartes aura

Accipitridae

Northern Harrier Circus cyaneus
Cooper's Hawk Accipiter cooperii

Ferruginous Hawk Red-tailed Hawk

Falconidae

American Kestrel

Merlin

Peregrine Falcon

Buteo regalis Buteo jamaicensis

Falco sparverius Falco columbarius Falco peregrinus

Galliformes - Upland Game Birds

Odontophoridae

Gambel's Quail Callipepla gambelii

Ciconiiformes - Herons and Egrets

Ardeidae

Black Crowned Night Heron

Great Egret
Great Blue Heron
Snowy Egret
Cattle Egret

Nycticorax nycticorax

Ardea alba Ardea herodias Egretta thula Bubulcus ibis

Gruiformes - Cranes and Allies

Rallidae

American Coot Virginia Rail Fulica americana Rallus limicola

Charadriiformes - Shorebirds and Gulls

Recurvirostridae

Black-necked Stilt American Avocet

Charadriidae

Black Bellied Plover Snowy Plover Semipalmated Plover

Killdeer Scolopacidae

Spotted Sandpiper Lesser Yellowlegs

Willet

Marbled Godwit Western Sandpiper Least Sandpiper

Dunlin

Long-billed Dowitcher

Laridae

Bonaparte's Gull Herring Gull Ring-billed Gull California Gull Yellow-footed Gull Caspian Tern

Forster's Tern

Himanoptus mexicanus Recurvirostra americana

Pluvialis squatarola Charadrius nivosus Charadrius semipalmatus Charadrius vociferus

Actitis macularius Tringa flavipes

Catoptrophorus semipalmatus

Limosa fedoa Calidris mauri Calidris minutilla Calidris alpina

Limnodromus scolopaceus

Croicocephalus philadelphia

Larus argentatus Larus delawarensis Larus californicus Larus livens

Hydroprogne caspia

Sterna forsteri

<u>Cuculiformes - Cuckoos and Roadrunners</u>

Cuculidae

Greater Roadrunner Geococcyx californianus

Columbiformes - Pigeons and Doves

Columbidae

Rock Pigeon Columba livia

Eurasian Collared-Dove

Mourning Dove

White-winged Dove

Common Ground Dove

Streptopelia decaocto
Zenaida macroura
Zenaida asiatica
Columbina passerina

Strigiformes - Owls

Strigidae

Barn Owl Tyto alba

Great Horned Owl Bubo virginianus
Burrowing Owl Athene cunicularia

Caprimulgiformes - Nightiars

Caprimulgidae

Lesser Nighthawk Chordeiles acutipennis

Apodiformes - Swifts and Hummingbirds

Apodidae

White-throated Swift Aeronautes saxatalis

Trochilidae

Black-chinned Hummingbird Archilocus alexandri

Anna's Hummingbird Calypte anna Costa's Hummingbird Calypte costae

Coraciformes - Kingfishers

Alcedinidae

Belted Kingfisher Megaceryle alcyon

Piciformes - Woodpeckers

Picidae

Ladder-backed Woodpecker Dryobates scalaris

Passeriformes - Perching Birds

Tyrannidae

Western Kingbird

Black Phoebe

Sayornis nigricans
Say's Phoebe

Sayornis saya

Ptiliogonatidae

Phainopepla nitens

Hirundinidae

Barn Swallow Hirundo rustica
Tree Swallow Tachycineta bicolor

Northern Rough-winged Swallow Stelgidopteryx serripennis
Cliff Swallow Petrochelidon pyrrhonota

Corvidae

Common Raven American Crow

Alaudidae

Horned Lark

Motacillidae

American Pipit

Turdidae

Western Bluebird American Robin

Sturnidae

European Starling

Mimidae

Northern Mockingbird

Laniidae

Loggerhead Shrike

Remizidae Verdin Troglodytidae House Wren

Marsh Wren Bewick's Wren

Polioptilidae

Black-tailed Gnatcatcher

Parulidae

Orange Crowned Warbler Common Yellowthroat Yellow-rumped Warbler

Passerellidae

Abert's Towhee Savannah Sparrow White-crowned Sparrow Song Sparrow

Passeridae

House Sparrow

Icteridae

Western Meadowlark Red-winged Blackbird Brewer's Blackbird Brown-headed Cowbird Great-tailed Grackle

Fringillidae

Lesser Goldfinch

House Finch

Corvus corax

Corvus brachyrhynchos

Eremophila alpestris

Anthus rubescens

Sialia mexicana Turdus migratorius

Sturnus vulgaris

Mimus polyglottos

Lanius Iudovicianus

Auriparus flaviceps

Troglodytes aedon Cistothorus palustris Thryomanes bewickii

Polioptila melanura

Vermivora celata Geothlypis trichas Setophaga coronata

Melozone aberti

Passercullus sandwichensis Zonotrichia leucophrys Melospiza melodia

Passer domesticus

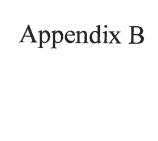
Sturnella neglecta Agelaius phoeniceus Euphagus cyanocephalus Molothrus ater

moloulius atei

Quiscalus mexicanus

Spinus psaltria

Haemorhous mexicanus



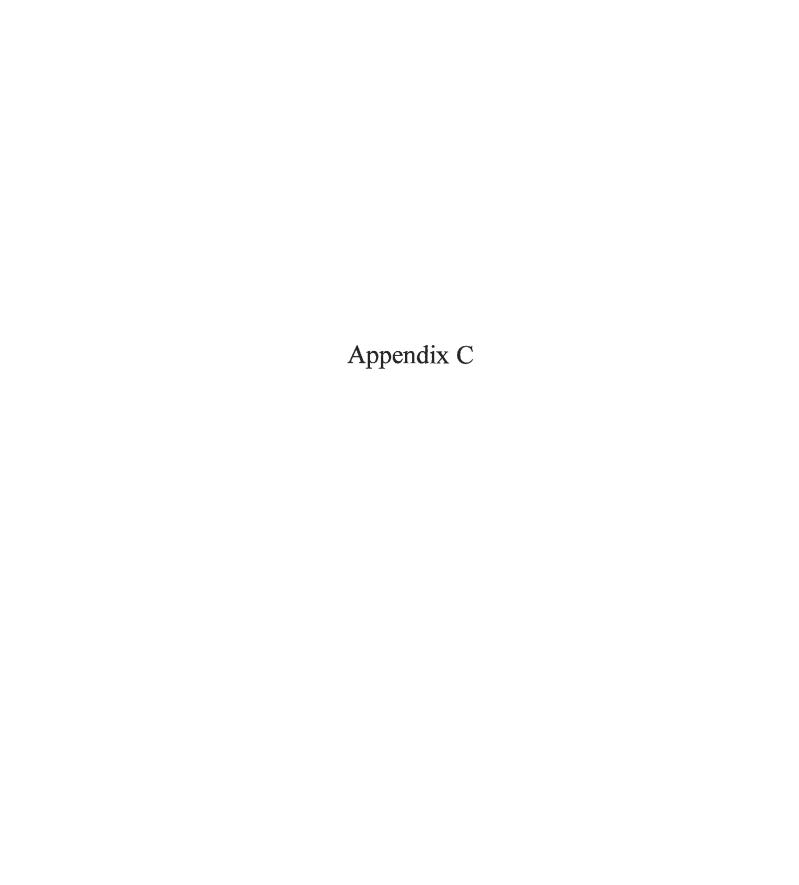
	А	В	С	D
1	INCIDENT_D/		ATYPE	SPECIES
2		JACQUELINE COCHRAN REGIONAL ARPT	PA-28	Unknown bird - small
3	4/20/2018	JACQUELINE COCHRAN REGIONAL ARPT	CITATIONJET	Coyote
4	3/31/2017	JACQUELINE COCHRAN REGIONAL ARPT	C-550	Unknown bird - large
5	10/17/2013	JACQUELINE COCHRAN REGIONAL ARPT	C-340	Geese
6	3/27/2006	JACQUELINE COCHRAN REGIONAL ARPT	MU-300	California gull
7	2/22/2004	JACQUELINE COCHRAN REGIONAL ARPT	GULFAERO IV	Canada goose
8	4/16/2002	JACQUELINE COCHRAN REGIONAL ARPT	HAWKER 800	Unknown bird - medium

Aircraft Operations per Airnav.com -- 303/day - 110,595/yr

	А	В	С	D
1	INCIDENT_DATE	AIRPORT	ATYPE	SPECIES
2	2/16/2019	PALM SPRINGS INTL	BE-300 KING	Unknown bird
3	11/21/2018	PALM SPRINGS INTL	B-737-900	Unknown bird
4	9/28/2018	PALM SPRINGS INTL	CRJ100/200	Unknown bird
5	9/19/2018	PALM SPRINGS INTL	A-321	Pacific-slope flycatcher
6	7/20/2018	PALM SPRINGS INTL	B-737-800	Barn owl
7	6/18/2018	PALM SPRINGS INTL	CRJ900	Hawks
8	5/1/2018	PALM SPRINGS INTL	B-737-800	Unknown bird
9	2/18/2018	PALM SPRINGS INTL	CRJ100/200	Unknown bird - small
10	10/28/2017	PALM SPRINGS INTL	B-737-800	Unknown bird
11	10/13/2017	PALM SPRINGS INTL	CRJ700	Unknown bird
12	10/5/2017	PALM SPRINGS INTL	UNKNOWN	American kestrel
13	9/6/2017	PALM SPRINGS INTL	A-320	Unknown bird
14	9/5/2017	PALM SPRINGS INTL	CRJ100/200	American kestrel
15	7/20/2017	PALM SPRINGS INTL	CRJ700	Unknown bird
16	3/9/2017	PALM SPRINGS INTL	GULFAERO IV	Unknown bird - small
17	12/30/2016	PALM SPRINGS INTL	B-737-800	Unknown bird
18	6/11/2016	PALM SPRINGS INTL	B-737-900	Unknown bird
19	4/27/2016	PALM SPRINGS INTL	B-737-700	Unknown bird
20	4/25/2015	PALM SPRINGS INTL	B-737-400	Unknown bird - small
21	1/25/2015	PALM SPRINGS INTL	CRJ100/200	Mourning dove
22	11/30/2014	PALM SPRINGS INTL	B-737-800	Unknown bird
23	11/18/2014	PALM SPRINGS INTL	CIRRUS SR 20/22	Prairie falcon
24	10/16/2014	PALM SPRINGS INTL	A-320	Unknown bird - small
25	7/2/2014	PALM SPRINGS INTL	C-310	Gulls
26	4/2/2014	PALM SPRINGS INTL	PA-34 SENECA	Unknown bird
27	3/26/2014	PALM SPRINGS INTL	CITATIONJET	Unknown bird
28		PALM SPRINGS INTL	B-737-800	Unknown bird
29		PALM SPRINGS INTL	CRJ100/200	Unknown bird
30	2/17/2013	PALM SPRINGS INTL	MD-83	Unknown bird - small
31	1/30/2013	PALM SPRINGS INTL	A-320	Burrowing owl
32		PALM SPRINGS INTL	MD-83	Unknown bird
33		PALM SPRINGS INTL	MD-82	Unknown bird
34		PALM SPRINGS INTL	CL-601/604	Unknown bird
35		PALM SPRINGS INTL	CRJ100/200	Coyote
36		PALM SPRINGS INTL	MD-83	Unknown bird - small
37		PALM SPRINGS INTL	DHC8 DASH 8	Coyote
38		PALM SPRINGS INTL	C-560	Unknown bird
39		PALM SPRINGS INTL	CRJ100/200	Unknown bird
40		PALM SPRINGS INTL	EMB-120	Microbats
41		PALM SPRINGS INTL	MD-82	Unknown bird
42		PALM SPRINGS INTL	MD-82	Mourning dove
43		PALM SPRINGS INTL	UNKNOWN	Tyrant (New World) flycatchers
44	1	PALM SPRINGS INTL	CRJ100/200	Unknown bird - medium
45		PALM SPRINGS INTL	EMB-120	Unknown bird - small
46		PALM SPRINGS INTL	CANADAIR	American kestrel
47	3/21/2009 F	PALM SPRINGS INTL	B-737-700	Unknown bird - small

	Α	В	С	D
48	2/10/2009	PALM SPRINGS INTL	B-737-400	Unknown bird - small
49	12/9/2008	PALM SPRINGS INTL	EMB-120	Unknown bird - medium
50	8/2/2008	PALM SPRINGS INTL	MD-83	Unknown bird - medium
51	9/26/2007	PALM SPRINGS INTL	CRJ100/200	Unknown bird - small
52		PALM SPRINGS INTL	CRJ100/200	Unknown bird - medium
53	3/23/2007	PALM SPRINGS INTL	C-560	Unknown bird - medium
54	7/12/2006	PALM SPRINGS INTL	CRJ100/200	Unknown bird - medium
55	5/7/2006	PALM SPRINGS INTL	CRJ900	Unknown bird - medium
56	3/14/2006	PALM SPRINGS INTL	MD-82	Unknown bird - small
57	2/20/2006	PALM SPRINGS INTL	CRJ900	Unknown bird - medium
58	10/22/2005	PALM SPRINGS INTL	EMB-120	Prairie falcon
59	10/11/2005	PALM SPRINGS INTL	UNKNOWN	American kestrel
60	2/12/2005	PALM SPRINGS INTL	UNKNOWN	California gull
61	7/1/2004	PALM SPRINGS INTL	UNKNOWN	American kestrel
62	11/18/2003	PALM SPRINGS INTL	UNKNOWN	Mourning dove
63	11/12/2003	PALM SPRINGS INTL	UNKNOWN	Western grebe
64	5/19/2002	PALM SPRINGS INTL	MD-82	Unknown bird - small
65	3/9/2002	PALM SPRINGS INTL	SAAB-340	Rabbits

Aircraft Operations per Airnav.com -- 142/day - 51,830/yr



Dimensions: 4995 x 100 ft. / 1522 x 30 m

Surface: asphalt, in good condition

Weight bearing capacity: Single wheel: 20.0 Runway edge lights: medium intensity

> **RUNWAY 12 RUNWAY 30** Latitude: 33-37.810327N 33-37.227757N Longitude: 116-10.258390W 116-09.562407W

Elevation: -115.5 ft. -130.7 ft. Traffic pattern: left left

Runway heading: 122 magnetic, 135 true 302 magnetic, 315 true Markings: basic, in good nonprecision, in good

condition condition

Visual slope indicator: 2-light PAPI on left 2-light PAPI on left

(3.00 degrees glide (3.00 degrees glide

path) path)

Runway end identifier lights: no no

Touchdown point: yes, no lights yes, no lights

Airport Ownership and Management from official FAA records

Ownership: Publicly-owned

Owner: COUNTY OF RIVERSIDE

3403 10TH STREET, SUITE 400

RIVERSIDE, CA 92501 Phone 951-955-8916

Manager: LILIANA VALLE

3403 10TH STREET, SUITE 400

RIVERSIDE, CA 92501 Phone (951) 955-9418

Airport Operational Statistics

Aircraft based on the field: 20 Aircraft operations: avg 303/day * Single engine airplanes: 10 62% transient general aviation Multi engine airplanes: 3 36% local general aviation

> Jet airplanes: 1 1% military Helicopters: 1 <1% air taxi

Ultralights: 5 * for 12-month period ending 31 December 2018

Additional Remarks

- SOFT GND OFF RWY PAVEMENT.

Instrument Procedures

NOTE: All procedures below are presented as PDF files. If you need a reader for these files, you should download the free Adobe Reader.

NOT FOR NAVIGATION. Please procure official charts for flight,

FAA instrument procedures published for use from 23 May 2019 at 0901Z to 20 June 2019 at 0900Z.

STARs - Standard Terminal Arrivals

https://www.airnav.com/airport/KTRM

3/7

SKC FM200400 33010KT P6SM SKC FM200900 VRB05KT P6SM SKC

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will open in a separate window not controlled

NOTAMs

by AirNav.

6/19/2019

Manager: THOMAS P NOLAN, AAE

3400 E. TAHQUITZ-CANYON WAY, SUITE OFC

PALM SPRINGS, CA 92262

Phone 760-318-3800

STEVE BOWSER, DEPUTY DIRECTOR (760) 318-3845,

STEVE.BOWSER@PALMSPRINGS-CA.GOV

Airport Operational Statistics

Aircraft based on the field: 92 Aircraft operations: avg 142/day *

Single engine airplanes: 62 37% commercial

Multi engine airplanes: 9 34% transient general aviation

Jet airplanes: 14 20% air taxi

Helicopters: 5 6% local general aviation

Ultralights: 2 3% military

* for 12-month period ending 31 December 2017

Additional Remarks

A58- RISING TERRAIN N OF APCH END OF RY 13R.

13R

A57- APCH RATIO 50:1 TO DSPLCD THR.

31L

A57- APCH RATIO 50:1 TO DSPLCD THR.

13R

- ACCESS TO/FROM FBO RAMP VIA TWY G LMTD TO ACFT WITH WINGSPAN OF LESS THAN 40 FT.
- LENGTHY ENG IDLING AND RUN-UPS ON RAMP AREA PROHIBITED. CTC ARPT OPS 760-318-3820 FOR NOISE MEDIATION PROCEDURES.
- RWY 13L/31R LGTD DIST RMNG MKRS ON E SIDE ONLY, RWY 13R/31L LGTD DIST RMNG MKRS ON W SIDE ONLY.
- DO NOT MISTAKE CENTER TWY (TWY C) AS RWY 13R/31L.
- NOISE SENSITIVE AREA ALL QUADRANTS; EXERCISE QUIET FLT PROCEDURES. FOR FURTHER INFO CTC DUTY SUPERVISOR (760) 318-3820.
- RY 13R DESIGNATED CALM WIND RY.
- NO FORMATION LDGS OR TAKEOFFS OR OVERHEAD MANEUVERS

Instrument Procedures

NOTE: All procedures below are presented as PDF files. If you need a reader for these files, you should <u>download</u> the free Adobe Reader.

NOT FOR NAVIGATION. Please procure official charts for flight.

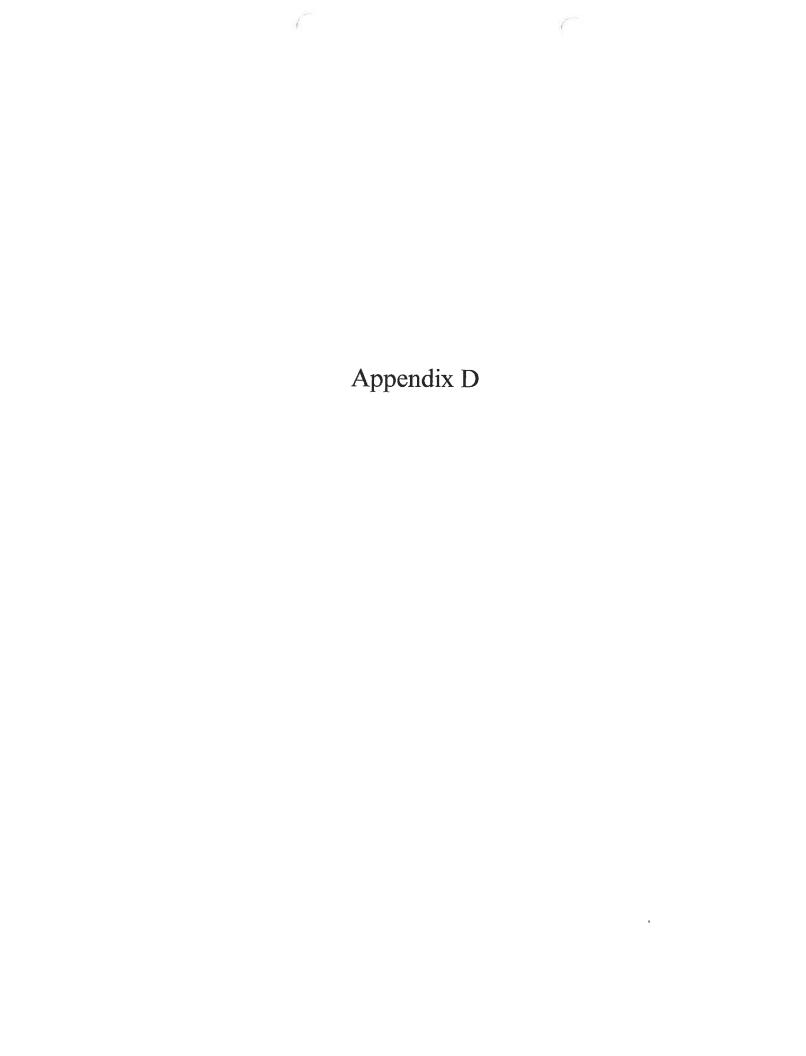
FAA instrument procedures published for use from 23 May 2019 at 0901Z to 20 June 2019 at 0900Z.

STARs - Standard Terminal Arrivals

CLOWD ONE	<u>download</u> (249KB)
SBONO ONE	download (260KB)
SIZLR THREE (RNAV)	download (212KB)

IAPs - Instrument Approach Procedures

RNAV (RNP) Y RWY 31L	download (351KB)
RNAV (RNP) Z RWY 13R	download (339KB)
VOR OR GPS-B	download (297KB)
NOTE: Special Alternate Minimums apply	download (18KB)





Advisory Circular

Federal Aviation Administration

Subject: HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR

AIRPORTS

Date: 8/28/2007 **AC No:** 150/5200-33B

Initiated by: AAS-300 Change:

- 1. PURPOSE. This Advisory Circular (AC) provides guidance on certain land uses that have the potential to attract hazardous wildlife on or near public-use airports. It also discusses airport development projects (including airport construction, expansion, and renovation) affecting aircraft movement near hazardous wildlife attractants. Appendix 1 provides definitions of terms used in this AC.
- 2. APPLICABILITY. The Federal Aviation Administration (FAA) recommends that public-use airport operators implement the standards and practices contained in this AC. The holders of Airport Operating Certificates issued under Title 14, Code of Federal Regulations (CFR), Part 139, Certification of Airports, Subpart D (Part 139), may use the standards, practices, and recommendations contained in this AC to comply with the wildlife hazard management requirements of Part 139. Airports that have received Federal grant-in-aid assistance must use these standards. The FAA also recommends the guidance in this AC for land-use planners, operators of non-certificated airports, and developers of projects, facilities, and activities on or near airports.
- 3. CANCELLATION. This AC cancels AC 150/5200-33A, Hazardous Wildlife Attractants on or near Airports, dated July 27, 2004.
- **4. PRINCIPAL CHANGES.** This AC contains the following major changes, which are marked with vertical bars in the margin:
 - a. Technical changes to paragraph references.
 - b. Wording on storm water detention ponds.
 - c. Deleted paragraph 4-3.b, Additional Coordination.
- 5. BACKGROUND. Information about the risks posed to aircraft by certain wildlife species has increased a great deal in recent years. Improved reporting, studies, documentation, and statistics clearly show that aircraft collisions with birds and other wildlife are a serious economic and public safety problem. While many species of wildlife can pose a threat to aircraft safety, they are not equally hazardous. Table 1

ranks the wildlife groups commonly involved in damaging strikes in the United States according to their relative hazard to aircraft. The ranking is based on the 47,212 records in the FAA National Wildlife Strike Database for the years 1990 through 2003. These hazard rankings, in conjunction with site-specific Wildlife Hazards Assessments (WHA), will help airport operators determine the relative abundance and use patterns of wildlife species and help focus hazardous wildlife management efforts on those species most likely to cause problems at an airport.

Most public-use airports have large tracts of open, undeveloped land that provide added margins of safety and noise mitigation. These areas can also present potential hazards to aviation if they encourage wildlife to enter an airport's approach or departure airspace or air operations area (AOA). Constructed or natural areas—such as poorly drained locations, detention/retention ponds, roosting habitats on buildings, landscaping, odorcausing rotting organic matter (putrescible waste) disposal operations, wastewater treatment plants, agricultural or aquaculture activities, surface mining, or wetlands—can provide wildlife with ideal locations for feeding, loafing, reproduction, and escape. Even small facilities, such as fast food restaurants, taxicab staging areas, rental car facilities, aircraft viewing areas, and public parks, can produce substantial attractions for hazardous wildlife.

During the past century, wildlife-aircraft strikes have resulted in the loss of hundreds of lives worldwide, as well as billions of dollars in aircraft damage. Hazardous wildlife attractants on and near airports can jeopardize future airport expansion, making proper community land-use planning essential. This AC provides airport operators and those parties with whom they cooperate with the guidance they need to assess and address potentially hazardous wildlife attractants when locating new facilities and implementing certain land-use practices on or near public-use airports.

6. MEMORANDUM OF AGREEMENT BETWEEN FEDERAL RESOURCE AGENCIES. The FAA, the U.S. Air Force, the U.S. Army Corps of Engineers, the U.S. Environmental Protection Agency, the U.S. Fish and Wildlife Service, and the U.S. Department of Agriculture - Wildlife Services signed a Memorandum of Agreement (MOA) in July 2003 to acknowledge their respective missions in protecting aviation from wildlife hazards. Through the MOA, the agencies established procedures necessary to coordinate their missions to address more effectively existing and future environmental conditions contributing to collisions between wildlife and aircraft (wildlife strikes) throughout the United States. These efforts are intended to minimize wildlife risks to aviation and human safety while protecting the Nation's valuable environmental resources.

DAVID L. BENNETT

Director, Office of Airport Safety

and Standards

Table 1. Ranking of 25 species groups as to relative hazard to aircraft (1=most hazardous) based on three criteria (damage, major damage, and effect-on-flight), a composite ranking based on all three rankings, and a relative hazard score. Data were derived from the FAA National Wildlife Strike Database, January 1990-April 2003.

Species group	Major Damage⁴ damage⁵		Effect on flight ⁶	Composite ranking ²	Relative hazard score ³	
Deer	1	1	1	1	100	
Vultures	2	2	2	2	64	
Geese	3	3	6	3	55	
Cormorants/pelicans	4	5	3	4	54	
Cranes	7	6	4	5	47	
Eagles	6	9	7	6	41	
Ducks	5	8	10	7	39	
Osprey	8	4	8	8	39	
Turkey/pheasants	9	7	11	9	33	
Herons	11	14	9	10	27	
Hawks (buteos)	10	12	12	11	25	
Gulls	12	11	13	12	24	
Rock pigeon	13	10	14	13	23	
Owls	14	13	20	14	23	
H. lark/s. bunting	18	15	15	15	17	
Crows/ravens	15	16	16	16	16	
Coyote	16	19	5	17	14	
Mourning dove	17	17	17	18	14	
Shorebirds	19	21	18	19	10	
Blackbirds/starling	20	22	19	20	10	
American kestrel	21	18	21	21	9	
Meadowlarks	22	20	22	22	7	
Swallows	24	23	24	23	4	
Sparrows	25	24	23	24	4	
Nighthawks	23	25	25	25	1	

¹ Excerpted from the Special Report for the FAA, "Ranking the Hazard Level of Wildlife Species to Civil Aviation in the USA: Update #1, July 2, 2003". Refer to this report for additional explanations of criteria and method of ranking.

² Relative rank of each species group was compared with every other group for the three variables,

placing the species group with the greatest hazard rank for ≥ 2 of the 3 variables above the next highest ranked group, then proceeding down the list.

³ Percentage values, from Tables 3 and 4 in Footnote 1 of the *Special Report*, for the three criteria were summed and scaled down from 100, with 100 as the score for the species group with the maximum summed values and the greatest potential hazard to aircraft.

⁴ Aircraft incurred at least some damage (destroyed, substantial, minor, or unknown) from strike.
⁵ Aircraft incurred damage or structural failure, which adversely affected the structure strength, performance, or flight characteristics, and which would normally require major repair or replacement of the affected component, or the damage sustained makes it inadvisable to restore aircraft to airworthy condition.

Aborted takeoff, engine shutdown, precautionary landing, or other.

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SECTION 1.

GENERAL SEPARATION CRITERIA FOR HAZARDOUS WILDLIFE ATTRACTANTS ON OR NEAR AIRPORTS.

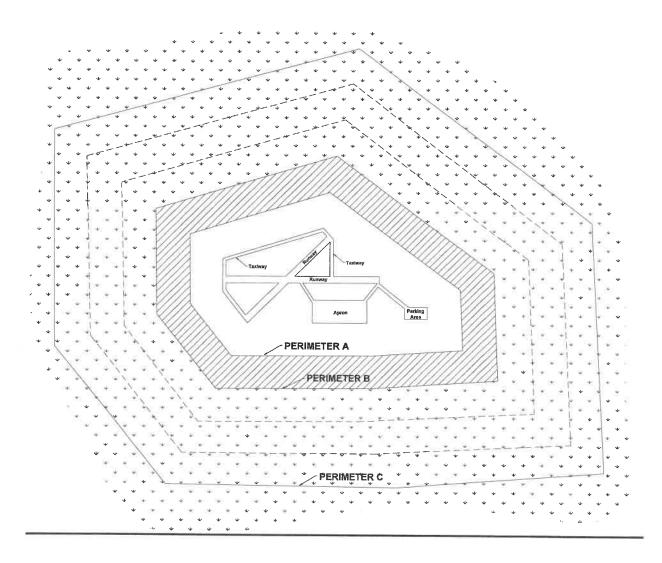
1-1. INTRODUCTION. When considering proposed land uses, airport operators, local planners, and developers must take into account whether the proposed land uses, including new development projects, will increase wildlife hazards. Land-use practices that attract or sustain hazardous wildlife populations on or near airports can significantly increase the potential for wildlife strikes.

The FAA recommends the minimum separation criteria outlined below for land-use practices that attract hazardous wildlife to the vicinity of airports. Please note that FAA criteria include land uses that cause movement of hazardous wildlife onto, into, or across the airport's approach or departure airspace or air operations area (AOA). (See the discussion of the synergistic effects of surrounding land uses in Section 2-8 of this AC.)

The basis for the separation criteria contained in this section can be found in existing FAA regulations. The separation distances are based on (1) flight patterns of piston-powered aircraft and turbine-powered aircraft, (2) the altitude at which most strikes happen (78 percent occur under 1,000 feet and 90 percent occur under 3,000 feet above ground level), and (3) National Transportation Safety Board (NTSB) recommendations.

- 1-2. AIRPORTS SERVING PISTON-POWERED AIRCRAFT. Airports that do not sell Jet-A fuel normally serve piston-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 5,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. Figure 1 depicts this separation distance measured from the nearest aircraft operations areas.
- 1-3. AIRPORTS SERVING TURBINE-POWERED AIRCRAFT. Airports selling Jet-A fuel normally serve turbine-powered aircraft. Notwithstanding more stringent requirements for specific land uses, the FAA recommends a separation distance of 10,000 feet at these airports for any of the hazardous wildlife attractants mentioned in Section 2 or for new airport development projects meant to accommodate aircraft movement. This distance is to be maintained between an airport's AOA and the hazardous wildlife attractant. Figure 1 depicts this separation distance from the nearest aircraft movement areas.
- 1-4. PROTECTION OF APPROACH, DEPARTURE, AND CIRCLING AIRSPACE. For all airports, the FAA recommends a distance of 5 statute miles between the farthest edge of the airport's AOA and the hazardous wildlife attractant if the attractant could cause hazardous wildlife movement into or across the approach or departure airspace.

Figure 1. Separation distances within which hazardous wildlife attractants should be avoided, eliminated, or mitigated.



PERIMETER A: For airports serving piston-powered aircraft, hazardous wildlife attractants must be 5,000 feet from the nearest air operations area.

PERIMETER B: For airports serving turbine-powered aircraft, hazardous wildlife attractants must be 10,000 feet from the nearest air operations area.

PERIMETER C: 5-mile range to protect approach, departure and circling airspace.

SECTION 2.

LAND-USE PRACTICES ON OR NEAR AIRPORTS THAT POTENTIALLY ATTRACT HAZARDOUS WILDLIFE.

- **2-2. WASTE DISPOSAL OPERATIONS.** Municipal solid waste landfills (MSWLF) are known to attract large numbers of hazardous wildlife, particularly birds. Because of this, these operations, when located within the separations identified in the siting criteria in Sections 1-2 through 1-4, are considered incompatible with safe airport operations.
- a. Siting for new municipal solid waste landfills subject to AIR 21. Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) (AIR 21) prohibits the construction or establishment of a new MSWLF within 6 statute miles of certain public-use airports. Before these prohibitions apply, both the airport and the landfill must meet the very specific conditions described below. These restrictions do not apply to airports or landfills located within the state of Alaska.

The airport must (1) have received a Federal grant(s) under 49 U.S.C. § 47101, et. seq.; (2) be under control of a public agency; (3) serve some scheduled air carrier operations conducted in aircraft with less than 60 seats; and (4) have total annual enplanements consisting of at least 51 percent of scheduled air carrier enplanements conducted in aircraft with less than 60 passenger seats.

The proposed MSWLF must (1) be within 6 miles of the airport, as measured from airport property line to MSWLF property line, and (2) have started construction or establishment on or after April 5, 2001. Public Law 106-181 only limits the construction or establishment of some new MSWLF. It does not limit the expansion, either vertical or horizontal, of existing landfills.

NOTE: Consult the most recent version of AC 150/5200-34, Construction or Establishment of Landfills Near Public Airports, for a more detailed discussion of these restrictions.

b. Siting for new MSWLF not subject to AIR 21. If an airport and MSWLF do not meet the restrictions of Public Law 106-181, the FAA recommends against locating MSWLF within the separation distances identified in Sections 1-2 through 1-4. The separation distances should be measured from the closest point of the airport's AOA to the closest planned MSWLF cell.

- c. Considerations for existing waste disposal facilities within the limits of separation criteria. The FAA recommends against airport development projects that would increase the number of aircraft operations or accommodate larger or faster aircraft near MSWLF operations located within the separations identified in Sections 1-2 through 1-4. In addition, in accordance with 40 CFR 258.10, owners or operators of existing MSWLF units that are located within the separations listed in Sections 1-2 through 1-4 must demonstrate that the unit is designed and operated so it does not pose a bird hazard to aircraft. (See Section 4-2(b) of this AC for a discussion of this demonstration requirement.)
- d. Enclosed trash transfer stations. Enclosed waste-handling facilities that receive garbage behind closed doors; process it via compaction, incineration, or similar manner; and remove all residue by enclosed vehicles generally are compatible with safe airport operations, provided they are not located on airport property or within the Runway Protection Zone (RPZ). These facilities should not handle or store putrescible waste outside or in a partially enclosed structure accessible to hazardous wildlife. Trash transfer facilities that are open on one or more sides; that store uncovered quantities of municipal solid waste outside, even if only for a short time; that use semi-trailers that leak or have trash clinging to the outside; or that do not control odors by ventilation and filtration systems (odor masking is not acceptable) do not meet the FAA's definition of fully enclosed trash transfer stations. The FAA considers these facilities incompatible with safe airport operations if they are located closer than the separation distances specified in Sections 1-2 through 1-4.
- e. Composting operations on or near airport property. Composting operations that accept only yard waste (e.g., leaves, lawn clippings, or branches) generally do not attract hazardous wildlife. Sewage sludge, woodchips, and similar material are not municipal solid wastes and may be used as compost bulking agents. The compost, however, must never include food or other municipal solid waste. Composting operations should not be located on airport property. Off-airport property composting operations should be located no closer than the greater of the following distances: 1,200 feet from any AOA or the distance called for by airport design requirements (see AC 150/5300-13, Airport Design). This spacing should prevent material, personnel, or equipment from penetrating any Object Free Area (OFA), Obstacle Free Zone (OFZ), Threshold Siting Surface (TSS), or Clearway. Airport operators should monitor composting operations located in proximity to the airport to ensure that steam or thermal rise does not adversely affect air traffic. On-airport disposal of compost by-products should not be conducted for the reasons stated in 2-3f.

f. Underwater waste discharges. The FAA recommends against the underwater discharge of any food waste (e.g., fish processing offal) within the separations identified in Sections 1-2 through 1-4 because it could attract scavenging hazardous wildlife.

- g. Recycling centers. Recycling centers that accept previously sorted non-food items, such as glass, newspaper, cardboard, or aluminum, are, in most cases, not attractive to hazardous wildlife and are acceptable.
- h. Construction and demolition (C&D) debris facilities. C&D landfills do not generally attract hazardous wildlife and are acceptable if maintained in an orderly manner, admit no putrescible waste, and are not co-located with other waste disposal operations. However, C&D landfills have similar visual and operational characteristics to putrescible waste disposal sites. When co-located with putrescible waste disposal operations, C&D landfills are more likely to attract hazardous wildlife because of the similarities between these disposal facilities. Therefore, a C&D landfill co-located with another waste disposal operation should be located outside of the separations identified in Sections 1-2 through 1-4.
- i. Fly ash disposal. The incinerated residue from resource recovery power/heat-generating facilities that are fired by municipal solid waste, coal, or wood is generally not a wildlife attractant because it no longer contains putrescible matter. Landfills accepting only fly ash are generally not considered to be wildlife attractants and are acceptable as long as they are maintained in an orderly manner, admit no putrescible waste of any kind, and are not co-located with other disposal operations that attract hazardous wildlife.

Since varying degrees of waste consumption are associated with general incineration (not resource recovery power/heat-generating facilities), the FAA considers the ash from general incinerators a regular waste disposal by-product and, therefore, a hazardous wildlife attractant if disposed of within the separation criteria outlined in Sections 1-2 through 1-4.

- 2-3. WATER MANAGEMENT FACILITIES. Drinking water intake and treatment facilities, storm water and wastewater treatment facilities, associated retention and settling ponds, ponds built for recreational use, and ponds that result from mining activities often attract large numbers of potentially hazardous wildlife. To prevent wildlife hazards, land-use developers and airport operators may need to develop management plans, in compliance with local and state regulations, to support the operation of storm water management facilities on or near all public-use airports to ensure a safe airport environment.
- a. Existing storm water management facilities. On-airport storm water management facilities allow the quick removal of surface water, including discharges related to aircraft deicing, from impervious surfaces, such as pavement and terminal/hangar building roofs. Existing on-airport detention ponds collect storm water, protect water quality, and control runoff. Because they slowly release water

after storms, they create standing bodies of water that can attract hazardous wildlife. Where the airport has developed a Wildlife Hazard Management Plan (WHMP) in accordance with Part 139, the FAA requires immediate correction of any wildlife hazards arising from existing storm water facilities located on or near airports, using appropriate wildlife hazard mitigation techniques. Airport operators should develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.

Where possible, airport operators should modify storm water detention ponds to allow a maximum 48-hour detention period for the design storm. The FAA recommends that airport operators avoid or remove retention ponds and detention ponds featuring dead storage to eliminate standing water. Detention basins should remain totally dry between rainfalls. Where constant flow of water is anticipated through the basin, or where any portion of the basin bottom may remain wet, the detention facility should include a concrete or paved pad and/or ditch/swale in the bottom to prevent vegetation that may provide nesting habitat.

When it is not possible to drain a large detention pond completely, airport operators may use physical barriers, such as bird balls, wires grids, pillows, or netting, to deter birds and other hazardous wildlife. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office.

The FAA recommends that airport operators encourage off-airport storm water treatment facility operators to incorporate appropriate wildlife hazard mitigation techniques into storm water treatment facility operating practices when their facility is located within the separation criteria specified in Sections 1-2 through 1-4.

b. New storm water management facilities. The FAA strongly recommends that offairport storm water management systems located within the separations identified in Sections 1-2 through 1-4 be designed and operated so as not to create aboveground standing water. Stormwater detention ponds should be designed, engineered, constructed, and maintained for a maximum 48-hour detention period after the design storm and remain completely dry between storms. To facilitate the control of hazardous wildlife, the FAA recommends the use of steep-sided, rip-rap lined, narrow, linearly shaped water detention basins. When it is not possible to place these ponds away from an airport's AOA, airport operators should use physical barriers, such as bird balls, wires grids, pillows, or netting, to prevent access of hazardous wildlife to open water and minimize aircraft-wildlife interactions. When physical barriers are used, airport operators must evaluate their use and ensure they will not adversely affect water rescue. Before installing any physical barriers over detention ponds on Part 139 airports, airport operators must get approval from the appropriate FAA Regional Airports Division Office. All vegetation in or around detention basins that provide food or cover for hazardous wildlife should be eliminated. If soil conditions and other requirements allow, the FAA encourages

the use of underground storm water infiltration systems, such as French drains or buried rock fields, because they are less attractive to wildlife.

- c. Existing wastewater treatment facilities. The FAA strongly recommends that airport operators immediately correct any wildlife hazards arising from existing wastewater treatment facilities located on or near the airport. Where required, a WHMP developed in accordance with Part 139 will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should encourage wastewater treatment facility operators to incorporate measures, developed in consultation with a wildlife damage management biologist, to minimize hazardous wildlife attractants. Airport operators should also encourage those wastewater treatment facility operators to incorporate these mitigation techniques into their standard operating practices. In addition, airport operators should consider the existence of wastewater treatment facilities when evaluating proposed sites for new airport development projects and avoid such sites when practicable.
- d. New wastewater treatment facilities. The FAA strongly recommends against the construction of new wastewater treatment facilities or associated settling ponds within the separations identified in Sections 1-2 through 1-4. Appendix 1 defines wastewater treatment facility as "any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes." The definition includes any pretreatment involving the reduction of the amount of pollutants or the elimination of pollutants prior to introducing such pollutants into a publicly owned treatment works (wastewater treatment facility). During the site-location analysis for wastewater treatment facilities, developers should consider the potential to attract hazardous wildlife if an airport is in the vicinity of the proposed site, and airport operators should voice their opposition to such facilities if they are in proximity to the airport.
- e. Artificial marshes. In warmer climates, wastewater treatment facilities sometimes employ artificial marshes and use submergent and emergent aquatic vegetation as natural filters. These artificial marshes may be used by some species of flocking birds, such as blackbirds and waterfowl, for breeding or roosting activities. The FAA strongly recommends against establishing artificial marshes within the separations identified in Sections 1-2 through 1-4.
- f. Wastewater discharge and sludge disposal. The FAA recommends against the discharge of wastewater or sludge on airport property because it may improve soil moisture and quality on unpaved areas and lead to improved turf growth that can be an attractive food source for many species of animals. Also, the turf requires more frequent mowing, which in turn may mutilate or flush insects or small animals and produce straw, both of which can attract hazardous wildlife. In addition, the improved turf may attract grazing wildlife, such as deer and geese. Problems may also occur when discharges saturate unpaved airport areas. The resultant soft, muddy conditions can severely restrict or prevent emergency vehicles from reaching accident sites in a timely manner.

2-4. WETLANDS. Wetlands provide a variety of functions and can be regulated by local, state, and Federal laws. Normally, wetlands are attractive to many types of wildlife, including many which rank high on the list of hazardous wildlife species (Table 1).

NOTE: If questions exist as to whether an area qualifies as a wetland, contact the local division of the U.S. Army Corps of Engineers, the Natural Resources Conservation Service, or a wetland consultant qualified to delineate wetlands.

- a. Existing wetlands on or near airport property. If wetlands are located on or near airport property, airport operators should be alert to any wildlife use or habitat changes in these areas that could affect safe aircraft operations. At public-use airports, the FAA recommends immediately correcting, in cooperation with local, state, and Federal regulatory agencies, any wildlife hazards arising from existing wetlands located on or near airports. Where required, a WHMP will outline appropriate wildlife hazard mitigation techniques. Accordingly, airport operators should develop measures to minimize hazardous wildlife attraction in consultation with a wildlife damage management biologist.
- b. New airport development. Whenever possible, the FAA recommends locating new airports using the separations from wetlands identified in Sections 1-2 through 1-4. Where alternative sites are not practicable, or when airport operators are expanding an existing airport into or near wetlands, a wildlife damage management biologist, in consultation with the U.S. Fish and Wildlife Service, the U.S. Army Corps of Engineers, and the state wildlife management agency should evaluate the wildlife hazards and prepare a WHMP that indicates methods of minimizing the hazards.
- c. Mitigation for wetland impacts from airport projects. Wetland mitigation may be necessary when unavoidable wetland disturbances result from new airport development projects or projects required to correct wildlife hazards from wetlands. Wetland mitigation must be designed so it does not create a wildlife hazard. The FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations identified in Sections 1-2 through 1-4.
 - (1) Onsite mitigation of wetland functions. The FAA may consider exceptions to locating mitigation activities outside the separations identified in Sections 1-2 through 1-4 if the affected wetlands provide unique ecological functions, such as critical habitat for threatened or endangered species or ground water recharge, which cannot be replicated when moved to a different location. Using existing airport property is sometimes the only feasible way to achieve the mitigation ratios mandated in regulatory orders and/or settlement agreements with the resource agencies. Conservation easements are an additional means of providing mitigation for project impacts. Typically the airport operator continues to own the property, and an easement is created stipulating that the property will be maintained as habitat for state or Federally listed species.

Mitigation must not inhibit the airport operator's ability to effectively control hazardous wildlife on or near the mitigation site or effectively maintain other aspects of safe airport operations. Enhancing such mitigation areas to attract hazardous wildlife must be avoided. The FAA will review any onsite mitigation proposals to determine compatibility with safe airport operations. A wildlife damage management biologist should evaluate any wetland mitigation projects that are needed to protect unique wetland functions and that must be located in the separation criteria in Sections 1-2 through 1-4 before the mitigation is implemented. A WHMP should be developed to reduce the wildlife hazards.

- (2) Offsite mitigation of wetland functions. The FAA recommends that wetland mitigation projects that may attract hazardous wildlife be sited outside of the separations identified in Sections 1-2 through 1-4 unless they provide unique functions that must remain onsite (see 2-4c(1)). Agencies that regulate impacts to or around wetlands recognize that it may be necessary to split wetland functions in mitigation schemes. Therefore, regulatory agencies may, under certain circumstances, allow portions of mitigation to take place in different locations.
- (3) Mitigation banking. Wetland mitigation banking is the creation or restoration of wetlands in order to provide mitigation credits that can be used to offset permitted wetland losses. Mitigation banking benefits wetland resources by providing advance replacement for permitted wetland losses; consolidating small projects into larger, better-designed and managed units; and encouraging integration of wetland mitigation projects with watershed planning. This last benefit is most helpful for airport projects, as wetland impacts mitigated outside of the separations identified in Sections 1-2 through 1-4 can still be located within the same watershed. Wetland mitigation banks meeting the separation criteria offer an ecologically sound approach to mitigation in these situations. Airport operators should work with local watershed management agencies or organizations to develop mitigation banking for wetland impacts on airport property.
- 2-5. DREDGE SPOIL CONTAINMENT AREAS. The FAA recommends against locating dredge spoil containment areas (also known as Confined Disposal Facilities) within the separations identified in Sections 1-2 through 1-4 if the containment area or the spoils contain material that would attract hazardous wildlife.
- 2-6. AGRICULTURAL ACTIVITIES. Because most, if not all, agricultural crops can attract hazardous wildlife during some phase of production, the FAA recommends against the used of airport property for agricultural production, including hay crops, within the separations identified in Sections 1-2 through 1-4. If the airport has no financial alternative to agricultural crops to produce income necessary to maintain the viability of the airport, then the airport shall follow the crop distance guidelines listed in the table titled "Minimum Distances between Certain Airport Features and Any On-Airport Agricultural Crops" found in AC 150/5300-13, Airport Design, Appendix 17. The cost of wildlife control and potential accidents should be weighed against the income produced by the on-airport crops when deciding whether to allow crops on the airport.

a. Livestock production. Confined livestock operations (i.e., feedlots, dairy operations, hog or chicken production facilities, or egg laying operations) often attract flocking birds, such as starlings, that pose a hazard to aviation. Therefore, The FAA recommends against such facilities within the separations identified in Sections 1-2 through 1-4. Any livestock operation within these separations should have a program developed to reduce the attractiveness of the site to species that are hazardous to aviation safety. Free-ranging livestock must not be grazed on airport property because the animals may wander onto the AOA. Furthermore, livestock feed, water, and manure may attract birds.

- b. Aquaculture. Aquaculture activities (i.e. catfish or trout production) conducted outside of fully enclosed buildings are inherently attractive to a wide variety of birds. Existing aquaculture facilities/activities within the separations listed in Sections 1-2 through 1-4 must have a program developed to reduce the attractiveness of the sites to species that are hazardous to aviation safety. Airport operators should also oppose the establishment of new aquaculture facilities/activities within the separations listed in Sections 1-2 through 1-4.
- c. Alternative uses of agricultural land. Some airports are surrounded by vast areas of farmed land within the distances specified in Sections 1-2 through 1-4. Seasonal uses of agricultural land for activities such as hunting can create a hazardous wildlife situation. In some areas, farmers will rent their land for hunting purposes. Rice farmers, for example, flood their land during waterfowl hunting season and obtain additional revenue by renting out duck blinds. The duck hunters then use decoys and call in hundreds, if not thousands, of birds, creating a tremendous threat to aircraft safety. A wildlife damage management biologist should review, in coordination with local farmers and producers, these types of seasonal land uses and incorporate them into the WHMP.

2-7. GOLF COURSES, LANDSCAPING AND OTHER LAND-USE CONSIDERATIONS.

- a. Golf courses. The large grassy areas and open water found on most golf courses are attractive to hazardous wildlife, particularly Canada geese and some species of gulls. These species can pose a threat to aviation safety. The FAA recommends against construction of new golf courses within the separations identified in Sections 1-2 through 1-4. Existing golf courses located within these separations must develop a program to reduce the attractiveness of the sites to species that are hazardous to aviation safety. Airport operators should ensure these golf courses are monitored on a continuing basis for the presence of hazardous wildlife. If hazardous wildlife is detected, corrective actions should be immediately implemented.
- b. Landscaping and landscape maintenance. Depending on its geographic location, landscaping can attract hazardous wildlife. The FAA recommends that airport operators approach landscaping with caution and confine it to airport areas not associated with aircraft movements. A wildlife damage management biologist should review all landscaping plans. Airport operators should also monitor all landscaped areas on a continuing basis for the presence of hazardous wildlife. If

hazardous wildlife is detected, corrective actions should be immediately implemented.

Turf grass areas can be highly attractive to a variety of hazardous wildlife species. Research conducted by the USDA Wildlife Services' National Wildlife Research Center has shown that no one grass management regime will deter all species of hazardous wildlife in all situations. In cooperation with wildlife damage management biologist, airport operators should develop airport turf grass management plans on a prescription basis, depending on the airport's geographic locations and the type of hazardous wildlife likely to frequent the airport

Airport operators should ensure that plant varieties attractive to hazardous wildlife are not used on the airport. Disturbed areas or areas in need of re-vegetating should not be planted with seed mixtures containing millet or any other large-seed producing grass. For airport property already planted with seed mixtures containing millet, rye grass, or other large-seed producing grasses, the FAA recommends disking, plowing, or another suitable agricultural practice to prevent plant maturation and seed head production. Plantings should follow the specific recommendations for grass management and seed and plant selection made by the State University Cooperative Extension Service, the local office of Wildlife Services, or a qualified wildlife damage management biologist. Airport operators should also consider developing and implementing a preferred/prohibited plant species list, reviewed by a wildlife damage management biologist, which has been designed for the geographic location to reduce the attractiveness to hazardous wildlife for landscaping airport property.

- c. Airports surrounded by wildlife habitat. The FAA recommends that operators of airports surrounded by woodlands, water, or wetlands refer to Section 2.4 of this AC. Operators of such airports should provide for a Wildlife Hazard Assessment (WHA) conducted by a wildlife damage management biologist. This WHA is the first step in preparing a WHMP, where required.
- d. Other hazardous wildlife attractants. Other specific land uses or activities (e.g., sport or commercial fishing, shellfish harvesting, etc.), perhaps unique to certain regions of the country, have the potential to attract hazardous wildlife. Regardless of the source of the attraction, when hazardous wildlife is noted on a public-use airport, airport operators must take prompt remedial action(s) to protect aviation safety.
- 2-8. SYNERGISTIC EFFECTS OF SURROUNDING LAND USES. There may be circumstances where two (or more) different land uses that would not, by themselves, be considered hazardous wildlife attractants or that are located outside of the separations identified in Sections 1-2 through 1-4 that are in such an alignment with the airport as to create a wildlife corridor directly through the airport and/or surrounding airspace. An example of this situation may involve a lake located outside of the separation criteria on the east side of an airport and a large hayfield on the west side of an airport, land uses that together could create a flyway for Canada geese directly across the airspace of the airport. There are numerous examples of such situations;

therefore, airport operators and the wildlife damage management biologist must consider the entire surrounding landscape and community when developing the WHMP.

SECTION 3.

PROCEDURES FOR WILDLIFE HAZARD MANAGEMENT BY OPERATORS OF PUBLIC-USE AIRPORTS.

- **3.1. INTRODUCTION.** In recognition of the increased risk of serious aircraft damage or the loss of human life that can result from a wildlife strike, the FAA may require the development of a Wildlife Hazard Management Plan (WHMP) when specific triggering events occur on or near the airport. Part 139.337 discusses the specific events that trigger a Wildlife Hazard Assessment (WHA) and the specific issues that a WHMP must address for FAA approval and inclusion in an Airport Certification Manual.
- 3.2. COORDINATION WITH USDA WILDLIFE SERVICES OR OTHER QUALIFIED WILDLIFE DAMAGE MANAGEMENT BIOLOGISTS. The FAA will use the Wildlife Hazard Assessment (WHA) conducted in accordance with Part 139 to determine if the airport needs a WHMP. Therefore, persons having the education, training, and expertise necessary to assess wildlife hazards must conduct the WHA. The airport operator may look to Wildlife Services or to qualified private consultants to conduct the WHA. When the services of a wildlife damage management biologist are required, the FAA recommends that land-use developers or airport operators contact a consultant specializing in wildlife damage management or the appropriate state director of Wildlife Services.

NOTE: Telephone numbers for the respective USDA Wildlife Services state offices can be obtained by contacting USDA Wildlife Services Operational Support Staff, 4700 River Road, Unit 87, Riverdale, MD, 20737-1234, Telephone (301) 734-7921, Fax (301) 734-5157 (http://www.aphis.usda.gov/ws/).

3-3. WILDLIFE HAZARD MANAGEMENT AT AIRPORTS: A MANUAL FOR AIRPORT PERSONNEL. This manual, prepared by FAA and USDA Wildlife Services staff, contains a compilation of information to assist airport personnel in the development, implementation, and evaluation of WHMPs at airports. The manual includes specific information on the nature of wildlife strikes, legal authority, regulations, wildlife management techniques, WHAs, WHMPs, and sources of help and information. The manual is available in three languages: English, Spanish, and French. It can be viewed and downloaded free of charge from the FAA's wildlife hazard mitigation web site: http://wildlife-mitigation.tc.FAA.gov/. This manual only provides a starting point for addressing wildlife hazard issues at airports. Hazardous wildlife management is a complex discipline and conditions vary widely across the United States. Therefore, qualified wildlife damage management biologists must direct the development of a WHMP and the implementation of management actions by airport personnel.

There are many other resources complementary to this manual for use in developing and implementing WHMPs. Several are listed in the manual's bibliography.

3-4. WILDLIFE HAZARD ASSESSMENTS, TITLE 14, CODE OF FEDERAL REGULATIONS, PART 139. Part 139.337(b) requires airport operators to conduct a Wildlife Hazard Assessment (WHA) when certain events occur on or near the airport.

Part 139.337 (c) provides specific guidance as to what facts must be addressed in a WHA.

3-5. WILDLIFE HAZARD MANAGEMENT PLAN (WHMP). The FAA will consider the results of the WHA, along with the aeronautical activity at the airport and the views of the airport operator and airport users, in determining whether a formal WHMP is needed, in accordance with Part 139.337. If the FAA determines that a WHMP is needed, the airport operator must formulate and implement a WHMP, using the WHA as the basis for the plan.

The goal of an airport's Wildlife Hazard Management Plan is to minimize the risk to aviation safety, airport structures or equipment, or human health posed by populations of hazardous wildlife on and around the airport.

The WHMP must identify hazardous wildlife attractants on or near the airport and the appropriate wildlife damage management techniques to minimize the wildlife hazard. It must also prioritize the management measures.

3-6. LOCAL COORDINATION. The establishment of a Wildlife Hazards Working Group (WHWG) will facilitate the communication, cooperation, and coordination of the airport and its surrounding community necessary to ensure the effectiveness of the WHMP. The cooperation of the airport community is also necessary when new projects are considered. Whether on or off the airport, the input from all involved parties must be considered when a potentially hazardous wildlife attractant is being proposed. Airport operators should also incorporate public education activities with the local coordination efforts because some activities in the vicinity of your airport, while harmless under normal leisure conditions, can attract wildlife and present a danger to aircraft. For example, if public trails are planned near wetlands or in parks adjoining airport property, the public should know that feeding birds and other wildlife in the area may pose a risk to aircraft.

Airport operators should work with local and regional planning and zoning boards so as to be aware of proposed land-use changes, or modification of existing land uses, that could create hazardous wildlife attractants within the separations identified in Sections 1-2 through 1-4. Pay particular attention to proposed land uses involving creation or expansion of waste water treatment facilities, development of wetland mitigation sites, or development or expansion of dredge spoil containment areas. At the very least, airport operators must ensure they are on the notification list of the local planning board or equivalent review entity for all communities located within 5 miles of the airport, so they will receive notification of any proposed project and have the opportunity to review it for attractiveness to hazardous wildlife.

3-7 COORDINATION/NOTIFICATION OF AIRMEN OF WILDLIFE HAZARDS. If an existing land-use practice creates a wildlife hazard and the land-use practice or wildlife hazard cannot be immediately eliminated, airport operators must issue a Notice to Airmen (NOTAM) and encourage the land-owner or manager to take steps to control the wildlife hazard and minimize further attraction.

SECTION 4.

FAA NOTIFICATION AND REVIEW OF PROPOSED LAND-USE PRACTICE CHANGES IN THE VICINITY OF PUBLIC-USE AIRPORTS

4-1. FAA REVIEW OF PROPOSED LAND-USE PRACTICE CHANGES IN THE VICINITY OF PUBLIC-USE AIRPORTS.

- a. The FAA discourages the development of waste disposal and other facilities, discussed in Section 2, located within the 5,000/10,000-foot criteria specified in Sections 1-2 through 1-4.
- b. For projects that are located outside the 5,000/10,000-foot criteria but within 5 statute miles of the airport's AOA, the FAA may review development plans, proposed land-use changes, operational changes, or wetland mitigation plans to determine if such changes present potential wildlife hazards to aircraft operations. The FAA considers sensitive airport areas as those that lie under or next to approach or departure airspace. This brief examination should indicate if further investigation is warranted.
- c. Where a wildlife damage management biologist has conducted a further study to evaluate a site's compatibility with airport operations, the FAA may use the study results to make a determination.

4-2. WASTE MANAGEMENT FACILITIES.

a. Notification of new/expanded project proposal. Section 503 of the Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (Public Law 106-181) limits the construction or establishment of new MSWLF within 6 statute miles of certain public-use airports, when both the airport and the landfill meet very specific conditions. See Section 2-2 of this AC and AC 150/5200-34 for a more detailed discussion of these restrictions.

The Environmental Protection Agency (EPA) requires any MSWLF operator proposing a new or expanded waste disposal operation within 5 statute miles of a runway end to notify the appropriate FAA Regional Airports Division Office and the airport operator of the proposal (40 CFR 258, *Criteria for Municipal Solid Waste Landfills*, Section 258.10, *Airport Safety*). The EPA also requires owners or operators of new MSWLF units, or lateral expansions of existing MSWLF units, that are located within 10,000 feet of any airport runway end used by turbojet aircraft, or within 5,000 feet of any airport runway end used only by piston-type aircraft, to demonstrate successfully that such units are not hazards to aircraft. (See 4-2.b below.)

When new or expanded MSWLF are being proposed near airports, MSWLF operators must notify the airport operator and the FAA of the proposal as early as possible pursuant to 40 CFR 258.

b. Waste handling facilities within separations identified in Sections 1-2 through 1-4. To claim successfully that a waste-handling facility sited within the separations identified in Sections 1-2 through 1-4 does not attract hazardous wildlife and does not threaten aviation, the developer must establish convincingly that the facility will not handle putrescible material other than that as outlined in 2-2.d. The FAA strongly recommends against any facility other than that as outlined in 2-2.d (enclosed transfer stations). The FAA will use this information to determine if the facility will be a hazard to aviation.

- c. Putrescible-Waste Facilities. In their effort to satisfy the EPA requirement, some putrescible-waste facility proponents may offer to undertake experimental measures to demonstrate that their proposed facility will not be a hazard to aircraft. To date, no such facility has been able to demonstrate an ability to reduce and sustain hazardous wildlife to levels that existed before the putrescible-waste landfill began operating. For this reason, demonstrations of experimental wildlife control measures may not be conducted within the separation identified in Sections 1-2 through 1-4.
- **4-3. OTHER LAND-USE PRACTICE CHANGES.** As a matter of policy, the FAA encourages operators of public-use airports who become aware of proposed land use practice changes that may attract hazardous wildlife within 5 statute miles of their airports to promptly notify the FAA. The FAA also encourages proponents of such land use changes to notify the FAA as early in the planning process as possible. Advanced notice affords the FAA an opportunity (1) to evaluate the effect of a particular land-use change on aviation safety and (2) to support efforts by the airport sponsor to restrict the use of land next to or near the airport to uses that are compatible with the airport.

The airport operator, project proponent, or land-use operator may use FAA Form 7460-1, *Notice of Proposed Construction or Alteration*, or other suitable documents similar to FAA Form 7460-1 to notify the appropriate FAA Regional Airports Division Office. Project proponents can contact the appropriate FAA Regional Airports Division Office for assistance with the notification process.

It is helpful if the notification includes a 15-minute quadrangle map of the area identifying the location of the proposed activity. The land-use operator or project proponent should also forward specific details of the proposed land-use change or operational change or expansion. In the case of solid waste landfills, the information should include the type of waste to be handled, how the waste will be processed, and final disposal methods.

a. Airports that have received Federal grant-in-aid assistance. Airports that have received Federal grant-in-aid assistance are required by their grant assurances to take appropriate actions to restrict the use of land next to or near the airport to uses that are compatible with normal airport operations. The FAA recommends that airport operators to the extent practicable oppose off-airport land-use changes or practices within the separations identified in Sections 1-2 through 1-4 that may attract hazardous wildlife. Failure to do so may lead to noncompliance with applicable grant assurances. The FAA will not approve the placement of airport

development projects pertaining to aircraft movement in the vicinity of hazardous wildlife attractants without appropriate mitigating measures. Increasing the intensity of wildlife control efforts is not a substitute for eliminating or reducing a proposed wildlife hazard. Airport operators should identify hazardous wildlife attractants and any associated wildlife hazards during any planning process for new airport development projects.

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APPENDIX 1. DEFINITIONS OF TERMS USED IN THIS ADVISORY CIRCULAR.

1. GENERAL. This appendix provides definitions of terms used throughout this AC.

- 1. Air operations area. Any area of an airport used or intended to be used for landing, takeoff, or surface maneuvering of aircraft. An air operations area includes such paved areas or unpaved areas that are used or intended to be used for the unobstructed movement of aircraft in addition to its associated runway, taxiways, or apron.
- 2. Airport operator. The operator (private or public) or sponsor of a public-use airport.
- 3. Approach or departure airspace. The airspace, within 5 statute miles of an airport, through which aircraft move during landing or takeoff.
- 4. Bird balls. High-density plastic floating balls that can be used to cover ponds and prevent birds from using the sites.
- **5. Certificate holder.** The holder of an Airport Operating Certificate issued under Title 14, Code of Federal Regulations, Part 139.
- 6. Construct a new MSWLF. To begin to excavate, grade land, or raise structures to prepare a municipal solid waste landfill as permitted by the appropriate regulatory or permitting agency.
- 7. **Detention ponds.** Storm water management ponds that hold storm water for short periods of time, a few hours to a few days.
- 8. Establish a new MSWLF. When the first load of putrescible waste is received on-site for placement in a prepared municipal solid waste landfill.
- **9. Fly ash.** The fine, sand-like residue resulting from the complete incineration of an organic fuel source. Fly ash typically results from the combustion of coal or waste used to operate a power generating plant.
- **10. General aviation aircraft.** Any civil aviation aircraft not operating under 14 CFR Part 119, Certification: Air Carriers and Commercial Operators.
- 11. Hazardous wildlife. Species of wildlife (birds, mammals, reptiles), including feral animals and domesticated animals not under control, that are associated with aircraft strike problems, are capable of causing structural damage to airport facilities, or act as attractants to other wildlife that pose a strike hazard
- 12. Municipal Solid Waste Landfill (MSWLF). A publicly or privately owned discrete area of land or an excavation that receives household waste and that is not a land application unit, surface impoundment, injection well, or waste pile, as those terms are defined under 40 CFR § 257.2. An MSWLF may receive

other types wastes, such as commercial solid waste, non-hazardous sludge, small-quantity generator waste, and industrial solid waste, as defined under 40 CFR § 258.2. An MSWLF can consist of either a stand alone unit or several cells that receive household waste.

- **13. New MSWLF.** A municipal solid waste landfill that was established or constructed after April 5, 2001.
- 14. Piston-powered aircraft. Fixed-wing aircraft powered by piston engines.
- 15. Piston-use airport. Any airport that does not sell Jet-A fuel for fixed-wing turbine-powered aircraft, and primarily serves fixed-wing, piston-powered aircraft. Incidental use of the airport by turbine-powered, fixed-wing aircraft would not affect this designation. However, such aircraft should not be based at the airport.
- 16. Public agency. A State or political subdivision of a State, a tax-supported organization, or an Indian tribe or pueblo (49 U.S.C. § 47102(19)).
- 17. Public airport. An airport used or intended to be used for public purposes that is under the control of a public agency; and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft is publicly owned (49 U.S.C. § 47102(20)).
- 18. Public-use airport. An airport used or intended to be used for public purposes, and of which the area used or intended to be used for landing, taking off, or surface maneuvering of aircraft may be under the control of a public agency or privately owned and used for public purposes (49 U.S.C. § 47102(21)).
- 19. Putrescible waste. Solid waste that contains organic matter capable of being decomposed by micro-organisms and of such a character and proportion as to be capable of attracting or providing food for birds (40 CFR §257.3-8).
- 20. Putrescible-waste disposal operation. Landfills, garbage dumps, underwater waste discharges, or similar facilities where activities include processing, burying, storing, or otherwise disposing of putrescible material, trash, and refuse.
- **21. Retention ponds.** Storm water management ponds that hold water for several months.
- 22. Runway protection zone (RPZ). An area off the runway end to enhance the protection of people and property on the ground (see AC 150/5300-13). The dimensions of this zone vary with the airport design, aircraft, type of operation, and visibility minimum.
- 23. Scheduled air carrier operation. Any common carriage passenger-carrying operation for compensation or hire conducted by an air carrier or commercial

operator for which the air carrier, commercial operator, or their representative offers in advance the departure location, departure time, and arrival location. It does not include any operation that is conducted as a supplemental operation under 14 CFR Part 119 or as a public charter operation under 14 CFR Part 380 (14 CFR § 119.3).

- 24. Sewage sludge. Any solid, semi-solid, or liquid residue generated during the treatment of domestic sewage in a treatment works. Sewage sludge includes, but is not limited to, domestic septage; scum or solids removed in primary, secondary, or advanced wastewater treatment process; and a material derived from sewage sludge. Sewage does not include ash generated during the firing of sewage sludge in a sewage sludge incinerator or grit and screenings generated during preliminary treatment of domestic sewage in a treatment works. (40 CFR 257.2)
- 25. Sludge. Any solid, semi-solid, or liquid waste generated form a municipal, commercial or industrial wastewater treatment plant, water supply treatment plant, or air pollution control facility or any other such waste having similar characteristics and effect. (40 CFR 257.2)
- 26. Solid waste. Any garbage, refuse, sludge, from a waste treatment plant, water supply treatment plant or air pollution control facility and other discarded material, including, solid liquid, semisolid, or contained gaseous material resulting from industrial, commercial, mining, and agricultural operations, and from community activities, but does not include solid or dissolved materials in domestic sewage, or solid or dissolved material in irrigation return flows or industrial discharges which are point sources subject to permits under section 402 of the Federal Water Pollution Control Act, as amended (86 Stat. 880), or source, special nuclear, or by product material as defined by the Atomic Energy Act of 1954, as amended, (68 Stat. 923). (40 CFR 257.2)
- **27. Turbine-powered aircraft.** Aircraft powered by turbine engines including turbojets and turboprops but excluding turbo-shaft rotary-wing aircraft.
- 28. Turbine-use airport. Any airport that sells Jet-A fuel for fixed-wing turbine-powered aircraft.
- 29. Wastewater treatment facility. Any devices and/or systems used to store, treat, recycle, or reclaim municipal sewage or liquid industrial wastes, including Publicly Owned Treatment Works (POTW), as defined by Section 212 of the Federal Water Pollution Control Act (P.L. 92-500) as amended by the Clean Water Act of 1977 (P.L. 95-576) and the Water Quality Act of 1987 (P.L. 100-4). This definition includes any pretreatment involving the reduction of the amount of pollutants, the elimination of pollutants, or the alteration of the nature of pollutant properties in wastewater prior to or in lieu of discharging or otherwise introducing such pollutants into a POTW. (See 40 CFR Section 403.3 (q), (r), & (s)).

30. Wildlife. Any wild animal, including without limitation any wild mammal, bird, reptile, fish, amphibian, mollusk, crustacean, arthropod, coelenterate, or other invertebrate, including any part, product, egg, or offspring thereof (50 CFR 10.12, Taking, Possession, Transportation, Sale, Purchase, Barter, Exportation, and Importation of Wildlife and Plants). As used in this AC, wildlife includes feral animals and domestic animals out of the control of their owners (14 CFR Part 139, Certification of Airports).

- 31. Wildlife attractants. Any human-made structure, land-use practice, or human-made or natural geographic feature that can attract or sustain hazardous wildlife within the landing or departure airspace or the airport's AOA. These attractants can include architectural features, landscaping, waste disposal sites, wastewater treatment facilities, agricultural or aquaculture activities, surface mining, or wetlands.
- **32. Wildlife hazard.** A potential for a damaging aircraft collision with wildlife on or near an airport.
- 33. Wildlife strike. A wildlife strike is deemed to have occurred when:
 - a. A pilot reports striking 1 or more birds or other wildlife;
 - **b.** Aircraft maintenance personnel identify aircraft damage as having been caused by a wildlife strike;
 - c. Personnel on the ground report seeing an aircraft strike 1 or more birds or other wildlife:
 - **d.** Bird or other wildlife remains, whether in whole or in part, are found within 200 feet of a runway centerline, unless another reason for the animal's death is identified;
 - e. The animal's presence on the airport had a significant negative effect on a flight (i.e., aborted takeoff, aborted landing, high-speed emergency stop, aircraft left pavement area to avoid collision with animal) (Transport Canada, Airports Group, Wildlife Control Procedures Manual, Technical Publication 11500E, 1994).

2. RESERVED.

Guerin, John

From: Lisa Harmon <Lisa.Harmon@meadhunt.com>

Sent: Wednesday, June 26, 2019 11:54 AM

To: Guerin, John

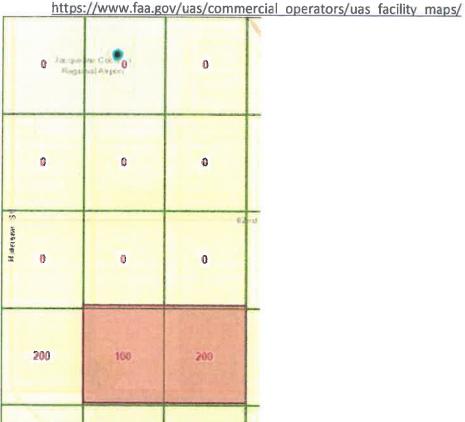
Subject: FW: Case No. ZAP1046TH19 – Thermal Beach Club: Revised Wildlife Hazard

Management Measures

Maranda and Chuck and I have been talking about this:

To operate a drone, the following would apply:

- The applicant will need to coordinate with the FAA in advance of using the UAS (Part 107 Airspace Authorization or Waiver Application in the FAA DroneZone). This coordination must be done prior to <u>each</u> use of the UAS and should occur within 30 days of use (although FAA typically responds within 2 weeks).
- The applicant can use the FAA UAS map to determine height restrictions for UAS activity near TRM. Based on my quick review of the project, it appears that the UAS ceiling is 100-200 feet AGL (see clip below).
- Please direct applicant to this FAA UAS webpage:



Feel free to reach out to Chuck if you have questions.

Thank you. Maranda

Maranda Thompson | Mead & Hunt Aviation Services

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COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY

Juan C. Perez **Agency Director**

09/11/19, 1:00 pm

SP00303S03

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for SP00303S03. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1

AND - Causes for Revocation

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, of is a public nuisance, this permit shall be subject to revocation procedures.

Comments: SP00303A4

Advisory Notification. 2

AND - Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

- (a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the TTM37269, SP303S03, PPT180023, CZ1900027 or its associated environmental documentation; and,
- (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the TTM37269,SP303S03, PPT180023, CZ1900027, including, but not limited to, decisions made in response to California Public Records Act requests; and
- (a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such LITIGATION, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project,

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 2 AND - Hold Harmless (cont.)

applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

Comments: SP00303A4

Advisory Notification. 3 AND - Project Description & Operational Limits

Project Location

The proposed project involves development of approximately 123 acres of vacant land within the community of Thermal, and the Kohl Ranch Specific Plan. The project site is bound by Avenue 64 to the north, Polk Street to the east, and proposed "Spine Road" to the west and located north of Avenue 66. The 117 acre site includes a residential development with a surfing lagoon, beach, and clubhouse village area.

Surf Lagoon (Surf Bay)

An approximately 20.56 acre area is proposed for the development of the surfing lagoon that utilizes Crystal Lagoon surf technology (wave making), capable of producing six waves per second with maximum heights of seven feet. The proposed project is intended to be a private residential development and clubhouse village. The Crystal Lagoons uses cleaning technology that results in the lagoon to remain clear and blue. The lagoon is located entirely in Planning Area J-2 within the Kohl Ranch Specific Plan. Planning Area J-2 provides for the development of 22.56 acres of open space to be developed as a lake. The lake is intended to be utilized for function and recreation with uses identified but not limited to: aesthetics, detention, recreation, water skiing, surfing, swimming, etc. Therefore, the surf lagoon would be consistent with the Kohl Ranch Specific Plan (SP303).

Clubhouse Village

The clubhouse village area is located generally south of the lagoon on approximately 4.19 acres. The clubhouse village area proposes semi-private club facilities including four buildings totaling approximately 34,400 square feet. The clubhouse village area is located within Planning Area L-1, which list clubhouse facilities as a permitted use subject to the design guidelines identified in Section 3.1 of the Kohl Ranch Specific Plan. The buildings would support the residential development surrounding the lagoon/surf bay and would include uses such as: spa, pool, gym, retail, kitchen, bars, and dining and office areas. The uses described are consistent with Section 3.1 (Commercial-Retail) of the Kohl Ranch Specific Plan. Therefore, the clubhouse village area would be consistent with the Kohl Ranch Specific Plan.

Residential Development

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 3 AND - Project Description & Operational Limits (cont.)

The project includes a request for a Schedule "A" subdivision of two parcels (APN: 751-070-034 and 751-070-033) into 210 residential lots under TTM37269. The 210 residential lots would support 326 dwelling units that consist of single family homes, duplex units and four plex units. The residential lots are located within Planning Areas L-1 and J-1.

Comments: SP00303A4

Advisory Notification. 4 AND - Mitigation Measures

D12-1 Elements of the Specific Plan that relate to proposed airport uses shall be incorporated into individual development projects.

D12-2 Individual development projects shall adhere to land uses proposed in the Specific Plan to ensure consistency with the safety zone guidelines and requirements in the Thermal (Jacqueline Cochran Regional) Airport Comprehensive Land Use Plan (CLUP) (2005).

D12-3 Specific mitigation measures (C8-4 and C8-5) are addressed in the noise analysis in EIR 396 – Section V.C.8.

D12-4 Development projects shall comply with the noise guidelines contained in the Comprehensive Land Use Plan (CLUP) for Jacqueline Cochran Regional Airport (2005).

D12-5 Proposed development shall comply with the Jacqueline Cochran Regional Airport Height Guidelines identified in the Comprehensive Land Use Plan (CLUP) for Thermal Airport (2005).

Advisory Notification. 5 AND - Mitigation Measures - Circulation & Traffic

MM Trans 1 All roadways shall be constructed per the Riverside County Transportation Department standards and conditions of approval.

MM Trans 2 The intersection of Polk Street at Airport Boulevard shall convert the shared northbound turning lane into one northbound left-turn lane and one northbound right-turn lane.

- D1-2 Avenue 60 adjacent to the site shall be downsized and constructed at its ultimate part-width standard as an Industrial Collector (78 foot right-of-way) in conjunction with development.
- D1-11 To ensure that off-site roadway improvements (see EIR 396 Table V-43) are provided in conjunction with each development phase, the following development monitoring requirements shall be followed throughout the study area:
- a. Traffic impact study reports shall be required with submittal of tentative tract maps or plot plans as required by Riverside County.
- b. The required format for each traffic impact study report shall be determined by Riverside County. The required format shall include evaluation of peak hour conditions at intersections significantly impacted by each phase of development.
- c. If an impacted intersection is estimated to exceed County service level standards, then appropriate link and intersection improvements shall be required to be presented for County staff review.
- d. The improvements needed to maintain the County service level standards shall be required to be in place or funding assured prior to occupancy of the relevant development phase. Because off-site improvements are generally needed to serve area wide growth, the developer shall initiate efforts to establish an area wide fee program or funding district to implement General Plan roadway improvements prior to the issuance of building permits. Without a district or fee program in place, the proposed project

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 5

AND - Mitigation Measures - Circulation & Traffic (cont.)

would be responsible for providing the off-site improvements necessary for adequate circulation at each project phase.

D1-18 The project shall contribute to the installation of traffic signals when warranted through the payment of traffic signal mitigation fees. The traffic signals shall be installed as warranted through the tract map or plot plan level traffic studies.

D1-19 The developer shall comply with the trip reduction ordinance of the Riverside County.

D1-21 To accommodate future bus service on key roadways, transit stops shall be anticipated at the far side of major intersections (see Initial Study EA42375, Figure 15 – Bus Turnout and Stop Locations). Sunline Transit Agency should review transit recommendations in the study area. EIR 396 – Figure V-54 shows the recommended bus turnout design features. Pedestrian access to the bus stops shall be provided.

D1-22 The commercial portion of the project shall provide on-site bike racks to encourage the use of bicycles as an alternative means of transportation.

D1-23 To encourage ridesharing/transit ridership and reduce commute trip impacts on access routes to SR-86S, a portion of the commercial parking areas shall be designated for Park-N-Ride use on weekdays between 6:00 a.m. and 6:00 p.m.

D1-24 Access to roadways shall be oriented to the appropriate locations shown on Initial Study EA42726, Figure 7 – Access Points. Precise access locations and the phasing of roadway improvements shall be determined at the plot plan, use permit or tentative tract map level, subject to approval by the Riverside County Transportation Department.

D1-26 Avenue 60 adjacent to the Planning Areas A-2, A-4, E-1 and E-2 shall be downsized and constructed at its ultimate part-width standard as an Industrial Collector (78 foot right-of-way) in conjunction with development. The southerly side of Avenue 60 adjacent to Planning Area B-1 shall be constructed at its ultimate part-width standard as an Arterial highway (128 foot right-of-way) in conjunction with development.

D1-27 Polk Street adjacent to the project site shall be constructed from the north project boundary to Avenue 66 at its ultimate half-section width as an Arterial highway (128 foot right-of-way) in conjunction with development. A Modified Arterial highway (113 foot right-of-way) shall be constructed at the Not-A-Part parcel located in Planning Area J-4 due to the existing sewage pump station.

D1-38 Designate "E" Street between Avenue 64 and Avenue 66 as a Major highway (118 foot right-of-way) classification and realign to circulate north and south.

D1-39 Downgrade Avenue 60 between the northwest corner of Planning Area B-1 and Polk Street to an Industrial Collector and delete as an Arterial highway classification on the Riverside County General Plan Circulation Element to accommodate the planned extension of the runway at Jacqueline Cochran Regional Airport.

Advisory Notification. 6

AND - Mitigation Measures - Energy

C9-2 Electric vehicle recharging facilities shall be permitted in all commercial developments.

Advisory Notification. 7

AND - Mitigation Measures - Fire and Sheriff Services

Fire Department

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 7 AND - Mitigation Measures - Fire and Sheriff Services (cont.)

D3-1 The project shall conform with the requirements of the Public Facilities and Services Element of the RCCGP and the Riverside County Fire Protection Ordinance No. 546.

D3-2 The County Department of Building and Safety and the County Fire Department shall enforce fire standards in the review of building plans and during building inspection.

D3-3 All project street widths, grades and turning/curve radii shall be designed to allow access by fire suppression vehicles.

D3-4 Residences and interior streets shall be clearly marked to facilitate easy identification by emergency personnel.

D3-5 The developer shall demonstrate that sufficient on-site fire flow pressure exists, as determined by the Riverside County Fire Department.

D3-6 Fire flow requirements shall be incorporated into the overall project design. A fire flow of 1,000 gpm at 20 psi for a two-hour duration shall be required for single family residential uses; 2,500 gpm for multi-family residential, light manufacturing and certain commercial uses; and 5,000 gpm for medium and heavy industrial uses, as well as larger commercial development.

D3-7 The Project applicant shall contribute appropriate fees in accordance with the fire unit impact fee, as well as plan check fees and all other impact fees in accordance with current County of Riverside regulations.

Sheriff Services

D4-1 The applicant shall cooperate with the Sheriff's Department to ensure that adequate protection, facilities and personnel are available.

D4-2 The applicant shall contract with the SCVCSD to provide supplemental sheriff services in exchange for an additional parcel charge collected via the property tax system.

D4-3 Construction yard fencing and/or security personnel shall be provided during the construction phases to reduce the potential of theft and vandalism at the site.

D4-4 Ample lighting shall be provided in all parking area entrances/exits and walkways, consistent with Riverside County Ordinance No. 655. Additionally, the applicant shall ensure that street addresses are highly visible to any responding emergency vehicles.

D4-5 For the safety and security of future residents, the applicant or developer shall address the following design concepts within each planning area to assure the maximum measure of crime prevention:

Circulation for pedestrian, vehicular and police patrol circulation

Lighting

Landscaping

Visibility of doors and windows from the street and between buildings

Fencing heights and materials

Public and private spaces

Advisory Notification. 8 AND - Mitigation Measures - Noise

Noise

C8-1 Construction activities within 800 feet of existing sensitive receptors shall take place only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction activities that occur within one mile of a sensitive receptor but not closer than 800 feet shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday. Construction under either of these two scenarios shall not be allowed on Federal holidays. Construction activities where there are no sensitive receptors within a

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 8 AND - Mitigation Measures - Noise (cont.)

one-mile radius shall not be time-restricted.

C8-2 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

C8-3 Stationary equipment shall be placed such that emitted noise is directed away from any existing sensitive noise receivers.

C8-4 Residential uses proposed within the 60 CNEL contour of the airport shall require a noise analysis by a qualified acoustical consultant to ensure the standards are met. This analysis shall address the combined impact of airport activities and motor vehicle noise from adjacent roadways.

C8-5 Residential and school uses proposed within the 60 CNEL contour of Avenue 62, Avenue 66, Tyler Street, Polk Street, A Street, B Street, and C Street shall require a noise analysis by a qualified acoustical consultant to ensure the noise standards are met.

Advisory Notification. 9 AND - Mitigation Measures - Open Space, Toxic Substances

Open Space

C10-1 All open space areas within the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Zoning, Community Structure Development Standards, Neighborhood and Planning Area Land Use and Development Standards, and Design Guidelines of the Kohl Ranch Specific Plan.

Toxic Substances

C11-1 Users of hazardous materials shall comply with applicable federal, state and local regulations requiring elimination and reduction of waste at the source by prevention of leakage, segregation of hazardous waste, and other means. Industrial operations shall utilize methods such as recovery, reuse and recycling of wastes to minimize the amount of hazardous substances disposed of.

C11-2 Future industrial uses shall be reviewed to identify the specific wastes which may be generated for storage and disposal of potentially hazardous substances.

C11-3 Hazardous materials that may be produced on-site shall require transport by a licensed hauler to a designated facility. Haulers of hazardous materials, as well as disposal facilities, shall be licensed by the U.S. Environmental Protection Agency.

C11-5 Interim agricultural operations shall adhere to all appropriate permit requirements related to the handling, storage and transport of hazardous materials.

Advisory Notification. 10 AND - Mitigation Measures - Parks and Recreation

D6-1 The project shall dedicate appropriate acreage for developed local parkland, or shall provide fees in lieu of dedication, based on the requirements of the Desert Recreation District. Parkland or equivalent fees provided by the applicant shall be phased in conjunction with residential development so that appropriate acreage of local parkland is provided for each 1,000 persons within the new development. D6-2 The developer(s) shall work with the CVRPD and the Coachella Valley Unified School District to determine the types of facilities to be installed in parks and schools, if a joint-use program is undertaken. D6-3 Recreation trails shall be improved and dedicated, as described in the Kohl Ranch Specific Plan. D6-4 The applicant shall pay mitigation fees for regional and natural parkland at the occupancy permit stage to the Building and Safety Department, in accordance with the provisions of Riverside County Ordinance No. 659.

D6-5 Future development projects shall comply with the Land Use Standards for parks and recreation

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 10

AND - Mitigation Measures - Parks and Recreation (cont.)

facilities in the RCCGP.

Advisory Notification. 11

AND - Design Guidelines

Compliance with applicable Design Guidelines:

1. County Wide Design Guidelines and Standards

4. Kohl Ranch Specific Plan (SP No. 303)

Comments: SP00303A4

Advisory Notification. 12

AND - Federal, State & Local Regulation Compliance

- 1. Compliance with applicable Federal Regulations, including, but not limited to:
- National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)
- 2. Compliance with applicable State Regulations, including, but not limited to:
- The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
 - Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - State Subdivision Map Act
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
- Civil Code Section 815.3 & Government Code Sections 65040.2 et al SB 18 (Tribal

Intergovernmental Consultation)

- Public Resources Code Section 5097.94 & Sections 21073 et al AB 52 (Native Americans: CEQA)
- 3. Compliance with applicable County Regulations, including, but not limited to:
 - Ord. No. 348 (Land Use Planning and Zoning Regulations)
 - Ord. No. 413 (Regulating Vehicle Parking)
 - Ord. No. 421 (Excavation Covering & Swimming Pool Safety)
 - Ord. No. 457 (Building Requirements)
 - Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
 - Ord. No. 460 (Division of Land)
 - Ord. No. 461 (Road Improvement Standards)
 - Ord. No. 484 (Control of Blowing Sand)
 - Ord. No. 625 (Right to Farm)
 - Ord. No. 630 (Regulating Dogs and Cats)
 - Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals)
 - Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals)
 - Ord. No. 878 (Regarding Noisy Animals)
 - Ord. No. 655 (Regulating Light Pollution)
 - Ord. No. 671 (Consolidated Fees)
 - Ord. No. 679 (Directional Signs for Subdivisions)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 12 AND - Federal, State & Local Regulation Compliance (cont.)

- Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley)
- Ord. No. 787 (Fire Code)
- Ord. No. 847 (Regulating Noise)
- Ord. No. 857 (Business Licensing)
- Ord. No. 859 (Water Efficient Landscape Requirements)
- Ord. No. 915 (Regulating Outdoor Lighting)
- Ord. No. 916 (Cottage Food Operations)
- Ord. No. 925 (Prohibiting Marijuana Cultivating)
- Ord. No. 927 (Regulating Short Term Rentals)
- Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries)

4. Mitigation Fee Ordinances

- Ord. No. 659 Development Impact Fees (DIF)
- Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
- Ord. No. 673 Coachella Valley Transportation Uniform Mitigation Fee (CV TUMF)
- Ord. No. 810 Western Riverside County Multiple Species Habitat Conservation Plan (WRCMSHCP)
- Ord. No. 824 Western Riverside County Transportation Uniform Mitigation Fee (WR TUMF)
- Ord. No. 875 Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP)

Comments: SP00303A4

Advisory Notification. 13 AND - Mitigation Measures

D2-1 A detailed hydraulic analysis shall be performed by the developer in conjunction with the preparation of improvement plans for each phase of development.

D2-4 Reservoirs shall be provided in accordance with CVWD and ALUC standards, including the installation of aviary screening, where applicable.

D2-5 Transmission lines to the reservoirs shall be sized in accordance with CVWD requirements.

D2-6 Where possible, the existing tile drains shall be maintained to prevent high salt water from migrating to the underground basin.

D2-7 All water lines shall be designed and installed as required by CVWD.

D2-8 A dual water system shall be installed to service the larger landscaped areas. Where practical, smaller landscape areas requiring irrigation shall be provided with service from a separate irrigation line.

D2-9 The irrigation line shall utilize canal water or treated effluent to irrigate the larger landscape areas initially. Treated effluent shall be utilized when facilities are available, treatment is acceptable and the cost is practical.

D2-10 All project development shall comply with State and County regulations regarding water conservation and reclamation. All applicable sections of Title 20 and Title 24 of the California Code of Regulations shall be adhered to regarding water consumption and conservation.

D2-11 Water conserving plumbing fixtures shall be used in all construction, including low or ultra-low flow toilets and reducing valves for showers and faucets.

D2-12 Consistent with the requirements of County Ordinance No. 348, irrigation systems shall be used for common landscaped areas that minimize runoff and evaporation and maximize water availability to plant roots. Project landscaping plans that identify irrigation systems shall be submitted for review prior to the

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 13 AND - Mitigation Measures (cont.)

issuance of individual project building permits.

D2-13 Consistent with the requirements of County Ordinance No. 348, native, drought-tolerant plants approved by the County shall be used in common landscaped areas. Additionally, mulch shall be utilized in common landscaped areas where soil conditions warrant to improve the soil's water storage capacity.

D2-14 Subsequent tentative tract maps, conditional use permits and plot plans shall be approved by Riverside County based on adequate wells, reservoirs and transmission systems.

D2-15 The developer shall work with CVWD and participate in area-wide programs developed under the leadership of CVWD to address impacts to groundwater supplies.

D2-16 Development shall be consistent with the project Water Conservation Plan.

D2-17 A detailed analysis shall be performed for pipe sizing, in conjunction with the preparation of improvement plans for each phase of development.

D2-18 Infrastructure facilities shall be constructed in accordance with the requirements identified in the Specific Plan.

D2-19 CVWD shall expand the existing treatment facility capacity to accommodate project wastewater, if necessary.

D2-20 Interim septic tank systems shall be subject to approval by the Riverside County Department of Environmental Health.

D2-21 CVWD shall review and approve any interim connection to existing CVWD systems. CVWD shall review and approve sewage collection and transportation system designs where expanded facilities are proposed.

D2-22 Developer(s) shall pay all fees required by CVWD for sewage treatment services and facilities. D2-23 All sewage lines, pump stations and other required transmission facilities shall be installed as

directed by CVWD.

Advisory Notification. 14 AND - Mitigation Measures - Cultural Resources, Tribal Resources, Paleontological Resources

C12-1 Avoidance of CA-RIV-5510/H is preferred. This site is located in Planning Area M-4. If it is determined at the development stage avoidance of CA-RIV-5510/H is not feasible, this archaeological site shall be subjected to a program of additional historic research and test excavation to determine its importance, prior to earth-moving on the site.

C12-2 (Revised) Avoidance of CA-RIV-5511H is preferred. This site is located in the vicinity of Planning Area C-4, C-5 and C-8. If it is determined at the development stage that avoidance of CA-RIV-5511H is not feasible, this archaeological site shall be subjected to a program of additional historic research and test excavation to determine its importance, prior to earth-moving on the site.

C12-3 The approximately 160 acres of the Kohl Ranch site that were not examined during field reconnaissance (Blocks 25, 33, 34 and 35) shall be examined by a qualified archaeologist after plowing but before commencement of grading (see EIR 396 – Figure V-30).

MM CR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.

C12-8 Should any cultural and/or archaeological resources be accidentally discovered during Project construction, construction activities in the vicinity of the resource shall immediately halt and be moved to other parts of the Project site. A Riverside County qualified archaeologist shall be retained by the County or their designee to determine the significance of the resource. If the find is determined to be a historical

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 14 AND - Mitigation Measures - Cultural Resources, Tribal Resources, Paleontological Resources (cont.)

or unique archaeological resource, as defined in Section 15064.5 of the California Code of Regulations (State CEQA Guidelines), avoidance or other appropriate measures, as recommended by the archaeologist, shall be implemented. Any artifacts collected or recovered shall be cleaned, identified, catalogued, analyzed, and prepared for curation at an appropriate repository with permanent retrievable storage to allow for additional research in the future. Site records or site record updates (as appropriate) shall be prepared and submitted to the Eastern Information Center as a permanent record of the discovery

The following mitigation measure is to be implemented for the Thermal Beach Club:

MM CR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.

C12-4 Within Sections 4 and 9 (T.7S, R.8E), a qualified paleontologist shall be retained to attend the pre-grade meeting, and supervise the paleontological monitoring during earth moving activities in these areas of the proposed project.

C12-5 (Revised) Initially, full-time monitoring shall be conducted during all earth moving activities that extend below 5 feet within native sediments in Sections 4 and 9 (T.7S, R.8E). Full-time monitoring shall not be required for areas of artificial fill or ground disturbing activities that do not yield observable sediments, such as augering if the diameter of the auger is very small (less than 12 inches or 0.3 meter). In this case, matrix sampling of the spoils piles for small-fraction fossils shall be conducted at the discretion of the Project Paleontologist. Otherwise, Wet screening for small vertebrates shall will be conducted in the appropriate sediments and a representative sample of fossils shall be collected. Recent (Holocene) alluvial materials or sands have a low paleontologic sensitivity and will not require monitoring. If fossils are found, monitoring requirements shall will be increased accordingly; if no fossils are encountered, monitoring efforts shall will be reduced in these sediments. If an adequate sample is collected from the sensitive sediments, the Paleontologist may reduce or eliminate monitoring requirements.

Part-time monitoring may occur when ground disturbances impact artificial fill underlying the Project Area. The frequency and duration of part-time monitoring shall be determined by the Riverside County Project Paleontologist and shall be dependent on the nature and extent of on-site excavations. The number of qualified paleontological monitors on site shall be increased or decreased at the discretion of the Riverside County Qualified Project Paleontologist to ensure adequate and complete coverage of all construction impacts to paleontologically sensitive units.

The frequency of monitoring may be reduced at the discretion of the Riverside County Qualified Project Paleontologist in accordance with SVP guidelines (2010), if, after 50 percent of the grading is completed in a specific area or stratigraphic unit, no fossil resources of any kind are encountered. Paleontological monitors shall remain on call should construction personnel observe fossil resources. Once all ground-disturbing activities have been completed in native sediments within the Project Area, monitoring shall cease.

C12-6 (Revised) Specimens collected shall be prepared in a properly equipped paleontology laboratory (to a point of identification and curation) which shall include the careful removal of excess matrix from fossil materials and stabilizing and repairing specimens, as necessary. Following laboratory work, all fossils specimens shall be identified to the lowest taxonomic level, cataloged, analyzed, and delivered to a regionally-accredited museum repository, such as the NHMLAC in Los Angeles, for permanent curation and storage. The cost of curation is assessed by the repository and is the responsibility of the landowner

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 14 AND - Mitigation Measures - Cultural Resources, Tribal Resources, Paleontological Resources (cont.)

C12-7 (Revised) A final report summarizing findings shall be prepared at the end of earth moving activities, and shall include a summary of the field methods, laboratory methods (if any), an overview of the geology and paleontology of the construction site, a list of taxa recovered (if any), an analysis of fossils recovered (if any) and their scientific significance, and recommendations. If the monitoring efforts produce fossils, this report shall be sent to the Lead Agency, signifying the end of mitigation. Another copy shall accompany the fossils, along with field logs and photographs, to the designated repository.

MM TCR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.

Advisory Notification. 15 AND - Mitigation Measures - Schools

D5-1 The applicant shall be responsible for the payment of fees at the state statutory limit in effect at the time; or otherwise reach agreement with the school district for provision of school sites and/or payment of fees to effectively mitigate school impacts.

Advisory Notification. 16 AND - Mitigation Measures - Solid Waste

D8-1 As development within the Kohl Ranch project site proceeds, the developer shall coordinate project solid waste disposal requirements with County agencies and area waste haulers, to ensure that adequate landfill capacity is available within reasonable distance of the project site.

D8-2 The project applicant shall coordinate with a certified waste hauler(s) to develop curbside collection of recyclable materials within the proposed project on a common schedule set forth in County Resolutions. The applicant shall coordinate with the permitted refuse hauler to identify which materials may be collected for recycling and on what schedule.

D8-3 All future commercial, industrial and multi-family residential developments within the project site shall comply with AB 1327, Chapter 18, California Solid Waste Reuse and Recycling Access Act of 1991. This law requires the provision of adequate areas for collecting and loading recyclable materials. Prior to building permit issuance, the applicant shall submit a site plan which includes the final design for the recyclable collection and storage area to the Riverside County Waste Resources Management District for review and approval. The storage area for recyclable materials shall comply with County standards. D8-4 Golf courses developed on the site shall minimize the generation of "green waste" and the amount of green waste sent to area landfills, through such measures as composting on-site.

D8-5 To minimize the generation of construction debris, grading operations shall incorporate existing rock and earth into fill areas to the extent possible under accepted geotechnical practices. In addition, construction wastes shall be diverted through recycling, composting, or using environmentally safe methods of land disposal, to the extent possible.

Advisory Notification. 17 AND - Mitigation Measures - Utilities

D7-1 The developer shall finance the installation of gas lines in accordance with the requirements set forth by the Southern California Gas Company or other authorized service provider. This cost may be offset by credits for free footage allowances.

D7-2 All gas services and facilities shall be constructed in accordance with Southern California Gas Company or other authorized service provider policies and extension rules on file with the California

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 17 AND - Mitigation Measures - Utilities (cont.)

Public Utilities Commission (CPUC).

D7-3 The developer shall ensure that existing facilities are adequate to accommodate the proposed new development.

D7-4 Development plans shall be provided to the Southern California Gas Company or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to provide services to the project site.

D7-5 The developer shall provide the electric power improvements required by IID or other authorized service provider.

D7-6 All buildings shall be constructed in compliance with the insulation standards established by the California Uniform Building Code (UBC).

D7-7 All electrical facilities shall be constructed in accordance with IID or other authorized service provider policies and extension rules on file with the California Public Utilities Commission (CPUC). D7-8 Underground facilities shall be installed in accordance with District requirements, as outlined in "A Developer's Information Letter" (effective September 15, 1994). Easements, ten feet in width and adjacent to all streets, shall be required for the installation of underground power facilities. D7-9 was replaced by Mitigation Measure GHG 1 located in the Energy Resources section of this

D7-10 The developer shall provide development plans to IID or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to service the project site.

D7-11 All new telephone lines within the site shall be installed underground, as required by County Ordinance No. 460.

D7-12 The developer shall provide development plans to GTE or other authorized service provider as they become available in order to facilitate engineering, design and construction improvements necessary to service the project site.

D7-13 All cable television service lines shall be located underground, in accordance with the Riverside County Comprehensive General Plan.

D7-14 The developer shall coordinate the installation of cable television service lines with a cable television franchisee for the area prior to development.

D7-15 The developer shall submit to the County supporting data on the generally accepted standards and guidelines for EMFs in effect at the time of project development and shall recommend appropriate distances from the 161 KV power line easement for development of residential and educational land uses. The County shall make a final determination regarding safe distances for siting these land uses.

Advisory Notification. 18 AND - Use Expiration

mitigation table under EIR396, Addendum No. 2

This approved permit shall be used within eight (8) years from the approval date; otherwise, the permit shall be null and void. The term used shall mean the beginning of construction pursuant to a validly issued building permit for the use authorized by this approval. Prior to the expiration of the 8 years, the permittee/applicant may request an extension of time to use the permit. The extension of time may be approved by the Assistant TLMA Director upon a determination that a valid reason exists for the permittee not using the permit within the required period. If an extension is approved, the total time allowed for use of the permit shall not exceed ten (10) years.

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 18 AND - Use Expiration (cont.)

Comments: SP00303A4

BS-Grade

BS-Grade. 1 SP ALL CLEARNC'S REQ'D B 4 PMT

Prior to issuance of a grading permit, all certifications affecting grading shall have written clearances. This includes, but is not limited to, additional environmental assessments, erosion control plans, geotechnical/soils reports, and departmental clearances.

Comments: SP00303A4

BS-Grade. 2 SP GSP 1 ORD. NOT SUPERSEDED

Anything to the contrary, proposed by this Specific Plan, shall not supersede the following: All grading shall conform to the California Building code, County General Plan, Ordinance 457 and all other relevant laws, rules and regulations governing grading in Riverside County

Comments: SP00303A4

Fire

Fire. 1 SP #47 SECONDARY ACCESS

In the interest of Public Safety, the project shall provide an Alternate or Secondary Access(s) as stated in the Transportation Department Conditions. Said Alternate or Secondary Access(s) shall have concurrence and approval of both the Transportation and Fire Departments and shall be maintained throughout any phasing.

Comments: SP00303A4

Fire. 2 SP #71 ADVERSE IMPACTS

The proposed project will have a cumulative adverse impact on the Fire Department's ability to provide an acceptable level of service. These impacts include an increased number of emergency and public service calls due to the increased presence of structures and population. The project proponents/developers shall participate in the development Impact fee program as adopted by the Riverside County Board of Supervisors to mitigate a portion of these impacts. This will provide funding for capitol improvements such as land/equipment purchases and fire station construction.

The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

ADVISORY NOTIFICATION DOCUMENT

Fire

Fire. 2

SP #71 ADVERSE IMPACTS (cont.)

Comments: SP00303A4

Fire. 3

SP #85 FINAL FIRE REQUIRE

Final fire protection requirements and impact mitigation measures will be determined when specific project plans are submitted.

Comments: SP00303A4

Fire. 4

SP #87 OFF SET FUNDING

The fiscal analysis for this project should identify a funding source to off set the shortage between the existing county structure fire tax and the needed annual operation and maintenance budget equal to approximately \$100.00 per dwelling unit and 16c per square foot for retail, commercial and industrial.

Comments: SP00303A4

Fire. 5

SP* #100 FIRE STATION

Based on the adopted Riverside County Fire Protection Master Plan, one new fire station and/or engine company could be required for every 2,000 new dwelling units,and/or 3.5 million square feet of commercial/industrial occupancy. Given the project's proposed development plan, up to ___ fire station(s) MAY be needed to meet anticipated service demands. The Fire Department reserves the right to negotiate developer agreements associated with the development of land and/or construction of fire facilities to meet service demands through the regional integrated fire protection response system.

Comments: SP00303A4

Planning

Planning. 1

AND - Causes for Revocation

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, of is a public nuisance, this permit shall be subject to revocation procedures.

Comments: SP00303A4

Planning. 2

NO PERMENANT RESIDENCY

No units within the Planning Area's E-5 through E-8, and Planning Areas E-2, E-2A, and E-2B shall be used as a primary residence.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 2 NO PERMENANT RESIDENCY (cont.)

Comments: SP00303A4

Planning. 3 OVERNIGHT STAYS LIMITATIONS

Overnight stays shall be limited to 45 consecutive nights by any owner, visitor, or any occupant including but not limited to any vehicle maintenance staff, housekeeping staff, or any form of grounds keeper.

Comments: SP00303A4

Planning. 4 RECREATION CONTRIBUTION

Within 60 days of the Board of Supervisor's Approval of Specific Plan 303, Amendment No. 4, the applicant shall enter into agreement to pay the County of Riverside \$1,000 per unit granted for overnight occupancy, not to exceed \$75,000, as a contribution towards a recreational facility for the Thermal Community. The Board of Supervisors delegates the authority of the Assistant CEO (TLMA Director) to execute the agreement on behalf of the County of Riverside.

Comments: SP00303A4

Planning. 5 SP MULTIFAMILY ENERGY GEN

All multifamily attached residential implementing projects with sub Homeowners Associations serving as professional management shall add renewable energy generating technology to the site to reduce non renewable electricity.

Comments: SP00303A4

Planning. 6 SP - ACOUSTICAL STUDY REQUIRED

Prior to the approval of any implementing project within any residential Planning Areas of the SPECIFIC PLAN (i.e.:tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO PROJECT APPROVAL, an acoustical study shall be submitted to the Planning Department and the Department of Environmental Health Industrial Hygiene Division for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department and the Department of Environmental Health Industrial Hygiene Division. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 6 SP - ACOUSTICAL STUDY REQUIRED (cont.)

Comments: SP00303A4

Planning. 7 SP - ADDENDUM EIR

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that no new environmental impacts have arisen since the certification of the EIR. Although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN as a whole, more detailed technical information (i.e. traffic studies, updated biological studies, etc.) have been required by the Planning Department and/or other COUNTY land development review departments in order to complete its environmental review. Therefore, an ADDENDUM to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if an ADDENDUM to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if an ADDENDUM to the EIR is not required."

Comments: SP00303A4

Planning. 8 SP - AG/DAIRY NOTIFICATION

Prior to the approval of any implementing residential land division within the SPECIFIC PLAN, the following condition of approval shall be applied to the implementing project stating that:

"PRIOR TO MAP RECORDATION, the applicant shall submit a detailed proposal for the notification of all initial and future purchasers of dwelling units within the subject project of the existence of dairies and/or other agricultural uses within one half mile of the property and potential impacts resulting from those uses. Said notification shall be in addition to any notice required by Ordinance No. 625 (Riverside County Right to Farm Ordinance). Said approved notification shall be provided to all initial and all future purchasers of dwelling units within the subject project."

Comments: SP00303A4

Planning. 9 SP - AMENDMENT REQUIRED

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project meets any of the following criteria, an amendment to the SPECIFIC PLAN shall be required and processed concurrently with this implementing project:

1. The implementing project adds any area to, or deletes area from, the SPECIFIC PLAN;

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 9

SP - AMENDMENT REQUIRED (cont.)

- 2. The implementing project proposes a substantially different use than currently allowed in the SPECIFIC PLAN (i.e. proposing a residential use within a commercially designated area); or
- 3. as determined by the Planning Director.

Any amendment to the SPECIFIC PLAN, even though it may affect only one portion of the SPECIFIC PLAN, shall be accompanied by a complete specific plan document which includes the entire specific plan, including both changed and unchanged parts.

This condition shall be considered MET if the specific plan amendment has been filed, and NOT APPLICABLE if a specific plan amendment is determined to be unnecessary."

Comments: SP00303A4

Planning. 10

SP - ARCHAEO M/M PROGRAM

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall enter into an agreement with a qualified archaeologist. This agreement shall include, but not be limited to, the preliminary mitigation and monitoring procedures to be implemented during the process of grading, as found in the EIR. A copy of said agreement shall be submitted to the Planning Department. No grading permits will be issued unless the preliminary mitigation

and monitoring procedures required prior to grading permits as described in the EIR are substantially complied with. "

Comments: SP00303A4

Planning. 11

SP - ARCHAEOLOGIST RETAINED

Prior to the approval of any land division or development permit (use permit, plot plan, etc.), a condiiton of approval shall be applied to the land division or development permit to ensure that the unique archaeologic resources identified in the Cultural Resources Report prepared as part of this Specific Plan's environmental documentation have been adequately addressed. The condition shall read as follows:

Prior to the issuance of grading permits, a qualified archaeologist shall be retained by the land divider for consultation and comment on the proposed grading with respect to potential impacts to unique archaeological resources. Should the archaeologist, after consultation with the appropriate Native American tribe, find the potential is high for impact to unique archaeological resources (cultural resources and sacred sites), a pre grading meeting between the archaeologist, a Native American observer, and the excavation and grading contractor shall take place. During grading operations, when deemed necessary in the professional opinion of the retained archaeologist (and/or as determined by the Planning Director), the archaeologist, the archaeologist's on site representative(s) and the Native American Observer shall actively monitor all project related grading and construction and shall have the authority to temporarily

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Planning

Planning. 11

SP - ARCHAEOLOGIST RETAINED (cont.)

divert, redirect, or halt grading activity to allow recovery of unique archaeological resources. Prior to the issuance of grading permits, the NAME, ADDRESS and TELEPHONE NUMBER of the retained archaeologist shall be submitted to the Planning Department and the B&S Grading Division. If the retained archaeologist, after consultation with the appropriate Native American tribe, finds no potential for impacts to unique archaeological resources, a letter shall be submitted to the Planning Department certifying this finding by the retained qualified archaeologist.

Comments: SP00303A4

Planning. 12

SP - CC&R RES PRI COMMON AREA

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP Common Area Maintenance" is a private organization:

"The applicant shall notify the Planning Department that the following documents shall be submitted to the Office of County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

- 1. A cover letter identifying the project for which approval is sought;
- 2. A signed and notarized declaration of covenants, conditions and restrictions;
- 3. A sample document, conveying title to the purchaser of an individual lot or unit, which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and
- 4. A deposit equaling three (3) hours of the current hourly fee for Review if Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, c) provide for ownership of the common area by either the property owners' association or the owners of each individual lot or unit as tenants in common, and (d) contain the following provisions verbatim:

"Notwithstanding, any provision in this Declaration to the contrary, the following provisions shall apply:

The property owners' association established herein shall manage and continuously maintain the 'common area', more particularly described on Exhibit '____', attached hereto, and shall not sell or transfer the 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor in interest.

The property owners' association shall have the right to assess the owners of each individual lot or unit for

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 12

SP - CC&R RES PRI COMMON AREA (cont.)

the reasonable cost of maintaining such 'common area' and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This Declaration shall not be terminated, 'substantially' amended, or property deannexed there from absent the prior written consent of the Planning Director of the County of Riverside or the County's successor in interest. A proposed amendment shall be considered 'substantial' if it affects the extent. usage or maintenance of the 'common area' established pursuant to this Declaration.

In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department Survey Division."

Comments: SP00303A4

Planning. 13

SP - CC&R RES PUB COMMON AREA

Prior to the approval of any implementing land division project (i.e. tract map or parcel map), the following condition shall be applied to the land division PRIOR TO MAP RECORDATION if the permanent master maintenance organization referenced in the condition entitled "SP Common Area Maintenance" is a public organization:

"The applicant shall convey to the County fee simple title, to all common open space areas, free and clear of all liens, taxes, assessments, leases (recorded or unrecorded) and easement, except those easements which in the sole discretion of the County are acceptable. As a condition precedent to the County accepting title to such areas, the applicant shall notify the Planning Department that the following documents shall be submitted to the Office of the County Counsel and submit said documents for review along with the current fee, which shall be subject to County Counsel approval:

- 1. A cover letter identifying the project for which approval is sought;
- 2. A signed and notarized declaration of covenants, conditions and restrictions:
- 3. A sample document, conveying title to the purchaser, of an individual lot or unit which provides that the declaration of covenants, conditions and restrictions is incorporated therein by reference; and,
- 4. A deposit equaling three (3) hours of the current hourly fee for Review of Covenants, Conditions and Restrictions established pursuant to County Ordinance No. 671 at the time the above referenced documents are submitted for County Counsel review.

Comments: SP00303A4

Planning. 14

SP - CC&R RES PUB COMMON AREA (Continued)

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 14 SP - CC&R RES PUB COMMON AREA (Continued) (cont.)

The declaration of covenants, conditions and restrictions submitted for review shall a) provide for a minimum term of 60 years, b) provide for the establishment of a property owners' association comprised of the owners of each individual lot or unit as tenants in common, and c) contain the following provisions verbatim:

"Notwithstanding any provision in this Declaration to the contrary, the following provisions shall apply: The property owners' association established herein shall, if dormant, be activated, by incorporation or otherwise, at the request of the County of Riverside, and the property owners' association shall unconditionally accept from the County of Riverside, upon the County's demand, title to all or any part of the 'common area', more particularly described on Exhibit '___' attached hereto. Such acceptance shall be through the president of the property owner's association, who shall be authorized to execute any documents required to facilitate transfer of the 'common area'. The decision to require activation of the property owners' association and the decision to require that the association unconditionally accept title to the 'common area' shall be at the sole discretion of the County of Riverside.

In the event that the 'common area', or any part thereof, is conveyed to the property owners' association, the association, thereafter, shall own such 'common area', shall manage and continuously maintain such 'common area', and shall not sell or transfer such 'common area' or any part thereof, absent the prior written consent of the Planning Director of the County of Riverside or the County's successor in interest. The property owners' association shall have the right to assess the owner of each individual lot or unit for the reasonable cost of maintaining such 'common area', and shall have the right to lien the property of any such owner who defaults in the payment of a maintenance assessment. An assessment lien, once created, shall be prior to all other liens recorded subsequent to the notice of assessment or other document creating the assessment lien.

This declaration shall not be terminated, 'substantially' amended, or property deannexed therefrom absent the prior written consent of the Planning Director of the County of Riverside or the County's successor in interest. A proposed amendment shall be considered 'substantial' if it affects the extent, usage or maintenance of the 'common area' established pursuant to this Declaration. In the event of any conflict between this Declaration and the Articles of Incorporation, the Bylaws, or the property owners' association Rules and Regulations, if any, this Declaration shall control."

The existing CC&R's shall be amended to include the following:6.16 "Residential Uses and Overnight Occupancy. Without limiting Section 4.1 above, (a) no portion of the Property shall be used as a primary residence and (b) overnight occupancy shall be permitted only on those portions of the Property identified on Exhibit C attached hereto, but such overnight occupancy shall be limited to forty-five (45) consecutive nights by any owner, renter, visitor or occupant, including but not limited to any vehicle maintenance staff, housekeeping staff, or any form of grounds keeper. Should any occupant stay longer than forty-five (45) consecutive nights, the owner of the property shall, at 12:01 am the forty-sixth (46th) day immediately lose track rights and club privileges. Upon the 50th (fiftieth) day, the property owner will be subject to fines, membership revocation, and/or additional sanctions imposed by the Declarant or OpCo until the violation is remedied. Track rights and club privileges shall be restored upon vacating the property and/or addressing the incurred penalty (penalties)."

Addition of #21 to General Club Rules:

21. Overnight Stays. No portion of the Property shall be used as a primary residence. Overnight occupancy shall be permitted only on those lots approved for overnight stays and shall be limited to forty-five (45) consecutive nights by any owner, renter, visitor, or occupant, including but not limited to any vehicle

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Planning

Planning. 14 SP - CC&R RES PUB COMMON AREA (Continued) (cont.)

maintenance staff, housekeeping staff, or any form of grounds keeper. Should any occupant stay longer than forty-five (45) consecutive nights, the owner of the property shall, at 12:01 am the forty-sixth (46th) day immediately lose track rights and club privileges. Upon the 50th (fiftieth) day, the property owner will be subject to fines, membership revocation, and/or additional sanctions imposed by the Declarant or OpCo until the violation is remedied. Track rights and club privileges shall be restored upon vacating the property and/or addressing the incurred penalty (penalties).

The modifications to the CC&R's shall be submitted for review no later than 60 days following the approval by the Board of Supervisors.

SP - COMMON AREA MAINTENANCE

Once approved by the Office of County Counsel, the declaration of covenants, conditions and restrictions shall be recorded by the Planning Department with one copy retained for the case file, and one copy provided to the County Transportation Department Survey Division."

Comments: SP00303A4

Planning. 15

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map), the following condition shall be placed on the implementing application:

"PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with: a. A permanent master maintenance organization shall be established for the specific plan area, to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association then neighborhood associations shall be established for each residential development, where

required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.

- b. Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.
- c. The maintenance organization shall be established prior to or concurrent with the recordation of the first land division.
- d. The common areas to be maintained by the master maintenance organization."

Comments: SP00303A4

Planning. 16

SP - COMPLETE CASE APPROVALS

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map,

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 16

SP - COMPLETE CASE APPROVALS (cont.)

use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"Prior to the approval of any implementing project (tract map, parcel map, use permit, plot plan, etc.) the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR must have been approved, adopted, and certified by the Board of Supervisors, respectively.

This condition shall be considered as MET once the SPECIFIC PLAN, the GPA, the CHANGE OF ZONE, and the EIR have been approved, adopted, and certified by the Board of Supervisors, respectively. This condition may not be DEFERRED."

Comments: SP00303A4

Planning. 17

SP - CULTURAL RESOURCE PROF.

Prior to approval/action of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit,

plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to the issuance of grading permits, the developer/permit holder shall retain and enter into a monitoring and mitigation service contract with a qualified Archaeologist for services.

The Project Archaeologist (Cultural Resource Professional) shall develop a Cultural Resources Monitoring Plan which must be approved by the County Archaeologist prior to issuance of grading permits.

The Project Archaeologist shall be included in the pre grade meetings to provide Construction Worker Cultural Resources Sensitivity Training including the establishment of set guidelines for ground disturbance in sensitive areas with the grading contractors and special interest monitors.

A sign in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

The Project Archaeologist shall manage and oversee monitoring for all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading, trenching, stockpiling of materials, rock crushing, structure demolition and etc.

The Project Monitor shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources in coordination with the special interest monitors.

The developer/permit holder shall submit a fully executed copy of the contract and a wet signed copy of the Monitoring Plan to the Riverside County Planning Department to ensure compliance with this condition of approval.

Comments: SP00303A4

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 18 SP - CVWD COMPLIANCE (cont.)

Planning. 18 SP - CVWD COMPLIANCE

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the applicant shall provide written assurance that all issues listed as "prior to District approval of future development plans within the Kohl Ranch

Specific Plan subject to regional flooding" in the letter from the Coachella Valley Water District dated September 16, 2010 have been addressed to the satisfaction of the Coachella Valley Water District. Specifically the letter requests:

- The developer will be required to pay fees for a flood management review by our consultant. Flood protection measures shall include detailed hydraulic analysis and plans for flood control that comply with Riverside County Ordinance No. 458, District, FEMA, and California Drainage Law regulations and standards.

Comments: SP00303A4

Planning. 19

SP - DISCLOSURE STATEMENTS

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the applicant shall submit to the Planning Director for review and approval a completed occupancy disclosure form for the project.

The approved disclosure form, along with its attachments, shall be included as part of the lease/sales agreements and as part of the sales literature for the project. The disclosure statement shall include information, current as of the date of submittal. The following shall be included at a minimum:

a.Information on Noise resulting from aircraft and/or helicopter operations from Jacqueline Cochran airport.

b.Information on Noise resulting from the race track operations.

- c. Overnight stays shall be limited to 45 consecutive nights."
- d. No permanent residency

Comments: SP00303A4

Planning. 20

SP - EA REQUIRED

Prior to the approval of any implementation project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"If this implementing project is subject to the California Environmental Quality Act (CEQA), an environmental assessment shall be filed and processed concurrently with this implementing project. At a minimum, the environmental assessment shall utilize the evaluation of impacts addressed in the EIR prepared for the SPECIFIC PLAN.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 20

SP - EA REQUIRED (cont.)

This condition shall be considered as MET if an environmental assessment was conducted for this implementing project. This condition may be considered as NOT APPLICABLE if this implementing project is not subject to CEQA. This condition may not be DEFERRED."

Comments: SP00303A4

Planning. 21

SP - ENTRY MONUMENTATION

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the following language shall be added to the landscaping requirements of the implementing project:

- 1. An entry monument shall be shown on the Exhibit .
- 2. The entry monument shall be in substantial conformance to the design guidelines of Planning Area ____ of the SPECIFIC PLAN, as shown on pages ____ to ___."

Comments: SP00303A4

Planning. 22

SP - GENERIC M/M PROGRAM

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall provide to the Planning Department a detailed proposal for complying with the preliminary mitigation and monitoring procedures described in the EIR for SPECIFIC PLAN 303 AMENDMENT NO. 4 during the process of grading. Grading permits will not be issued unless the preliminary mitigation and monitoring procedures as described in the EIR are substantially complied with."

Comments: SP00303A4

Planning. 23

SP - GEO STUDY REQUIRED

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO PROJECT APPROVAL, a geological/geotechnical study shall be submitted to the Planning Department Engineering Geologist for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 23 SP - GE

SP - GEO STUDY REQUIRED (cont.)

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

Comments: SP00303A4

Planning. 24

SP - HYDRO STUDY

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO PROJECT APPROVAL, a HYDROLOGY study shall be submitted to the Planning Department for review and approval.

This condition shall be considered MET if the relevant study has been approved by the Planning Department. This condition may be considered as NOT APPLICABLE if the Planning Department determines that the required study is not necessary.

The submittal of this study mandates that a CEQA determination of an Addendum to a previously adopted EIR be made, at a minimum."

Comments: SP00303A4

Planning. 25

SP - IF HUMAN REMAINS FOUND

Prior to the approval of any land division or development permit (use permit, plot plan, etc.), a condition of approval shall be applied to the land division or development permit, and shall read as follows: If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made a determination of origin and disposition pursuant to Public Resource Code section 5097.98. The County Coroner shall be notified of the find immediately. If the remains are determined to be prehistoric, the coroner shall notify the Native American Heritage Commission, which will determine and notify the appropriate NATIVE AMERICAN TRIBE who is the most likely descendent. The descendent shall inspect the site of the discovery and make a recommendation as to the appropriate mitigation. After the recommendations have been made, the land divider, a Native American Tribe representative, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented.

Comments: SP00303A4

Planning. 26

SP - Indemnification Agreement

In addition to Advisory Notification Document Conditions Advisory Notification 2. (AND – Hold Harmless) and Planning 19. (SP-Disclosure Statements), the applicant/permittee and any successor-in-interest of lots on PM36293 shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from any claim, action, or proceeding brought by lot owners or occupiers against COUNTY for noise nuisance or injury from aircraft or operation of the Jacqueline Cochran Regional

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 26

SP - Indemnification Agreement (cont.)

Airport.

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request related to such LITIGATION. Within ten (10) days of written notice from COUNTY, applicant/permittee and any successor in interest shall make such additional deposits.

Comments: SP00303A4

Planning. 27

SP - Limits of SP DOCUMENT

No portion of the SPECIFIC PLAN which purports or proposes to change, waive or modify any ordinance or other legal requirement for the development shall be considered to be part of the adopted specific plan. Notwithstanding o above, the design guidelines and development standards of the SPECIFIC PLAN or hillside development and grading shall apply in place of more general County guidelines and standards.

Comments: SP00303A4

Planning. 28

SP - M/M PROGRAM (GENERAL)

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The EIR and Addendum prepared for the SPECIFIC PLAN imposes specific mitigation measures and monitoring requirements on the project. Certain conditions of the SPECIFIC PLAN and this implementing project constitute reporting/monitoring requirements for certain mitigation measures."

Comments: SP00303A4

Planning. 29

SP MAINTAIN AREAS & PHASES

All planning area and phase numbers shall be maintained throughout the life of the SPECIFIC PLAN, unless

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 29

SP MAINTAIN AREAS & PHASES (cont.)

changed through the approval of a specific plan amendment or specific plan substantial conformance accompanied by a revision to the complete specific plan document.

Comments: SP00303A4

Planning. 30

SP - NON IMPLEMENTING MAPS

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"A land division filed for the purposes of phasing or financing shall not be considered an implementing development application for the purposes of the Planning Should this project be an application for phasing or project with a prefix of "SP" will be considered as NOT financing, this condition shall be considered as NOT APPLICABLE."

Comments: SP00303A4

Planning. 31

SP - PA PROCEDURES

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map or parcel map), the following condition shall be placed on the implementing project PRIOR TO MAP RECORDATION in the case of land division applications (tentative parcel maps or tentative tract maps) or PRIOR TO BUILDING PERMITS in the case of use permit applications (plot plans, conditional use permits, or public use permits):

"The planning area[s] for which this land division application is located must be legally defined. Any of the following procedures may be used in order to legally define this [these] planning area[s]:

- 1. The project proponent has processed a FINAL CHANGE OF ZONE MAP concurrent with the SPECIFIC PLAN which legally defined this [these] planning area[s].
- 2. The project proponent shall file a change of zone application along with a legal description defining the boundaries of the planning area affected by this land division application. The applicant will not be changing the allowed uses or standards within the existing zone but will merely be providing an accurate legal description of the affected planning area. The change of zone shall be approved and adopted by the Board of Supervisors."

Comments: SP00303A4

Planning. 32

SP - PALEO M/M PROGRAM

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"PRIOR TO THE ISSUANCE OF GRADING PERMITS, the project applicant shall enter into an agreement with

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 32

SP - PALEO M/M PROGRAM (cont.)

a qualified paleontologist. This agreement shall include, but not be limited to, the preliminary mitigation and monitoring procedures to be implemented during the process of grading.

A copy of said agreement shall be submitted to the Planning Department. No grading permits will be issued unless the preliminary mitigation and monitoring procedures as described in the EIR are substantially complied with."

Comments: SP00303A4

Planning. 33

SP - PARK AGENCY REQUIRED

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map, or parcel map), the following condition shall be placed on the implementing project:

"PRIOR TO MAP RECORDATION of any subdivision, or other residential development application, all portions of this implementing project not currently within the boundaries of the Desert Recreation and Park District or a similar entity such as a County Service Area/District that has been designated by the Board of Supervisors, pursuant to Section 10.35(G) of Ordinance No. 460, to receive park dedications and fees. Documentation of said annexation shall be provided to the Planning Department.

This condition shall be considered as NOT APPLICABLE if the Desert Recreation and Parks District is unwilling or unable to annex the property in question."

Comments: SP00303A4

Planning, 34

SP - PHASE IV MONITOR REPORT

Prior to the scheduling for a public hearing/approval/action of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Prior to Grading Permit Final (Archaeological Monitoring/Phase IV Report Submittal): The developer/holder shall prompt the Project Archaeologist to submit one (1) wet signed paper copy and (1) CD of a Phase IV Cultural Resources Monitoring Report that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The County Archaeologist shall review the report to determine adequate compliance with the approved conditions of approval. Upon determining the report is adequate, the County Archaeologist shall clear this condition.

Comments: SP00303A4

Planning. 35

SP - POST GRADING REPORT

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 35

SP - POST GRADING REPORT (cont.)

"PRIOR TO THE ISSUANCE OF BUILDING PERMITS, the project applicant shall provide to the Planning Department a post grading report. The report shall describe how the mitigation and monitoring program as described in the EIR and pre grading agreements with the qualified archaeologist/paleontologist/other were complied with."

Comments: SP00303A4

Planning. 36

SP - PROJECT LOCATION EXHIBIT

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"The applicant shall provide to the Planning Department an 8 1/2" x 11" exhibit showing where in the SPECIFIC PLAN this project is located. The exhibit shall also show all prior implementing projects within the SPECIFIC PLAN that have already been approved.

This condition shall be considered MET once the applicant provides the Planning Department with the required information. This condition may not be DEFERRED."

Comments: SP00303A4

Planning. 37

SP - SUBSEQUENT EIR

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that this implementing project may have a significant impact to the new environmental impacts that have arisen. Therefore, a SUBSEQUENT EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUBSEQUENT EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUBSEQUENT to the EIR is not required."

Comments: SP00303A4

Planning. 38

SP - SUPPLEMENT TO EIR

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 38

SP - SUPPLEMENT TO EIR (cont.)

"This implementing project has been reviewed in the context the EIR, which is associated with this SPECIFIC PLAN. The Planning Department has reviewed this project and its relationship to the EIR, and has found that although the EIR adequately addressed the environmental impacts of the SPECIFIC PLAN at the time, new environmental impacts have arisen since the certification of the original EIR. The Planning Department has determined that the new environmental impacts can be mitigated to below a level of significance. Therefore, a SUPPLEMENT to the previously certified EIR has been prepared in conjunction with this implementing application.

This condition shall be considered MET if a SUPPLEMENT to the EIR has been prepared. Alternatively, this condition shall be considered as NOT APPLICABLE if a SUPPLEMENT to the EIR is not required."

Comments: SP00303A4

Planning. 39

SP 90 DAYS TO PROTEST

The applicant has ninety (90) days from the date of the approval of these conditions to protest, in accordance with the procedures set forth in Government Code Section 66020, the imposition of any and all fees, dedications, reservations, and/or exactions imposed on this project as a result of the approval or conditional approval of this project.

Comments: SP00303A4

Planning. 40

SP ALTERNATIVE ENERGY GEN

All non residential structures over 1,000 square feet including, but not limited to public (libraries, public community centers, schools, and joint use facilities), and private recreation (buildings owned by an HOA) shall add renewable energy generating technology to the site or structure to reduce non renewable electricity by thirty three percent (33%) versus the "Business as Usual" scenario, which is defined as the regulations in effect pursuant to the CARB Scoping Plan.

Comments: SP00303A4

Planning. 41

SP COUNT RES BUILD PERMITS

This condition is applied to assist the Planning Department with tracking the build out of the SPECIFIC PLAN by automatically counting all the issuance of all new residential building permits on the County's Land Management System which are electronically associated with the Specific Plan.

Comments: SP00303A4

Planning. 42

SP FINAL DOCUMENTS

Within 60 days of the approval of the SPECIFIC PLAN amendment the following shall be submitted and approved by the Planning department:

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 42 SP FINAL DOCUMENTS (cont.)

Fifteen (15) cd and three (3) hard copies of the final SPECIFIC PLAN and EIR documents (SP/EIR) documents shall be submitted to the Planning Department for distribution. The documents shall include all the items listed in the condition titled "SP Documents". The final SP/EIR documents shall be distributed in the following fashion:

Building and Safety Department: 1 copy Transportation Department: 1 copy County Planning Department in Riverside: 1 copy Clerk of the Board of Supervisors: 1 copy

Any and all remaining documents shall be kept with the Planning Department in Riverside, or as otherwise determined by the Planning Director.

This condition cannot be DEFERRED or considered as NOT APPLICABLE.

Comments: SP00303A4

Planning. 43 SP PARK SCHEDULE

Prior to the approval of any implementing project within the SPECIFIC PLAN (i.e.: tract map, parcel map, use permit, plot plan, etc.), a schedule for the development of the park for the phase of the specific plan that the residential project is in shall be submitted to and approved by the Desert Recreation District. Conditions of approval reflecting the construction schedule will be placed on the SPECIFIC PLAN for all future implementing projects to comply.

This condition may be considered NOT APPLICABLE if the implementing project is not residential in nature. Accordingly, this condition may be considered MET only on the implementing projects for which a parks construction schedule has been approved, and may be considered MET for the entire SPECIFIC PLAN once the construction schedule for the every park in the SPECIFIC PLAN has been approved. This condition may not be DEFERRED.

Comments: SP00303A4

Planning. 44 SPA - Replace all previous

This Specific Plan Amendment is intended to replace the original SPECIFIC PLAN, and all amendments and substantial conformances to the SPECIFIC PLAN. All future developments within the SPECIFIC PLAN, whether or not they have a direct correlation to this Amendment, will inherit these conditions. The original SPECIFIC PLAN and all previous amendments and substantial conformances to the SPECIFIC PLAN will be electronically "locked" so that all future land development applications comply with the following conditions as stipulated under this Specific Plan No. 303, Substantial Conformance No. 3.

Comments: SP00303A4

Planning. 45 Use - Mitigation Monitoring - Air Quality Plan Conformity

C6-11 To assist in jobs/housing balance for the subregion, the Kohl Ranch Specific Plan includes a mix of

ADVISORY NOTIFICATION DOCUMENT

Planning

Planning. 45 Use - Mitigation Monitoring - Air Quality Plan Conformity (cont.)

land uses including residential, business, commercial, industrial, open space and public facilities. Both working and living opportunities have been made available within the thirteen project neighborhoods. An emphasis has been placed on developing employment concentrations near medium to high density residential areas creating areas of local activity. No additional mitigation is available to further reduce the project's regional emissions.

Planning-CUL

Planning-CUL. 1 SP INADVERTANT ARCHAEO FINDS

The developer/permit holder or any successor in interest shall comply with the following for the life of this project:

If during ground disturbance activities, cultural resources are discovered that were not assessed by the archaeological reports and/or environmental assessment conducted prior to project approval, the following procedures shall be followed. A cultural resources site is defined, for this condition, as being three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to it sacred or cultural importance.

- 1.All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted until a meeting is convened between the developer, the project archaeologist, the Native American tribal representative (or other appropriate ethic/cultural group representative), to discuss the significance of the find.
- 2. At the meeting, the significance of the discoveries shall be discussed and after consultation with the Native American tribal (or other appropriate ethnic/cultural group representative) and the archaeologist, a decision is made, as to the appropriate mitigation (documentation, recovery, avoidance, etc) for the cultural resource.
- 3. Further ground disturbance shall not resume within the area of the discovery until an agreement has been reached by all parties as to the appropriate preservation or mitigation measures.

Comments: SP00303A4

Planning-CUL. 2 SP IF HUMAN REMAINS FOUND

The developer/permit holder or any successor in interest shall comply with the following codes for the life of this project:

If human remains are encountered, State Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. Further, pursuant to Public Resources Code Section 5097.98 (b), remains shall be left in place and free from disturbance until a final decision as to the treatment and their disposition has been made. If the Riverside County Coroner determines the remains to be

Native American, the Native American Heritage Commission shall be contacted within the period specified

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 2

SP IF HUMAN REMAINS FOUND (cont.)

by law. Subsequently, the Native American Heritage Commission shall identify the "Most Likely Descendant." The Most Likely Descendant shall then make recommendations and engage in consultation with the County and the property owner concerning the treatment of the remains as provided in Public Resources Code Section 5097.98. Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Planning /Director.

Comments: SP00303A4

Transportation

Transportation. 1

SP - LANDSCAPING PLANS

All landscaping plans shall be prepared in accordance with Ordinance No. 859.2 (as adopted and any amendments thereto), the Riverside County Guide to California Landscaping, and Ordinance No. 348, Section 18.12. In the event conflict arises between Ordinance No. 859.2 and the SPECIFIC PLAN, then the requirements of Ordinance No. 859.2 shall prevail.

Comments: SP00303A4

Transportation. 2

SP - LC LANDSCAPE CONCEPT PLAN

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Provide two (2) sets of plans on 24" x 36" sheet at 20 scale that includes a title block, north arrow, limit of work lines, hardscape features, graphic scale, street names, elevation drawings, etc. The plan shall clearly depict concept designs and theme elements for the expected future final landscaping, shading, and parking plan (the final planting and irrigation plans would normally be submitted as a minor plot plan and approved prior to the issuance of building permits). For guidance, please review Section 18.12, Sections 19.300 through 19.304 of Ordinance No. 348, Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. No irrigation system information is required at the conceptual landscape phase.

Conceptual landscape plan shall also provide information on the size, number, genus, species, common name, spacing, plant factor, size, and symbol of trees, bushes and groundcover to be provided within landscaped areas and in other open space areas within the project. Top dressing(s) should be described, including the areas devoted to living groundcovers. All plants must be selected from the Riverside County California Friendly Plant List. Special features, such as rockwork, fencing, water features, recreational trails, MSCHP regulated areas, etc. shall be identified. The conceptual landscape plan shall consider existing landscaping on adjacent and nearby properties and provide a logical transition to the on site landscaping concepts with designs to prevent abrupt contrasts between properties.

If impacts to on site or nearby biological resources require special treatments, the planting plans shall be

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 2

SP - LC LANDSCAPE CONCEPT PLAN (cont.)

reviewed and approved by a professional biologist from the County's official list.

If the project is in the Coachella Valley, the landscape architect shall coordinate with the Riverside County Agricultural Commissioner's for a current list of quarantine plant materials. The number for the Agricultural Commissioner's office is 760 863 8291. The conceptual landscape plan shall be prepared in a professional manner by a California Licensed Landscape Architect.

Comments: SP00303A4

Transportation. 3

SP - LC LNDSCP CMN AREA MNTNN

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e., tract map or parcel map), the following condition shall be placed on the implementing application:

"PRIOR TO MAP RECORDATION, the following procedures for common area maintenance procedures shall be complied with:

- a. A permanent master maintenance organization shall be established for the specific plan area to assume ownership and maintenance responsibility for all common recreation, open space, circulation systems and landscaped areas. The organization may be public or private. Merger with an area wide or regional organization shall satisfy this condition provided that such organization is legally and financially capable of assuming the responsibilities for ownership and maintenance. If the organization is a private association then neighborhood associations shall be established for each residential development, where required, and such associations may assume ownership and maintenance responsibility for neighborhood common areas.
- b. Unless otherwise provided for in these conditions of approval, common open areas shall be conveyed to the maintenance organization as implementing development is approved or any subdivision as recorded.
- c. The maintenance organization shall be established prior to or concurrent with the recordation of the first land division. Any agreements with the maintenance organization shall stipulate that maintenance of landscaped areas will occur in accordance with Ordinance No. 859 (as adopted and any amendments thereto) and the Riverside Guide to California Friendly Landscaping.

Comments: SP00303A4

Transportation. 4

SP - LC LNDSCP CMN AREA MNTNN (Continued)

d. Covenants, Conditions, and Restrictions for the SPECIFIC PLAN shall prohibit the use of water intensive landscaping and require the use of low water use landscaping pursuant to the provisions of Ordinance No. 859 (as adopted and any amendments thereto).

Covenants, Conditions, and Restrictions for the SPECIFIC PLAN shall incorporate provisions concerning landscape irrigation system management and maintenance for the purpose of facilitating the water efficient landscaping requirements of Ordinance No. 859 (as adopted and any amendments thereto). The common areas to be maintained by the master maintenance organization shall include, but not be

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 4	SP - LC LNDSCP CMN AREA MNTNN (Continued) (cont.
limited to, the following:	Planning Area(s)

Comments: SP00303A4

Transportation. 5 SP - SOUTH VALLEY PARKWAY

The County is in the process of establishing a Road and Bridge Benefit District (RBBD) for the South Valley Parkway area, which includes this project site, in order to mitigate cumulative traffic impacts. A "South Valley Parkway Traffic Study and Roadway Phasing Plan", dated April 4, 2007, has been prepared which identifies cumulative impacts and the needed levels of transportation improvements to achieve acceptable Levels of Service.

The South Valley Parkway RBBD is currently in the planning stage, and the County is coordinating the preparation of a nexus study and refinements to the scope of improvements to be funded under the RBBD. These additional studies will provide the basis for establishing the RBBD fee structure.

Prior to the issuance of building permits for any implementing project for SP00303A3, whether a development plan, or recordation of an implementing subdivision map, each individual project within any phase of SP00303A4 shall be asked to pay the RBBD fee once it has been established and adopted. In the event the RBBD is not formed prior to the time when an implementing project is ready to record a map or obtain a building permit (for non residential projects), the proponent of the individual project will have the option of paying an estimated RBBD fee or making a roadway improvement as its proportional share of mitigating cumulative impacts or as approved by the Transportation Department.

Comments: SP00303A4

Transportation. 6 SP - SP303A4/CREDIT

In order to receive any fee credit or reimbursement for improvements, the project proponent shall contact the Transportation Department and enter into an agreement for fee credit or reimbursement prior to advertising. All work shall be preapproved by and shall comply with the requirements of the Transportation Department and the public contracts code in order to be eligible for fee credit or reimbursement.

To enter into an agreement, please contact our Funding Programs group at (951) 955 1667. For more information regarding the public work bidding requirements please visit the following link: http://rctlma.org/trans/Contractors Corner

Comments: SP00303A4

Transportation. 7 SP - SP303A4/IMPROVEMENTS

All roads shall be improved per the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department.

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 7 SP - SP303A4/IMPROVEMENTS (cont.)

Comments: SP00303A4

Transportation. 8 SP - SP303A4/WRCOG TUMF

The project proponent shall be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to Ordinance No. 673.

Comments: SP00303A4

Plan: SP00303S03 Parcel: 751070033

50. Prior To Map Recordation

Fire

050 - Fire. 1 Prior to recordation

Not Satisfied

Any building constructed on lots created by this project shall comply with the special construction provisions contained in Riverside County Ordinance 787, Title 14, the California Building Code and Riverside County Fire Department Information Bulletin #08-05. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

050 - Fire. 2 Prior to recordation

Not Satisfied

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

050 - Fire. 3 Prior to recordation

Not Satisfied

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 1

Use - Mitigation Monitoring - Air Quality

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a grading permit: Fugitive Dust

C6-1 The project shall be required by law to comply with regional and local rules and ordinances which will assist in reducing the short-term air pollutant emissions. For example, the SCAQMD's Fugitive Dust Rule 403 and Riverside County's Dust Control Ordinance require implementation of extensive fugitive dust control measures such as watering on site, revegetation, use of soil stabilizers and submittal of a wind erosion plan in some instances.

Construction Equipment Exhaust

C6-2 Construction operations shall comply with all applicable control measures identified in the "State Implementation Plan in the Coachella Valley: 1994 BACM Revision," March 1994.

C6-3 Construction equipment shall be selected considering emission factors and energy efficiency. All equipment shall be properly tuned and maintained.

On-Road Sources

C6-4 Construction activities shall be timed so as to not interfere with peak hour traffic and shall minimize obstruction of through traffic lanes adjacent to the site; if necessary, a flag person shall be retained to maintain safety adjacent to existing roadways.

C6-5 Ridesharing and transit incentives for the construction crew shall be supported and encouraged. Regional air pollutant emissions associated with the project are considered significant. To reduce the level of regional impact the following mitigation measures are provided.

C6-6 The project shall utilize a mix of services on-site to provide amenities for employees and residents that would reduce off-site vehicle trips. Consideration shall be given to postal services, banking, a food facility (restaurant/grocery store) and a ridesharing service to local commercial areas. C6-7 Local transit agencies shall be contacted to determine bus routing adjacent to the site that can be accommodated in design and for on-site provision of bus shelters and turnout lanes.

Plan: SP00303S03 Parcel: 751070033

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 1 Use - Mitigation Monitoring - Air Quality (cont.) Not Satisfied C6-8 The use of energy-efficient street lighting and on-site lighting in parking and walking areas (e.g., low pressure sodium, metal halide, clean lucalox and high pressure sodium) shall be used on-site to reduce emissions at the power plant serving the site.

060 - Planning. 2 Use - Mitigation Monitoring - Biology

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a grading permit:

C3-1 (Revised) - Pre-construction Surveys for nesting burrowing owls shall completed in accordance with the Staff Report on Burrowing Owl Mitigation, with the first survey no less than 14 days prior to initiation of project-related activities, and the second within 24 hours of project-related activities. If an active burrowing owl burrow is detected within 500 feet of the project site, avoidance and minimization measures shall be implemented in accordance with the California Department of Fish and Game 2012 guidelines, including implementation on a non-disturbance buffer and monitoring of the nest to ensure activities are not adversely affecting the nest. If the project will occur within this zone, then work must occur outside the nesting season, or until it can be shown that they have finished nesting, and then passive relocation may occur. The proposed process must be documented in a burrowing owl relocation plan and submitted to the Coachella Valley Association of Governments at least 30 days in advance of the proposed activity.

C3-2 – Prior to grading permits, CVMSHCP fees shall be paid to Riverside County pursuant to County procedures.

MM-BIO-1 (Added): To maintain compliance with the Migratory Bird Treaty Act and California Fish and Game Code, should ground disturbance and/or vegetation clearance activities be scheduled to occur during the avian nesting season, a preconstruction nesting bird survey shall be conducted by a qualified biologist within the project footprint and a 300-foot buffer around the project footprint. Surveys shall be conducted within 3 days prior to initiation of activity and shall be conducted between dawn and noon.

If an active nest is detected during the nesting bird survey, avoidance buffers shall be implemented as determined by a qualified biologist. The buffer shall be of a distance to ensure avoidance of adverse effects to the nesting bird by accounting for topography, ambient conditions, species, nest location, and activity type. All nests shall be monitored as determined by the qualified biologist until nestlings have fledged and dispersed or it is confirmed that the nest has been unsuccessful or abandoned.

060 - Planning. 3 Use - Mitigation Monitoring - Hazards & Hazardous Materials Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a grading permit:

MM HAZ-1: The Thermal Beach Club project developers shall implement a Bird Mitigation/Management Plan utilizing industry standard best management practices to identify both passive and active measures to reduce potential risks to operating aircraft from wildlife.

060 - Planning. 4 Use - Mitigation Monitoring - Hydrology, Flooding & Drainage Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following

Plan: SP00303S03 Parcel: 751070033

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 4 Use - Mitigation Monitoring - Hydrology, Flooding & Drainage Not Satisfied mitigation measures shall be completed prior to the issuance of a grading permit:

C5-1 Detention basins shall be required on-site to control storm runoff, in accordance with Specific Plan recommendations.

C5-2 The project drainage system shall control storm flows such that runoff volumes leaving the site shall approximate existing conditions.

C5-3 Drainage facilities associated with the project shall be designed in accordance with the Riverside County Flood Control District Hydrology Manual and Standards, and CVWD Standards. On-site runoff shall be intercepted and conveyed through the development by means of a conventional catch basin and storm drain system, in accordance with CVWD standards.

C5-4 A collector storm drain system to facilitate flows generated on-site shall be designed to utilize street flow carrying capacity and flows into catch basins and inlets when the quantity exceeds the top of curb.

C5-5 Protection from the 100-year flood shall be provided to all building pads in the Kohl Ranch, as the recommended Flood Control Plan is implemented.

C5-6 Maintenance and upgrading of storm drain facilities shall be implemented as outlined in applicable regional facilities plans.

C5-7 Pursuant to requirements of the State Water Resources Control Board, a state-wide general National Pollution Discharge Elimination System (NPDES) construction permit will apply to all construction activities. Construction activity includes: cleaning, grading, or excavation that results in the disturbance of at least five acres of total land area, or activity which is part of a larger common plan of development of five acres or greater. Therefore, as mitigation for this specific plan, the developer or builder shall obtain the appropriate NPDES construction permit prior to commencing grading activities. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program.

C5-8 The hydrology and drainage design shall take into account the existing stormwater, irrigation and drainage facilities which cross Kohl Ranch. The developer's engineer shall work with CVWD to develop an acceptable grading and drainage plan.

060 - Planning. 5 Use - Mitigation Monitoring - Landform & Topography

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a grading permit:

C1-1 Grading activities shall be in conformance with the overall Conceptual Grading Plan, the Uniform Building Code, Chapter 70, and Riverside County Ordinance No. 457.

C1-2 Prior to development within any area of the Specific Plan, an overall Conceptual Grading Plan for the portion in process shall be submitted for Planning Department approval.

C1-3 Unless otherwise approved by the Riverside County, Building and Safety Department, all cut and fill slopes shall be constructed at inclinations of no steeper than two (2) horizontal feet to one (1) vertical foot.

C1-4 A grading permit shall be obtained from the Riverside County, as required by the County Grading Ordinance, prior to grading.

C1-6 All projects proposing construction activities including: clearing, grading, or excavation that results in the disturbance of at least five acres total land area, or activity which is part of a larger common plan of development of five (5) acres or greater, shall obtain the appropriate NPDES construction permit and pay the appropriate fees. All development within the specific plan boundaries shall be subject to future requirements adopted by the County to implement the NPDES program.

Plan: SP00303S03 Parcel: 751070033

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 5 Use - Mitigation Monitoring - Landform & Topography (cont.) Not Satisfied C1-7 It is important that the grading plans are submitted to Coachella Valley Water District for utility clearance prior to issuance of a grading permit by Riverside County Building and Safety Department. This is to ensure that existing CVWD and USBR facilities are protected or properly modified to accommodate this development. The existence of some of these facilities, together with their relative importance, may require that the developer's grading plans be revised from those presented in the specific plan.

Refer to mitigation measure C6-1 in EIR 396 – Section V.C.6., Air Quality, regarding fugitive dust control measures.

See mitigation measure C1-6 above regarding grading activities, and mitigation measures for Water Quality (C7-1 through C7-3).

80. Prior To Building Permit Issuance

Planning

080 - Planning. 1

Use - Mitigation Monitoring - Geology & Seismicity

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a building permit:

C4-1 Additional site specific investigations addressing liquefaction potential shall be conducted for implementing projects once the locations and nature of structures are known. If potentially liquefiable soils are encountered during site specific investigations, proper site preparation and building design shall be required to conform to the applicable earthquake standards set forth in the Uniform Building Code and City of Riverside Municipal Code Title 16 in order to minimize liquefaction related problems. C4-2 Structures constructed on-site shall be designed in consideration of the seismic design requirements of the Uniform Building Code and the seismic setting of the site.

080 - Planning. 2

Use - Mitigation Monitoring - GHG

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a building permit:

MM GHG 1 In order to reduce energy consumption from the proposed Project development, construction of all homes and businesses shall exceed the 2008 California Energy Code - Title 24, Part 6 energy efficiency standards by 15%. GHG 1 replaces Mitigation Measures D7-9 and C9-1.

MM GHG 2 To reduce vehicle miles traveled, the Kohl Ranch Specific Plan will provide a transit center, including a bus stop opportunity and park—n-ride lot to facilitate carpooling and/or use of public transportation within some of the zones of the Project site which are restricted by airport flight paths/noise and with easy bus access.

MM GHG 3 To encourage carpooling and vanpools the Kohl Ranch Specific Plan will designate parking spaces for high-occupancy vehicles and provide larger parking spaces to accommodate vans used for ride sharing in all commercial areas.

MM GHG 4 Public information shall be provided to residents about opportunities to utilize public transportation and bicycles. This will be implemented through signage and information posted. Proof of compliance will be required prior to issuance of the building permit for each of the above facilities. MM GHG 5 Separate recycling and waste receptacles will be provided at each house and at commercial sites. Proof of compliance (e.g. contract with waste hauler) will be required prior to final inspection of each residence. Signage and information regarding the recycling bins and acceptable

Plan: SP00303S03 Parcel: 751070033

80. Prior To Building Permit Issuance

Planning

080 - Planning. 2

Use - Mitigation Monitoring - GHG (cont.)

Not Satisfied

recyclable materials shall be posted at commercial sites. Proof of compliance will be required by the Department of Building and Safety prior to the Plot Plan Final Inspection of all commercial facilities. MM GHG 6 Install light colored "cool" roofs and cool pavements whenever possible.

MM GHG 7 Preserve existing trees on-site through the use in place or relocation of palms currently growing on-site.

MM GHG-8 (Added): Prior to issuance of building permits, the Project applicant shall provide documentation to the County of Riverside Building and Safety Department demonstrating that the following measures or any other combination thereof are incorporated from the County's 2018 Greenhouse Gas Emissions Screening Tables, shown in Appendix F of the Riverside County Climate Action Plan, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.

080 - Planning, 3

Use - Mitigation Monitoring

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a building permit:

C6-9 Low-polluting and high-efficiency appliances shall be installed wherever possible. Solar energy shall be evaluated for heating any swimming pools or water heaters on-site.

C6-10 Transportation Demand Management (TDM) utilized on-site shall support a reduction in mobile emissions as employees/residents convert from single occupant vehicle (SOV) use to other modes of transportation. TDM could include:

- □ preferential carpool parking:
- designing appropriate bicycling and walking paths;
- □ reduced costs for transit passes:
- □ flexible work hours for transit riding, carpooling, walking and bicycling employees; and
- implementing a parking fee on-site to discourage single occupant vehicles (SOVs).

080 - Planning. 4

Use - Mitigation Monitoring

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to the issuance of a grading permit:

C13-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.

C13-2 Lighting shall conform to the Lighting Guidelines Section of the Kohl Ranch Specific Plan.

C13-3 Warm white lighting shall be encouraged. Bright colored or blinking lights shall not be encouraged except in theme restaurants and shops of commercial development areas.

C13-4 Building or roof outline tube lighting shall be subject to Riverside County approval.

C13-5 Design and placement of site lighting shall minimize glare affecting adjacent properties, buildings, and roadways.

C13-6 Careful consideration and coordination shall be given to avoid any potential conflicts with Jacqueline Cochran Regional Airport operations.

C13-7 Lighting shall be designed to minimize sky glow and effects on the Mt. Palomar Observatory and the nighttime desert sky.

Plan: SP00303S03 Parcel: 751070033

80. Prior To Building Permit Issuance

Planning

080 - Planning. 4

Use - Mitigation Monitoring (cont.)

Not Satisfied

C13-8 Fixtures and standards shall conform to state and local safety and illumination requirements. In particular, lighting shall conform to Riverside County Ordinance No. 655, which includes requirements related to the Mt. Palomar Observatory.

C13-9 Automatic timers on lighting shall be designed to maximize personal safety during nighttime use while saving energy.

C13-10 The buildings shall use non-metallic, low reflective glass (30 percent or lower reflective factor) and building materials to keep daytime glare to a minimum.

C13-11 Future development projects shall be subject to the requirements of Section 7 of Ordinance No. 655, which includes the preparation of lighting plans and evidence of compliance.

C13-12 All new light fixtures installed shall be consistent with the guidelines in Section 5 (General Requirements), Section 6 (Requirements for Lamp Source and Shielding) and Section 8 (Prohibitions) of Ordinance No. 655.

90. Prior to Building Final Inspection

Planning

090 - Planning, 1

Use - Mitigation Monitoring - Soils & Agriculture

Not Satisfied

*The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit. The following mitigation measures shall be completed prior to occupancy:

C2-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.

C2-2 The project shall be subject to Riverside County's right-to-farm ordinance, Ordinance No. 625, which protects farmers' rights with respect to urban encroachment. Per Section 6 of Ordinance No. 625, buyers of homes shall be noticed for any land division that lies partly or wholly within, or within 300 feet of any land zoned primarily for agricultural purposes.

C2-3 In addition to notice required by Ordinance No. 625, notice shall be provided to future homeowners within the Specific Plan area of the potential impacts associated with surrounding agricultural use.



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY

Juan C. Perez Agency Director

09/11/19, 1:02 pm PPT180037

ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for PPT180037. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Project Description & Operational Limits

The requested entitlements below are considered the "Project." The project is commonly referred to as the Thermal Beach Club (Beach Club or Project).

Change of Zone No. 1900027 (CZ1900027): To reconfigure the boundaries of Kohl Ranch Specific Plan Planning Areas: J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1. L-2, and L-3.

Specific Plan No. 303, Substantial Conformance No. 3 (SP303S03): Substantial conformance to adopted Specific Plan No. 303 (Kohl Ranch) to facilitate the Thermal Beach Club development within all or portions of Planning Neighborhoods "J" and "L."

Tentative Tract Map No. 37269 (TTM37269): Tentative Tract Map for Schedule "A" subdivision of approximately 123 acres, within two existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units.

Plot Plan No. 180037 (PPT180037): Plot Plan for the construction of the Thermal Beach Club. To allow the construction of duplex and multiple family dwellings associated with TT37269. The proposal includes the development and use of an approximate 22 acre lagoon with wave making capability and up to 34,440 square feet of private club house buildings (village area) that includes a spa, pool, deck, restaurant and bar. In addition, the application will request annual events. The events would consist of surfing demonstrations for Thermal Beach Club residents and their guest.

The 34,440 square foot clubhouse facility is located on an approximately 4.55-acre area, within Planning Area L-1 of the Kohl Ranch Specific Plan (SP303) and is comprised of the following:

- Building 1 16,000 square foot recreational center (Spa, Exercise Room, Lockers and Deck).
- Building 2 8,000 square foot pool and bar.
- Building 3 5,900 square foot of administrative offices, dining area, and kitchen.
- Building 4 4,500 square feet of clubhouse restaurant, bar, retail shop and kitchen.

The clubhouse area is proposing a total of 361 automobile parking spaces, and 30 golf cart spaces. The project site is generally located north of Avenue 66, south of Avenue 64, east of Tyler Street and West of

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 1

AND - Project Description & Operational Limits (cont.)

Polk Street in the community of Thermal.

Advisory Notification. 2

AND - Mitigation Measures

MM TCR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.

Advisory Notification. 3

AND - EIR Mitigation Measures

Noise

C8-1 Construction activities within 800 feet of existing sensitive receptors shall take place only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction activities that occur within one mile of a sensitive receptor but not closer than 800 feet shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday. Construction under either of these two scenarios shall not be allowed on Federal holidays. Construction activities where there are no sensitive receptors within a one-mile radius shall not be time-restricted.

C8-2 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

C8-3 Stationary equipment shall be placed such that emitted noise is directed away from any existing sensitive noise receivers.

Advisory Notification. 4 SP Alternative Energy Gen

All non residential structures over 1,000 square feet including, but not limited to public (libraries, public community centers, schools, and joint use facilities), and private recreation (buildings owned by an HOA) shall add renewable energy generating technology to the site or structure to reduce non renewable electricity by thirty three percent (33%) versus the "Business as Usual" scenario, which is defined as the regulations in effect pursuant to the CARB Scoping Plan.

BS-Plan Check

BS-Plan Check. 1

Gen - Custom

BUILDING AND SAFETY COMMENTS

To assist in providing an expeditious review, please cloud all corrections on revised exhibit. Items labeled as "Corrections" must be addressed prior to entitlement approval. Items labeled as "Notifications" are for your information only and are not required for entitlement approval. Include a comment response list addressing each correction on the comment list. Thank You.

Corrections:

- 1- Specify the usage, area and occupancy group for each building on the site plan.
- 3- Clarify the building number and location reference to exhibit B.
- 4- Please clarify if any of the residential unit types shall be primarily transient in nature? (Motel, Hotel, units for rent ..etc?)
- 5- ACCESSIBLE PATH OF TRAVEL: For the club houses and any other public areas:

ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1 Gen - Custom (cont.)

Please provide a revised site plan to indicate the required continuous accessible paved path of travel. The accessible path of travel details shall include;

- 1. Accessible path construction type (Asphalt or concrete).
- 2. Accessible path width.
- 3. Accessible path directional slope % and cross slope %.
- 4. All accessible ramp and curb cut-out locations and details where applicable.

The Accessible path of travel shall:

- 1. Connect to the public R.O.W.
- 2. Connect to all building(s).
- 3. Connect to all accessible parking loading/unloading areas.
- 4. Connect to accessible sanitary facilities.
- 5. Connect to areas of public accommodation.

Please be aware that the approved site plan with accessibility requirements should be included with any building plan submittals. The plan review staff may have additional comments depending on the additional information or revisions provided during the plan review process. Additional accessible requirements within the structure shall be reviewed during the building plan review. Notifications:

CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s). PERMIT ISSUANCE:

Per section 105.1 (2016 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate building permit.

E Health

E Health. 1 ECP COMMENTS

ADVISORY NOTIFICATION DOCUMENT

E Health

E Health. 1 ECP COMMENTS (cont.)

Based on the information provided in the environmental assessment documents submitted for this project and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) concludes no further environmental assessment is required for this project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

Fire

Fire. 1 GENERAL CONDITIONS

ACCESS

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

WATER

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

Planning-CUL

Planning-CUL. 1 Gen - ARTIFACT DISPOSITION

In the event cultural resources are identified during ground disturbing activities, the landowner(s) shall relinquish ownership of all cultural resources, (with the exception of sacred items, burial goods, and Human Remains) and Provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through one of the following methods.

- 1. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe(s) or band(s). This shall include measures and provisions to protect the reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be included in the Phase IV Report.
- 2. Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 1 Gen - ARTIFACT DISPOSITION (cont.)

form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

If more than one Native American Group is involved with the project and cannot come to a consensus as to the disposition of cultural resources, the landowner(s) shall then proceed with curation at the Western Science Center.

Comments: RECOMMEND DLJONES 20190410

Planning-CUL. 2 Gen - HUMAN REMAINS

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with the following codes:

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. The Coroner will have two working days to determine if the remains are subject to his or her authority as part of a crime.

If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted by the Coroner within the period specified by law (24 hours). The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, inspect the site of the discovery of the Native American human remains and may recommend means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall make recommendations or preferences for treatment within 48 hours of being granted access to the site. Upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, where the Native American human remains are located, is not damaged or disturbed The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. The descendants' preferences for treatment may include the following:

- The nondestructive removal and analysis of human remains and items associated with Native American human remains.
- Preservation of Native American human remains and associated items in place.
- Relinquishment of Native American human remains and associated items to the descendants for treatment.
- Other culturally appropriate treatment.

The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the project area, providing a basis for additional treatment measures.

Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness. Any items associated with the human remains that are placed or buried with the Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.

Whenever the commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 2

Gen - HUMAN REMAINS (cont.)

shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:

- Record the site with the commission or the appropriate Information Center.
- Utilize an open-space or conservation zoning designation or easement.
- Record a document with the county in which the property is located. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the owner of the property, and the owner's acknowledged signature, in addition to any other information required by this section. The document shall be indexed as a notice under the name of the owner. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with the descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains.

Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Archaeologist.

Comments: RECOMMEND DLJONES 20190410

Planning-CUL. 3

Gen - UNANTICIPATED RESOURCES

The developer/permit holder or any successor in interest shall comply with the following for the life of

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

- * A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to sacred or cultural importance.
- ** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Comments: RECOMMEND DLJONES 20190410

ADVISORY NOTIFICATION DOCUMENT

Planning-GEO

Planning-GEO. 1 GEO190007 ACCEPTED

County Geologic Report GEO No. 190007, submitted for the projects TTM37269 and PPT180037, was prepared by Sladden Engineering. The report is titled; "Geotechnical Update: Geotechnical Investigation report prepared by Sladden Engineering dated September 14, 2016; Project No. 16-09-364," dated January 25, 2019. In addition, Sladden has submitted the following report for the project:

"Geotechnical Investigation, Proposed Thermal Beach Club, NWC of Polk Street and Avenue 66, Thermal Area, Riverside County, California," dated September 14, 2016.

"Response to Riverside County Request for Additional Information, Proposed Thermal Beach Club, NWC of Polk Street Extension and Avenue 66, TTM 37269 & PP 180037, Thermal Area, Riverside County, California," dated April 13, 2019.

GEO190007 concluded:

- 1. No active faults are known to project through the site and the site is not within an Alquist-Priolo Earthquake Fault (Special Studies) Zone.
- 2. Based upon published maps, onsite mapping, and a review of non-stereo digitized photographs of the site, risks associated with primary surface ground rupture should be considered "low."
- 3. Based on the relatively flat nature of the site, risks associated with debris flows are considered remote.
- 4. Locally, no fissures or other surficial evidence of subsidence were observed during our field investigations or during our review of black and white stereo-photo pairs. Therefore, risks associated with subsidence are considered low.
- 5. Based on our liquefaction analysis with anticipated high groundwater at 5 feet bgs and a PGAm of 0.571g, the potential total seismic settlements are calculated to be up to 5.50 inches and 4.25 inches for BH-2 and BH-8, respectively. Differential settlement is estimated to be less than 1.25 inches over a span of about 100 feet.
- 6. Expansion Index testing on the site indicated the presence of soils with "Medium" and "High" potential for expansion. Special expansive soil design criteria will be necessary for the design of foundations and concrete slabs-on-grade for the proposed residential buildings.
- 7. The proposed clubhouse and restaurant/bar structures will consist of lightweight wood-frame structures that are similar in design and construction to the proposed residential structures that were addressed in the previously approved reports.
- 8. The proposed wave generating equipment structures warrant supplemental recommendations for design and construction, as outlined in the referenced response letter.

 GEO190007 recommended:
- 1. Areas to be graded and paved should be cleared of any existing structures, improvements, foundation elements, vegetation, associated root systems, concrete and debris, and disposed of offsite.
- 2. The primary foundation bearing soil should be removed to a depth of at least 4 feet below existing grade or 3 feet below the bottom of footings, whichever is deeper.
- 3. The exposed soil should then be moisture conditioned to near optimum moisture and compacted to at least 90 percent relative compaction.
- 4. All footings should be founded upon properly compacted engineered fill material and should have a minimum embedment depth of 12 or 18 inches below lowest adjacent finished grade.
- 5. Post-tensioned slabs will be required for the proposed residential structures in order to mitigate potential liquefaction related differential settlements and expansive soil conditions.
- 6. A minimum slab thickness of 5 inches and a minimum reinforcement consisting of #4 bars at 24 inches

ADVISORY NOTIFICATION DOCUMENT

Planning-GEO

Planning-GEO. 1 GEO190007 ACCEPTED (cont.)

on center in each direction is recommended.

- 7. Based on the recommended allowable bearing pressures, the total static settlement of the shallow footings is anticipated to be less than one-inch, with static differential settlement anticipated to be approximately one-half of the total settlement.
- 8. The proposed wave generating equipment will require specialized grading and construction due to the presence of shallow groundwater. The construction will require localized dewatering and will likely require the use of geo-grid reinforcement or geotechnical stabilization fabrics and crushed rock to provide for uniform foundation support and provide a stable construction environment.

GEO No. 190007 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 190007 is hereby accepted for planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be reviewed and additional comments and/or conditions may be imposed by the County upon application for grading and/or building permits.

Comments: RECOMMEND DWALSH 20190430

Transportation

Transportation. 1 TS/CONDITIONS - Phase I-III

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require development proposals to maintain a Level of Service 'C', except that Level of Service 'D' shall apply to all development proposals located within any of the following Area Plans: Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands, Lakeview/Nuevo, Sun City/Menifee Valley, Harvest Valley/Winchester, Southwest Area, The Pass, San Jacinto Valley, Western Coachella Valley and those Community Development Areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Spine Road (NS) at West Project Driveway (EW)

Polk Street (NS) at East Project Driveway (EW)

Polk Street (NS) at 66th Avenue (EW)

Polk Street (NS) at 64th Avenue (EW)

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 1 TS/CONDITIONS - Phase I-III (cont.)

Polk Street (NS) at 62nd Avenue (EW)

Polk Street (NS) at 60th Avenue (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

Waste Resources

Waste Resources. 1 Gen - Custom

- 1. AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services. Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
- -Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
- -Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet
- the requirements of AB 1826.
- 2. AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

www.rivcowm.org/opencms/recycling/recycling and compost business.html#mandatory

Waste Resources. 1 Gen - Custom

1. Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but

ADVISORY NOTIFICATION DOCUMENT

Waste Resources

Waste Resources. 1 Gen - Custom (cont.)

are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.

2. Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

Plan: PPT180037 Parcel: 751070033

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 EASEMENTS/PERMISSION

Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 2 IF WQMP IS REQUIRED

Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 3 IMPROVEMENT SECURITIES

Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

060 - BS-Grade. 4 MINIMUM DRAINAGE GRADES

Not Satisfied

Minimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

060 - BS-Grade. 5 TILE DRAINS

Not Satisfied

Prior to the issuance of a grading permit, the existing underdrainage system (tile drains) shall be clearly delineated on the grading plan. The grading plan shall include, but is not limited to following information:

- 1. Location and depth of the existing tile drains.
- 2. Proposed location of service risers, tie-ins and inspection vaults.
- 3. Easement locations.
- 4. Show any relocating/rerouting of existing drains to accommodate planned subsurface improvements.
- 5. Appropriate incorporation of supplemental underdrainage devices and proper tie in into tile-drain manifolds and mains.
- 6. Maintenance responsibility (HOA, CVWD, etc.) shall be noted on plan.
- 7. The Preliminary Soils report shall include any mitigation measures and these measures shall be incorporated on the grading plan as required.

Fire

060 - Fire. 1 Prior to grading

Not Satisfied

FIRE GRADING PERMITS REQUIRED

Submittal to the Office of the Fire Marshal for Precise Grading permit will be required.

Planning

Plan: PPT180037 Parcel: 751070033

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 1

Development Standards

Not Satisfied

All buildings shall comply with the Development Standards identified in Ordinance No. 348 and the Kohl Ranch Specific Plan.

The development standards for the two family dwelling units as identified in Subsections AA. through DD. of Ordinance No. 348.4897 are as follows:

□ AA. The minimum overall area for each individual unit within a two-family dwelling exclusive of the area set aside for street rights of way shall be two thousand square feet.

□ BB. The minimum lot area for two-family lots as a residential site shall be two thousand (2,000) square feet. The minimum lot area shall be determined by excluding that portion of the lot that is used solely for access to the portion of a lot used as a building. For each two family dwelling, common open space shall be provided equal to the difference between the lot area for such two family dwelling and 8,000 feet.

□ CC. Side yards on interior and through lots shall not be less than 2 feet for one-story buildings; not less than ten feet (10) for two-story buildings; and not less than fifteen feet (15) for three-story buildings. Side yards on corner and revered corner lots shall be not less than ten (10) feet from the exiting street line as shown on any Specific Plan on Highways, whichever is nearer to the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed twenty percent of the lot width.

DD. The rear yard shall not be less than ten (10) feet for one-story buildings; not less than 15 feet for two-story buildings; and not less than 20 feet for three story buildings. Although the structures have not been plotted on the tentative map exhibit, the applicant has demonstrated that ability to comply with these setback requirements.

Planning-CUL

060 - Planning-CUL. 1 Gen - CULTURAL SENSITIVITY TRAINING

Not Satisfied

The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

060 - Planning-CUL. 2 Gen - NATIVE AMERICAN MONITOR

Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.

060 - Planning-CUL. 3 Gen - PROJECT ARCHAEOLOGIST

Not Satisfied

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program. A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 3 Gen - PROJECT ARCHAEOLOGIST (cont.) Not Satisfied procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried

archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

Planning-EPD

060 - Planning-EPD. 1 0060-EPD-Nesting Bird Survey (MBTA)

Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 15st through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted.

The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report to Environmental Programs Division (EPD) documenting the results of the pre-construction nesting bird survey.

Planning-PAL

060 - Planning-PAL. 1 PRIMP

Not Satisfied

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 PRIMP (cont.)

Not Satisfied

- 1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).
- 2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:
- 1. Description of the proposed site and planned grading operations.
- 2. Description of the level of monitoring required for all earth-moving activities in the project area.
- 3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- 4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- 5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
- 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- 7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- 8. Procedures and protocol for collecting and processing of samples and specimens.
- 9. Fossil identification and curation procedures to be employed.
- 10. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
- 11. All pertinent exhibits, maps and references.
- 12. Procedures for reporting of findings.
- 13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.
- 14. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

Transportation

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 1 Map - Submit Grading Plan (cont.)

Not Satisfied

When you submit a grading plan to the Department of Building and Safety, a copy of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit. Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee. Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA 92051.

060 - Transportation. 2 RCTD-MAP-WQ - Whitewater Region - FINAL WQMP REQU Not Satisfied

The project is located in the Whitewater watershed. An approved Water Quality Management Plan (WQMP) is required prior to recordation of a final map or issuance of a grading permit. The project shall submit a single PDF on two CD/DVD copies, in accordance with the latest version of the WQMP manual, found at www.rcflood.org/npdes. In addition, the project proponent shall ensure that the effects of increased peak flowrate for the 1, 3, 6, 24-hour storm events for the 2, 5, 10, and 100-year return periods from the project are mitigated or in Bermuda Dunes area these flows shall be fully retained. All details necessary to build BMPs per the WQMP shall be included on the grading plans.

TRN-Grade

060 - TRN-Grade. 1 Approved WQMP

Not Satisfied

Prior to the issuance of a grading permit, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) to verify that all approved water quality treatment control BMPs have been included on the grading plan.

060 - TRN-Grade. 2 BMP Permit

Not Satisfied

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

060 - TRN-Grade. 3 Drainage Design - Q100

Not Satisfied

All onsite drainage facilities shall be designed to accommodate 100 year storm flows. A drainage report with hydrologic and hydraulic calculations shall be submitted to the Building and Safety Department for review and approval.

060 - TRN-Grade. 4 Drainage Easement(s)

Not Satisfied

In instances where the grading plan proposes drainage facilities on adjacent offsite property, the owner/ applicant shall provide a copy of the recorded drainage easement.

060 - TRN-Grade. 5 Fire Department Approval for Driveway(s)

Not Satisfied

Driveways 150 feet in length and longer shall be designed in accordance with Riverside County Fire Department standards - or the governing Fire Department if not the County - and shall require their approval prior to issuance of the grading permit.

Plan: PPT180037 Parcel: 751070033

60. Prior To Grading Permit Issuance

TRN-Grade

060 - TRN-Grade. 5

Fire Department Approval for Driveway(s) (cont.)

Not Satisfied

060 - TRN-Grade. 6

Geotechnical Reports

Not Satisfied

A geotechnical/soils report(s) in accordance with the CALIFORNIA BUILDING CODE AND RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS shall be submitted to the Building and Safety Department for review and approval prior to issuance of a grading permit.

060 - TRN-Grade. 7

Import/Export

Not Satisfied

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department.

A separate stockpile permit is required for the import site which shall be authorized in conjunction with an approved construction project and shall comply with the requirements of Ordinance 457. Additionally, if the movement of import / export occurs using county roads, review and approval of the haul routes by the Transportation Department may be required.

060 - TRN-Grade, 8

Improvement Securities

Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security with the Transportation Department.

060 - TRN-Grade. 9

Notice of Intent

Not Satisfied

Prior to issuance of a grading permit, sites indicating a disturbance of "ONE" acre or larger, the owner/applicant shall provide a "Notice of Intent" (NOI) for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit, contact the SWRCB at www.swrcb.ca.gov.

060 - TRN-Grade. 10

PM10 Plan Required

Not Satisfied

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

- 1. The PM10 plan shall require the posting of signs in accordance with the Coachella Valley Fugitive Dust Control Handbook.
- 2. All PM10 measures must be in place prior to commencing any grading activity on site.
- 3. The owner, developer, contractor, and their assignees must attend the PM10 class conducted by SCAQMD.

060 - TRN-Grade. 11

Pre-construction Meeting

Not Satisfied

Upon receiving grading plan approval and prior to the issuance of a grading permit, the applicant is required to schedule a pre-construction meeting with the Building and Safety Department.

060 - TRN-Grade, 12

Tile Drains

Not Satisfied

Prior to the issuance of a grading permit, the existing underdrainage (tile drains) shall be clearly delineated on the grading plan. All easements, subsurface improvements and maintenance

Plan: PPT180037 Parcel: 751070033

60. Prior To Grading Permit Issuance

TRN-Grade

060 - TRN-Grade. 12 Tile Drains (cont.)

Not Satisfied

responsibility (HOA, CVWD, etc.) shall be included on the grading plan.

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Gen - PHASE IV MONITORING REPORT

Not Satisfied

Upon completion of the implementation phase (clearing, grubbing, grading trenching), a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 1

NO BUILDING PERMIT W/O GRADING PERMIT

Not Satisfied

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

080 - BS-Grade. 2 ROUGH GRADE APPROVAL

Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

- 1. Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
- 2. Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
- 3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
- 4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E Health

080 - E Health. 1

E Health Clearance

Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health.

09/11/19 13:03

Riverside County PLUS CONDITIONS OF APPROVAL

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Plan: PPT180037 Parcel: 751070033

80. Prior To Building Permit Issuance

E Health

080 - E Health. 1 E Health Clearance (cont.)

Not Satisfied

080 - E Health. 2 Food Plans

Not Satisfied

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code.

080 - E Health. 3 Pool Plans

Not Satisfied

A set of three complete plans for the swimming pool/spa must be submitted to verify compliance with the California Administrative Code, the California Health and Safety Code and the Uniform Plumbing Code.

080 - E Health, 4 Sewer Will Serve

Not Satisfied

A "Will Serve" letter is required from the sewer agency serving the project.

080 - E Health. 5 Surf Bay Not Satisfied

A set of three complete plans for the surf bay/lagoon must be submitted to verify compliance with the California Administrative Code, the California Health and Safety Code and the Uniform Plumbing Code.

080 - E Health. 6 Water Will Serve

Not Satisfied

A "Will-Serve" letter is required from the appropriate water agency.

Fire

080 - Fire. 1 Prior to permit Not Satisfied

FIRE CONSTRUCTION PERMITS REQUIRED

Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

Planning

080 - Planning. 1 Climate Action Plan - On-site Renewable Energy

Not Satisfied

In accordance with measure R2-E10 of the County's Climate Action Plan, the proposed project shall be required to offset its as provided below:

- i. Commercial, office, industrial or manufacturing development: 20 percent of energy demand
- ii. Multi-family residential development: 20 percent of energy demand
- iii. Single-family residential development: 30 percent of energy demand

This offset is anticipated to be accommodated through solar panels mounted on the building rooftops. The energy demand shall be determined at the initial building permit stage if the tenant/particular use is known at that time. If the tenant or particular use is not known at that time, this condition should be deferred to the tenant improvement building permit and to any subsequent tenant improvement permits as tenants may change.

80. Prior To Building Permit Issuance

Planning

080 - Planning. 1 Climate Action Plan - On-site Renewable Energy (cont.) Not Satisfied Utilizing the energy demand calculated, the appropriate amount of solar panels shall be included with the related building permits to ensure their installation and operation.

As it relates to the initial building permit, the roof shall be designed to accommodate rooftop mounted solar panels.

ALUC approval could be required for rooftop mounted solar panels related glare prior to building permit issuance based on their separate conditions of approval and determination of consistency for this project.

080 - Planning. 2 EV Charging Stations

Not Satisfied

The Clubhouse Village area provides 361 parking spaces that trigger the requirement for a minimum of nine electric vehicle (EV) charging stations. Based on the 361 parking space lot, the project shall provide a minimum of nine EV charging stations, and shall comply with all applicable parking requirements below:

ELECTRIC VEHICLE PARKING AND CHARGING STATIONS.

- 1) Requirements.
- a. Development projects for Multiple Family Dwellings that require two (2) to twenty-four (24) parking spaces shall designate one (1) parking space for electrical vehicles.
- b. All development projects that require twenty-five (25) to forty-nine (49) parking spaces shall designate two (2) parking spaces for electrical vehicles.
- c. All development projects that require fifty (50) or more parking spaces shall designate three (3) spaces for electrical vehicles, and designate one (1) additional space for electrical vehicles for each additional fifty (50) parking spaces.
- d. All electrical vehicle parking spaces shall be serviced by an electrical vehicle charging station. If capable, a charging station may service more than one electrical vehicle parking space.
- e. All electrical vehicle parking spaces shall be shown on parking site plans.
- 2) Signage and Charging Station Location
- a. Signage shall be installed designating spaces for electric vehicles only.
- b. Charging stations shall be installed in locations easily accessible to service an electrical vehicle.
- c. Charging stations and associated equipment or materials shall not encroach into the minimum required areas for driveways, parking spaces, garages or vehicle maneuvering.

Transportation

080 - Transportation. 1 LSP - LANDSCAPE INSPECTION DEPOSIT

Not Satisfied

Prior to building permit issuance, all landscape inspection deposits and plan check fees shall be paid.

080 - Transportation. 2

LSP - LANDSCAPE SECURITIES

Plan: PPT180037 Parcel: 751070033

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 2 LSP - LANDSCAPE SECURITIES (cont.)

Not Satisfied

Prior to the issuance of building permits, the project proponent shall submit an estimate to install and replace plantings, irrigation systems, ornamental landscape elements, in amounts to be approved by the Transportation Department, Landscape Section. After approval of the estimate, the estimate shall be resubmitted on the requisite form for County Counsel review. A cash security shall be required when the estimated cost is \$2,500.00 or less. Please allow adequate time to ensure that securities are in place. Bond and Agreements may take at least 30-days for review. The performance security shall be released following a successful completion of the One-Year Post-Establishment Inspection.

080 - Transportation. 3 Map - CVAG TUMF

Not Satisfied

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

080 - Transportation. 4 RCTD-WQ - ESTABLISH WQMP MAINT ENTITY

Not Satisfied

A maintenance plan and signed WQMP/BMP maintenance agreement shall be submitted to the Transportation Department shall be approved and recorded against the property. A maintenance organization will be established with a funding source for the permanent maintenance.

080 - Transportation. 5 RCTD-WQ - IMPLEMENT WQMP

Not Satisfied

The Project shall construct BMP facilities described in the approved Final County WQMP prior to the issuance of a building permit to the satisfaction of County Grading Inspection Section. The Project is responsible for performing all activities described in the County WQMP and that copies of the approved Final County WQMP are provided to future owners/occupants.

080 - Transportation. 6 TS/DESIGN (Phase I-III)

Not Satisfied

The project proponent shall be responsible for the design of traffic signal(s) at the intersections of:

None

080 - Transportation. 7 TS/GEOMETRICS (Phase I-III)

Not Satisfied

Polk Street (NS) at Driveway 1 (EW) - Construct the intersection with the following geometrics:

Northbound: One shared left-through lane.

Southbound: One shared through-right turn-lane.

Eastbound: One shared left-right turn lane. Install a stop control

Westbound: Not Applicable (N/A)

Spine Road (NS) at Driveway 2 (EW) - Construct the intersection with the following geometrics:

Northbound: One shared through-right turn-lane.

Southbound: One shared through-left turn-lane.

Eastbound: N/A

Westbound: One shared left-right turn lane. Install a stop control.

or as approved by the Transportation Department.

Plan: PPT180037 Parcel: 751070033

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 7 TS/GEOMETRICS (Phase I-III) (cont.)

Not Satisfied

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

Waste Resources

080 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area

Not Satisfied

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources, and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash and recyclable materials and have the adequate signage indicating the location of each bin in the trash enclosure.

The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials, location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

080 - Waste Resources. 2 Gen - Waste Recycling Plan

Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 PRECISE GRADE APPROVAL

Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

Plan: PPT180037 Parcel: 751070033

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade. 1 PRECISE GRADE APPROVAL (cont.)

Not Satisfied

- 1. Requesting and obtaining approval of all required grading inspections.
- 2. Submitting a "Wet Signed" copy of the Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
- 3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
- 4. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance

E Health

090 - E Health. 1 E Health Clearance

Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

090 - E Health. 2 Hazmat Clearance

Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

090 - E Health. 3 Hazmat Review

Not Satisfied

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

Transportation

090 - Transportation. 1 LSP - LANDSCAPE INSPECTION REQUIRED

Not Satisfied

The project's Licensed/Registered Landscape Architect or On-site Representative shall schedule the Landscape PRE-INSTALLATION INSPECTION (irrigation/soils reports), the Landscape INSTALLATION INSPECTION (planting/mulch/Ord 859 compliance), and ensure an acceptable Landscape Security and Inspection Deposit is posted with the Department. The PRE-INSTALLATION INSPECTION shall occur prior to the installation of any landscape or irrigation. An INSTALLATION INSPECTION shall be at least 5 working days prior to the building final inspection or issuance of occupancy permit, whichever occurs first. All landscape planting and irrigation systems shall be installed in accordance with Landscaping Concept Plans, Planning Exhibits, landscaping, irrigation, Ord 859 requirements, and shading plans. All landscaping shall be healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order.

Non-residential permits - After a successful landscape ONE-YEAR POST-ESTABLISHMENT INSPECTION, the Landscape Inspector and the Licensed/Registered Landscape Architect shall execute a Landscape Certificate of Completion that shall be submitted to the Transportation Department, Landscape Section. Landscape Bonds may be released at that time.

Plan: PPT180037 Parcel: 751070033

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 2 Map - Utility Install (cont.)

Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

090 - Transportation. 3

Primary Access

Not Satisfied

Street Improvements to Polk Street between 66th Ave and 62 Ave as conditioned in Tract Map No. 37269 shall be complete prior to final occupancy.

090 - Transportation. 4

RCTD-WQ - WQMP COMPLETION

Not Satisfied

Prior to Building Final Inspection, the Project is required to furnish educational materials regarding water quality to future owners/occupants, provide an engineered WQMP certification, inspection of BMPs, GPS location of BMPs, ensure that the requirements for inspection and cleaning the BMPs are established, and for businesses registering BMPs with the Transportation Department's Business Storm Water Compliance Program Section.

090 - Transportation. 5

Secondary Access

Not Satisfied

Secondary Access shall be provided to the site prior to final occupancy by either completing improvements to Spline Road and 64th Ave. per the conditions of Tract Map 37269, or completing improvements to the Private Street connecting the project to Tyler Street.

TRN-Grade

090 - TRN-Grade. 1

Precise Grade Approval

Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

- 1. Requesting and obtaining approval of all required grading inspections.
- 2. Submitting a "Wet Signed" copy of the Soils Compaction Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
- 3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
- 4. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
- 5. Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

Plan: PPT180037 Parcel: 751070033

90. Prior to Building Final Inspection

TRN-Grade

090 - TRN-Grade. 2 Required Grading Inspections

Not Satisfied

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1. Sub-grade inspection prior to base placement.
- 2. Base inspection prior to paving.
- 3. Precise grade inspection of entire permit area.
- a. Inspection of Final Paving
- b. Precise Grade Inspection
- c. Inspection of onsite storm drain facilities

090 - TRN-Grade. 3 TS/INSTALLATION (Phase I-III)

Not Satisfied

The project proponent shall be responsible for the design and construction of traffic signal(s) at the intersections of:

None

Waste Resources

090 - Waste Resources. 1 Gen - Custom

Not Satisfied

Prior to final building inspection, applicants shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation. Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org

090 - Waste Resources. 2 Gen - Recyclables Collection and Loading Area Inspection Not Satisfied

Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plot plan, as approved and stamped by the Riverside County Department of Waste Resources, and as verified by the Riverside County Building and Safety Department through site inspection.

090 - Waste Resources. 3 Gen - Waste Reporting Form and Receipts

Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY

Juan C. Perez Agency Director

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ADVISORY NOTIFICATION DOCUMENT

The following notifications are included as part of the recommendation of approval for TTM37269. They are intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property.

Advisory Notification

Advisory Notification. 1 AND - Causes for Revocation

In the event the use hereby permitted under this permit, a) is found to be in violation of the terms and conditions of this permit, b) is found to have been obtained by fraud or perjured testimony, or c) is found to be detrimental to the public health, safety or general welfare, of is a public nuisance, this permit shall be subject to revocation procedures.

Advisory Notification. 2 AND - Hold Harmless

The applicant/permittee or any successor-in-interest shall defend, indemnify, and hold harmless the County of Riverside or its agents, officers, and employees (COUNTY) from the following:

(a) any claim, action, or proceeding against the COUNTY to attack, set aside, void, or annul an approval of the COUNTY, its advisory agencies, appeal boards, or legislative body concerning the TTM37269,SP303S03, PPT180023, CZ1900027 or its associated environmental documentation; and, (b) any claim, action or proceeding against the COUNTY to attack, set aside, void or annul any other decision made by the COUNTY concerning the TTM37269,SP303S03, PPT180023, CZ1900027 including, but not limited to, decisions made in response to California Public Records Act requests; and

(a) and (b) above are hereinafter collectively referred to as "LITIGATION."

The COUNTY shall promptly notify the applicant/permittee of any LITIGATION and shall cooperate fully in the defense. If the COUNTY fails to promptly notify the applicant/permittee of any such LITIGATION or fails to cooperate fully in the defense, the applicant/permittee shall not, thereafter, be responsible to defend, indemnify or hold harmless the COUNTY.

The obligations imposed by this condition include, but are not limited to, the following: the applicant/permittee shall pay all legal services expenses the COUNTY incurs in connection with any such LITIGATION, whether it incurs such expenses directly, whether it is ordered by a court to pay such expenses, or whether it incurs such expenses by providing legal services through its Office of County Counsel.

Payment for COUNTY's costs related to the LITIGATION shall be made on a deposit basis. Within thirty (30) days of receipt of notice from COUNTY that LITIGATION has been initiated against the Project, applicant/permittee shall initially deposit with the COUNTY's Planning Department the total amount of Twenty Thousand Dollars (\$20,000). Applicant/permittee shall deposit with COUNTY such additional amounts as COUNTY reasonably and in good faith determines, from time to time, are necessary to cover costs and expenses incurred by the COUNTY, including but not limited to, the Office of County Counsel, Riverside County Planning Department and the Riverside County Clerk of the Board associated with the

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 2 AND - Hold Harmless (cont.)

LITIGATION. To the extent such costs are not recoverable under the California Public Records Act from the records requestor, applicant/permittee agrees that deposits under this section may also be used to cover staff time incurred by the COUNTY to compile, review, and redact records in response to a Public Records Act request made by a petitioner in any legal challenge to the Project when the petitioner is using the Public Records Act request as a means of obtaining the administrative record for LITIGATION purposes. Within ten (10) days of written notice from COUNTY, applicant/permittee shall make such additional deposits.

Advisory Notification. 3 AND - Preamble

This Advisory Notification Document is included as part of the justification for the recommendation of approval of this TTM37269, SP303S03, PPT180037, CZ1900027 and is intended to advise the applicant of various Federal, State and County regulations applicable to this entitlement and the subsequent development of the subject property in accordance with approval of that entitlement and are in addition to the applied conditions of approval.

Advisory Notification. 4 AND - Project Description & Operational Limits

The requested entitlements below are considered the "Project." The Project is commonly referred to as the Thermal Beach Club (Beach Club or Project).

Change of Zone No. 1900027 (CZ1900027): To reconfigure the boundaries of Kohl Ranch Specific Plan Planning Areas: J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1. L-2, and L-3.

Specific Plan No. 303, Substantial Conformance No. 3 (SP303S03): Substantial conformance to adopted Specific Plan No. 303 (Kohl Ranch) to facilitate the proposed Thermal Beach Club development within all or portions of Planning Neighborhoods "J" and "L." The proposed Thermal Beach Club development includes multiple components consisting of a lagoon for surfing, 326 residential units, and a clubhouse village area.

Tentative Tract Map No. 37269 (TTM37269): Tentative Tract Map for a Schedule "A" subdivision of approximately 123 acres, within two existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units.

Plot Plan No. 180037 (PPT180037): Plot Plan for the construction of the Thermal Beach Club. To allow the construction of duplex and multiple family dwellings associated with TT37269. The proposal includes the development and use of an approximately 22-acre lagoon with wave making capability and up to 34,440 square feet of private club house buildings (village area) that includes a spa, pool, deck, restaurant and bar. In addition, the application will request annual events. The events would consist of surfing demonstrations for Thermal Beach Club residents and their guests.

The 34,440—square-foot clubhouse facility is located on an approximately 4.55-acre area, within Planning Area L-1 of the Kohl Ranch Specific Plan (SP303) and is comprised of the following:

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ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 4 AND - Project Description & Operational Limits (cont.)

- Building 1 16,000 square foot recreational center (Spa, Exercise Room, Lockers and Deck).
- Building 2 8,000 square foot pool and bar.
- Building 3 5,900 square foot of administrative offices, dining area, and kitchen.
- Building 4 4,500 square feet of clubhouse restaurant, bar, retail shop and kitchen.

The project is also proposing a total of 361 automobile parking spaces and 30 golf cart spaces to the clubhouse area.

The Project site is generally located north of Avenue 66, south of Avenue 64, east of Tyler Street and West of Polk Street in the community of Thermal.

Advisory Notification. 5 AND - Mitigation Measures

MM TCR-1 (Added): During grading activities, a Qualified Archaeologist shall be retained for full-time monitoring where native soils are disturbed.

Comments: PPT180037

Advisory Notification. 6 AND - Design Guidelines

Compliance with applicable Design Guidelines:

Advisory Notification. 7 AND - EIR Mitigation Measures

Noise

C8-1 Construction activities within 800 feet of existing sensitive receptors shall take place only between the hours of 7:00 a.m. and 6:00 p.m. Monday through Saturday. Construction activities that occur within one mile of a sensitive receptor but not closer than 800 feet shall be restricted to the hours of 7:00 a.m. and 10:00 p.m. Monday through Saturday. Construction under either of these two scenarios shall not be allowed on Federal holidays. Construction activities where there are no sensitive receptors within a one-mile radius shall not be time-restricted.

C8-2 All construction equipment, fixed or mobile, shall be equipped with properly operating and maintained mufflers.

C8-3 Stationary equipment shall be placed such that emitted noise is directed away from any existing sensitive noise receivers.

Comments: PPT180037

Advisory Notification. 7 AND - EIR Mitigation Measures

Incorporation of all adopted EIR Mitigation Measures as identified in Addendum No. 9 of EIR 396.

Advisory Notification. 8 AND - Exhibits

The development of the premises shall conform substantially with that as shown on APPROVED EXHIBIT(S)

ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 8

AND - Exhibits (cont.)

Tentative Tract Map No. 37269 Exhibit A (Site Plan), Plot Plan No. 180037 Exhibit B (Elevations), Plot Plan No 180037.

and in accordance with the Kohl Ranch Specific Plan (SP303)

Advisory Notification. 9

AND - Federal, State & Local Regulation Compliance

- 1. Compliance with applicable Federal Regulations, including, but not limited to:
- National Pollutant Discharge Elimination System (NPDES)
 - Clean Water Act
 - Migratory Bird Treaty Act (MBTA)
- 2. Compliance with applicable State Regulations, including, but not limited to:
- The current Water Quality Management Plan (WQMP) Permit issued by the applicable Regional Water Quality Control Board (RWQCB.)
 - Government Code Section 66020 (90 Days to Protest)
 - Government Code Section 66499.37 (Hold Harmless)
 - State Subdivision Map Act
 - Native American Cultural Resources, and Human Remains (Inadvertent Find)
 - School District Impact Compliance
 - Civil Code Section 815.3 & Government Code Sections 65040.2 et al SB 18 (Tribal

Intergovernmental Consultation)

- Public Resources Code Section 5097.94 & Sections 21073 et al AB 52 (Native Americans: CEQA)]
- 3. Compliance with applicable County Regulations, including, but not limited to:
 - Ord. No. 348 (Land Use Planning and Zoning Regulations)
 - Ord. No. 413 (Regulating Vehicle Parking)
 - Ord. No. 421 (Excavation Covering & Swimming Pool Safety)
 - Ord. No. 457 (Building Requirements)
 - Ord. No. 458 (Regulating Flood Hazard Areas & Implementing National Flood Insurance Program)
 - Ord. No. 460 (Division of Land)
 - Ord. No. 461 (Road Improvement Standards)
 - Ord. No. 484 (Control of Blowing Sand)
 - Ord. No. 555 (Surface Mining and Reclamation)
 - Ord. No. 625 (Right to Farm)
 - Ord. No. 630 (Regulating Dogs and Cats)
 - Ord. No. 716 (Abandoned, Neglected or Cruelly Treated Animals)
 - Ord. No. 771 (Controlling Potentially Dangerous & Dangerous Animals)
 - Ord. No. 878 (Regarding Noisy Animals)
 - Ord. No. 655 (Regulating Light Pollution)
 - Ord. No. 671 (Consolidated Fees) {All case types}
 - Ord. No. 679 (Directional Signs for Subdivisions)
 - Ord. No. 742 (Fugitive Dust/PM10 Emissions in Coachella Valley)

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ADVISORY NOTIFICATION DOCUMENT

Advisory Notification

Advisory Notification. 9 AND - Federal, State & Local Regulation Compliance (cont.)

- Ord. No. 787 (Fire Code)
- Ord. No. 847 (Regulating Noise)
- Ord. No. 857 (Business Licensing)
- Ord. No. 859 (Water Efficient Landscape Requirements)
- Ord. No. 915 (Regulating Outdoor Lighting)
- Ord. No. 916 (Cottage Food Operations)
- Ord. No. 925 (Prohibiting Marijuana Cultivating)
- Ord. No. 927 (Regulating Short Term Rentals)
- Ord. No. 928 (Clarifying County Prohibition on Mobile Marijuana Dispensaries and Deliveries)
- 4. Mitigation Fee Ordinances
 - Ord. No. 659 Development Impact Fees (DIF)
 - Ord. No. 663 Stephens Kangaroo Rat Habitat Conservation Plan (SKR)
 - Ord. No. 673 Coachella Valley Transportation Uniform Mitigation Fee (CV TUMF)
 - Ord. No. 875 Coachella Valley Multiple Species Habitat Conservation Plan (CV MSHCP)

BS-Plan Check

BS-Plan Check. 1 Gen - Custom

BUILDING AND SAFETY COMMENTS

To assist in providing an expeditious review, please cloud all corrections on revised exhibit. Items labeled as "Corrections" must be addressed prior to entitlement approval. Items labeled as "Notifications" are for your information only and are not required for entitlement approval. Include a comment response list addressing each correction on the comment list. Thank You.

Corrections:

- 1- Specify the usage, area and occupancy group for each building on the site plan.
- 3- Clarify the building number and location reference to exhibit B.
- 4- Please clarify if any of the residential unit types shall be primarily transient in nature? (Motel, Hotel, units for rent ..etc?)
- 5- ACCESSIBLE PATH OF TRAVEL: For the club houses and any other public areas:

Please provide a revised site plan to indicate the required continuous accessible paved path of travel. The accessible path of travel details shall include;

- 1. Accessible path construction type (Asphalt or concrete).
- 2. Accessible path width.
- 3. Accessible path directional slope % and cross slope %.
- 4. All accessible ramp and curb cut-out locations and details where applicable.

The Accessible path of travel shall:

- 1. Connect to the public R.O.W.
- 2. Connect to all building(s).
- 3. Connect to all accessible parking loading/unloading areas.
- 4. Connect to accessible sanitary facilities.
- 5. Connect to areas of public accommodation.

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ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1 Gen - Custom (cont.)

Please be aware that the approved site plan with accessibility requirements should be included with any building plan submittals. The plan review staff may have additional comments depending on the additional information or revisions provided during the plan review process. Additional accessible requirements within the structure shall be reviewed during the building plan review. Notifications:

CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s). PERMIT ISSUANCE:

Per section 105.1 (2016 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate building permit.

Comments: PPT180037

BS-Plan Check. 1 Gen - Custom

NOTIFICATIONS:

ACCESSIBLE PATH OF TRAVEL:

Site plan to indicate the required continuous accessible paved path of travel shall be required. The accessible path of travel details shall include;

- 1. Accessible path construction type (Asphalt or concrete).
- 2. Accessible path width.
- 3. Accessible path directional slope % and cross slope %.
- 4. All accessible ramp and curb cut-out locations and details where applicable.

The Accessible path of travel shall:

- 1. Connect to the public R.O.W.
- 2. Connect to all building(s).

ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1 Gen - Custom (cont.)

- 3. Connect to all accessible parking loading/unloading areas.
- 4. Connect to accessible sanitary facilities.
- 5. Connect to areas of public accommodation.

Please be aware that the approved site plan with accessibility requirements should be included with any building plan submittals. The plan review staff may have additional comments depending on the additional information or revisions provided during the plan review process. Additional accessible requirements within the structure shall be reviewed during the building plan review.

CODE/ORDINANCE REQUIREMENTS:

The applicant shall obtain the required building permit(s) from the building department prior to any construction on the property. All building plans and supporting documentation shall comply with current adopted California Building Codes, Riverside County Ordinances regulations in effect at the time of building plan submittal and fee payment to the Building Department. All Building Department plan submittal and fee requirements shall apply.

NOTE: The new updated 2019 California Building Codes will be in effect as of January 1st 2020, as mandated by the state of California. Any building plan and fee payment submitted to the building department on or after January 1st, 2020 will be subject to the new updated California Building Code(s).

PERMIT ISSUANCE:

Per section 105.1 (2016 California Building Code, CBC): Where any owner or authorized agent intends to construct, enlarge, alter, repair, move, demolish or change the occupancy of a building or structure, or to erect, install, enlarge, alter, repair, remove, convert, or replace any electrical, gas, mechanical, or plumbing system, the regulation of which is governed by this code, or to cause any such work to be done, shall first make application to the building official and obtain the required permit.

The applicant shall obtain the required building permit(s) from the building department prior to any construction or placement of any building, structure or equipment on the property.

The applicant shall obtain an approved final building inspection and certificate of occupancy from the building department prior to any use or occupancy of the building, or structure.

At no time shall the approval of the planning case exhibit allow for the construction or use of any building, structure, or equipment. In residential applications, each separate structure will require a separate building permit.

Plan Info

designed plans.

Plans prepared, stamped and signed by a design professional (California licensed Architect, or California Licensed Engineer) may not be altered with hand drawn information. The jurisdictional plan review and/or inspection staff is unable to determine when such information has been placed, and if in fact either the design professional or applicable park authority has in fact approved the added information. All added structural components, cabinets/counter, or utility additions shall be included within the printed

**For more information regarding the following:
BSD (ARCHITECTURAL) PLANS SUBMITTAL REQUIREMENTS
MODEL BRS SUBMITTAL REQUIREMENTS

ADVISORY NOTIFICATION DOCUMENT

BS-Plan Check

BS-Plan Check. 1

Gen - Custom (cont.)

PRODUCTION BRS SUBMITTAL REQUIREMENTS
BSD PLANS (WALLS) SUBMITTAL REQUIREMENTS
MODEL PRECISE GRADE SUBMITTAL REQUIREMENTS
PRODUCTION PRECISE GRADE SUBMITAL REQUIREMENTS
RESIDENTIAL TRACT WORKSHEET
TRACT STANDARD PLAN PRODUCTION WORKSHEET
RESIDENTIAL TRACT WALL WORKSHEET
PRECISE TRACT GRADING WORKSHEET

Please check this link:

http://rctlma.org/Portals/4/Handouts/Tracts/Subdivision_Process_Handout_Booklet_70318_07_2018.pdf

E Health

E Health. 1

ECP COMMENTS

Based on the information provided in the environmental assessment documents submitted for this project and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) concludes no further environmental assessment is required for this project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

Comments: PPT180037

E Health. 1

ECP COMMENTS

Based on the information provided in the environmental assessment documents submitted for this project and with the provision that the information was accurate and representative of site conditions, RCDEH-ECP (Riverside County Department of Environmental Health – Environmental Cleanup Program) concludes no further environmental assessment is required for this project.

If previously unidentified contamination or the presence of a naturally occurring hazardous material is discovered at the site, assessment, investigation, and/or cleanup may be required. Contact Riverside County Environmental Health - Environmental Cleanup Programs at (951) 955-8980, for further information.

Fire

Fire. 1

Fire

ACCESS

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance

ADVISORY NOTIFICATION DOCUMENT

Fire

Fire. 1 Fire (cont.)

with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787, and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

WATER

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

FIRE CONSTRUCTION PERMITS REQUIRED

Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

Fire. 2 GENERAL CONDITIONS

ACCESS

Fire Department emergency vehicle apparatus access road locations and design shall be in accordance with the California Fire Code, Riverside County Ordinance 460, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

WATER

Fire Department water system(s) for fire protection shall be in accordance with the California Fire Code, Riverside County Ordinance 787 and Riverside County Fire Department Standards. Plans must be submitted to the Fire Department for review and approval prior to building permit issuance.

Comments: PPT180037

Planning

Planning. 1 Mitigation Monitoring

- *The permittee shall prepare and submit a written report to the Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this permit.
- C2-1 All future development projects in the Kohl Ranch Specific Plan project area shall be designed in accordance with all applicable criteria in the Planning Standards and Design Guidelines in the Kohl Ranch Specific Plan.
- C2-2 The project shall be subject to Riverside County's right-to-farm ordinance, Ordinance No. 625, which protects farmers' rights with respect to urban encroachment. Per Section 6 of Ordinance No. 625, buyers of homes shall be noticed for any land division that lies partly or wholly within, or within 300 feet of any land zoned primarily for agricultural purposes.
- C2-3 In addition to notice required by Ordinance No. 625, notice shall be provided to future homeowners within the Specific Plan area of the potential impacts associated with surrounding agricultural use.

Planning-CUL

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 1 ARTIFACT DISPOSITION (cont.)

Planning-CUL. 1 ARTIFACT DISPOSITION

In the event cultural resources are identified during ground disturbing activities, the landowner(s) shall relinquish ownership of all cultural resources, (with the exception of sacred items, burial goods, and Human Remains) and Provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through one of the following methods.

- 1. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe(s) or band(s). This shall include measures and provisions to protect the reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be included in the Phase IV Report.
- 2. Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

If more than one Native American Group is involved with the project and cannot come to a consensus as to the disposition of cultural resources, the landowner(s) shall then proceed with curation at the Western Science Center.

Planning-CUL. 2 Gen - ARTIFACT DISPOSITION

In the event cultural resources are identified during ground disturbing activities, the landowner(s) shall relinquish ownership of all cultural resources, (with the exception of sacred items, burial goods, and Human Remains) and Provide evidence to the satisfaction of the County Archaeologist that all archaeological materials recovered during the archaeological investigations (this includes collections made during an earlier project, such as testing of archaeological sites that took place years ago), have been handled through one of the following methods.

- 1. A fully executed reburial agreement with the appropriate culturally affiliated Native American tribe(s) or band(s). This shall include measures and provisions to protect the reburial area from any future impacts. Reburial shall not occur until all cataloguing, analysis and special studies have been completed on the cultural resources. Details of contents and location of the reburial shall be included in the Phase IV Report.
- 2. Curation at a Riverside County Curation facility that meets federal standards per 36 CFR Part 79 and therefore will be professionally curated and made available to other archaeologists/researchers and tribal members for further study. The collection and associated records shall be transferred, including title, and are to be accompanied by payment of the fees necessary for permanent curation. Evidence shall be in the form of a letter from the curation facility identifying that archaeological materials have been received and that all fees have been paid.

If more than one Native American Group is involved with the project and cannot come to a consensus as to the disposition of cultural resources, the landowner(s) shall then proceed with curation at the Western

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 2

Gen - ARTIFACT DISPOSITION (cont.)

Science Center.

Comments: RECOMMEND DLJONES 20190410 PPT180037

Planning-CUL. 3

Gen - HUMAN REMAINS

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with the following codes:

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further disturbance shall occur until the County Coroner has made the necessary findings as to origin. The Coroner will have two working days to determine if the remains are subject to his or her authority as part of a crime.

If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted by the Coroner within the period specified by law (24 hours). The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, inspect the site of the discovery of the Native American human remains and may recommend means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall make recommendations or preferences for treatment within 48 hours of being granted access to the site. Upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, where the Native American human remains are located, is not damaged or disturbed The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. The descendants' preferences for treatment may include the following:

- The nondestructive removal and analysis of human remains and items associated with Native American human remains.
- Preservation of Native American human remains and associated items in place.
- Relinquishment of Native American human remains and associated items to the descendants for treatment.
- Other culturally appropriate treatment.

The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the project area, providing a basis for additional treatment measures.

Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness. Any items associated with the human remains that are placed or buried with the Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.

Whenever the commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:

Record the site with the commission or the appropriate Information Center.

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 3

Gen - HUMAN REMAINS (cont.)

- Utilize an open-space or conservation zoning designation or easement.
- Record a document with the county in which the property is located. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the owner of the property, and the owner's acknowledged signature, in addition to any other information required by this section. The document shall be indexed as a notice under the name of the owner. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with the descendants is necessary to consider culturally appropriate treatment of multiple Native American human remains.

Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Archaeologist.

Comments: RECOMMEND DLJONES 20190410 PPT180037

Planning-CUL. 4

Gen - UNANTICIPATED RESOURCES

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

- * A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to sacred or cultural importance.
- ** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Comments: RECOMMEND DLJONES 20190410 PPT180037

Planning-CUL. 5

HUMAN REMAINS

If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with the following codes:

Pursuant to State Health and Safety Code Section 7050.5, if human remains are encountered, no further

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 5 HUMAN REMAINS (cont.)

disturbance shall occur until the County Coroner has made the necessary findings as to origin. The Coroner will have two working days to determine if the remains are subject to his or her authority as part of a crime.

If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be contacted by the Coroner within the period specified by law (24 hours). The NAHC shall immediately notify those persons it believes to be most likely descended from the deceased Native American. The descendants may, inspect the site of the discovery of the Native American human remains and may recommend means for treatment or disposition, with appropriate dignity, of the human remains and any associated grave goods. The descendants shall make recommendations or preferences for treatment within 48 hours of being granted access to the site. Upon the discovery of Native American remains, the landowner shall ensure that the immediate vicinity, where the Native American human remains are located, is not damaged or disturbed The landowner shall discuss and confer with the descendants all reasonable options regarding the descendants' preferences for treatment. The descendants' preferences for treatment may include the following:

- The nondestructive removal and analysis of human remains and items associated with Native American human remains.
- Preservation of Native American human remains and associated items in place.
- Relinquishment of Native American human remains and associated items to the descendants for treatment.
- Other culturally appropriate treatment.

The parties may also mutually agree to extend discussions, taking into account the possibility that additional or multiple Native American human remains, as defined in this section, are located in the project area, providing a basis for additional treatment measures.

Human remains of a Native American may be an inhumation or cremation, and in any state of decomposition or skeletal completeness. Any items associated with the human remains that are placed or buried with the Native American human remains are to be treated in the same manner as the remains, but do not by themselves constitute human remains.

Whenever the commission is unable to identify a descendant, or the descendants identified fail to make a recommendation, or the landowner or his or her authorized representative rejects the recommendation of the descendants and the mediation provided for in subdivision (k) of Section 5097.94, if invoked, fails to provide measures acceptable to the landowner, the landowner or his or her authorized representative shall reinter the human remains and items associated with Native American human remains with appropriate dignity on the property in a location not subject to further and future subsurface disturbance. To protect these sites, the landowner shall do one or more of the following:

- Record the site with the commission or the appropriate Information Center.
- Utilize an open-space or conservation zoning designation or easement.
- Record a document with the county in which the property is located. The document shall be titled "Notice of Reinternment of Native American Remains" and shall include a legal description of the property, the name of the owner of the property, and the owner's acknowledged signature, in addition to any other information required by this section. The document shall be indexed as a notice under the name of the owner. Upon the discovery of multiple Native American human remains during a ground disturbing land development activity, the landowner may agree that additional conferral with the descendants is necessary to consider culturally appropriate treatment of multiple Native American human

ADVISORY NOTIFICATION DOCUMENT

Planning-CUL

Planning-CUL. 5 HUMAN REMAINS (cont.)

remains.

Human remains from other ethnic/cultural groups with recognized historical associations to the project area shall also be subject to consultation between appropriate representatives from that group and the County Archaeologist.

Planning-CUL. 6 UNANTICIPATED RESOURCES

The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.

If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:

All ground disturbance activities within 100 feet of the discovered cultural resource shall be halted and the applicant shall call the County Archaeologist immediately upon discovery of the cultural resource. A meeting shall be convened between the developer, the project archaeologist**, the Native American tribal representative (or other appropriate ethnic/cultural group representative), and the County Archaeologist to discuss the significance of the find. At the meeting with the aforementioned parties, a decision is to be made, with the concurrence of the County Archaeologist, as to the appropriate treatment (documentation, recovery, avoidance, etc) for the cultural resource. Resource evaluations shall be limited to nondestructive analysis.

Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.

- * A cultural resource site is defined, for this condition, as being a feature and/or three or more artifacts in close association with each other, but may include fewer artifacts if the area of the find is determined to be of significance due to sacred or cultural importance.
- ** If not already employed by the project developer, a County approved archaeologist shall be employed by the project developer to assess the value/importance of the cultural resource, attend the meeting described above, and continue monitoring of all future site grading activities as necessary.

Planning-GEO

Planning-GEO. 1 GEO190007 ACCEPTED

County Geologic Report GEO No. 190007, submitted for the project TTM37269, was prepared by Sladden Engineering. The report is titled; "Geotechnical Update: Geotechnical Investigation report prepared by Sladden Engineering dated September 14, 2016; Project No. 16-09-364," dated January 25, 2019. In addition, Sladden has submitted the following report for the project:

"Geotechnical Investigation, Proposed Thermal Beach Club, NWC of Polk Street and Avenue 66, Thermal Area, Riverside County, California," dated September 14, 2016.
GEO190007 concluded:

- 1. No active faults are known to project through the site and the site is not within an Alquist-Priolo Earthquake Fault (Special Studies) Zone.
- 2. Based upon published maps, onsite mapping, and a review of non-stereo digitized photographs of the site, risks associated with primary surface ground rupture should be considered "low."
- 3. Based on the relatively flat nature of the site, risks associated with debris flows are considered remote.

ADVISORY NOTIFICATION DOCUMENT

Planning-GEO

Planning-GEO. 1 GEO190007 ACCEPTED (cont.)

- 4. Locally, no fissures or other surficial evidence of subsidence were observed during our field investigations or during our review of black and white stereo-photo pairs. Therefore, risks associated with subsidence are considered low.
- 5. Based on our liquefaction analysis with anticipated high groundwater at 5 feet bgs and a PGAm of 0.571g, the potential total seismic settlements are calculated to be up to 5.50 inches and 4.25 inches for BH-2 and BH-8, respectively. Differential settlement is estimated to be less than 1.25 inches over a span of about 100 feet.
- 6. Expansion Index testing on the site indicated the presence of soils with "Medium" and "High" potential for expansion. Special expansive soil design criteria will be necessary for the design of foundations and concrete slabs-on-grade for the proposed residential buildings. GEO190007 recommended:
- 1. Areas to be graded and paved should be cleared of any existing structures, improvements, foundation elements, vegetation, associated root systems, concrete and debris, and disposed of offsite.
- 2. The primary foundation bearing soil should be removed to a depth of at least 4 feet below existing grade or 3 feet below the bottom of footings, whichever is deeper.
- 3. The exposed soil should then be moisture conditioned to near optimum moisture and compacted to at least 90 percent relative compaction.
- 4. All footings should be founded upon properly compacted engineered fill material and should have a minimum embedment depth of 12 or 18 inches below lowest adjacent finished grade.
- 5. Post-tensioned slabs will be required for the proposed residential structures in order to mitigate potential liquefaction related differential settlements and expansive soil conditions.
- 6. A minimum slab thickness of 5 inches and a minimum reinforcement consisting of #4 bars at 24 inches on center in each direction is recommended.
- 7. Based on the recommended allowable bearing pressures, the total static settlement of the shallow footings is anticipated to be less than one-inch, with static differential settlement anticipated to be approximately one-half of the total settlement.

GEO No. 190007 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 190007 is hereby accepted for planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be reviewed and additional comments and/or conditions may be imposed by the County upon application for grading and/or building permits.

Comments: RECOMMEND DWALSH 20190306

Planning-GEO. 1 GEO190007 ACCEPTED

County Geologic Report GEO No. 190007, submitted for the projects TTM37269 and PPT180037, was prepared by Sladden Engineering. The report is titled; "Geotechnical Update: Geotechnical Investigation report prepared by Sladden Engineering dated September 14, 2016; Project No. 16-09-364," dated January 25, 2019. In addition, Sladden has submitted the following report for the project: "Geotechnical Investigation, Proposed Thermal Beach Club, NWC of Polk Street and Avenue 66, Thermal Area, Riverside County, California," dated September 14, 2016.

ADVISORY NOTIFICATION DOCUMENT

Planning-GEO

Planning-GEO. 1 GEO190007 ACCEPTED (cont.)

"Response to Riverside County Request for Additional Information, Proposed Thermal Beach Club, NWC of Polk Street Extension and Avenue 66, TTM 37269 & PP 180037, Thermal Area, Riverside County, California," dated April 13, 2019.

GEO190007 concluded:

- 1. No active faults are known to project through the site and the site is not within an Alquist-Priolo Earthquake Fault (Special Studies) Zone.
- 2. Based upon published maps, onsite mapping, and a review of non-stereo digitized photographs of the site, risks associated with primary surface ground rupture should be considered "low."
- 3. Based on the relatively flat nature of the site, risks associated with debris flows are considered remote
- 4. Locally, no fissures or other surficial evidence of subsidence were observed during our field investigations or during our review of black and white stereo-photo pairs. Therefore, risks associated with subsidence are considered low.
- 5. Based on our liquefaction analysis with anticipated high groundwater at 5 feet bgs and a PGAm of 0.571g, the potential total seismic settlements are calculated to be up to 5.50 inches and 4.25 inches for BH-2 and BH-8, respectively. Differential settlement is estimated to be less than 1.25 inches over a span of about 100 feet.
- 6. Expansion Index testing on the site indicated the presence of soils with "Medium" and "High" potential for expansion. Special expansive soil design criteria will be necessary for the design of foundations and concrete slabs-on-grade for the proposed residential buildings.
- 7. The proposed clubhouse and restaurant/bar structures will consist of lightweight wood-frame structures that are similar in design and construction to the proposed residential structures that were addressed in the previously approved reports.
- 8. The proposed wave generating equipment structures warrant supplemental recommendations for design and construction, as outlined in the referenced response letter.

 GEO190007 recommended:
- 1. Areas to be graded and paved should be cleared of any existing structures, improvements, foundation elements, vegetation, associated root systems, concrete and debris, and disposed of offsite.
- 2. The primary foundation bearing soil should be removed to a depth of at least 4 feet below existing grade or 3 feet below the bottom of footings, whichever is deeper.
- 3. The exposed soil should then be moisture conditioned to near optimum moisture and compacted to at least 90 percent relative compaction.
- 4. All footings should be founded upon properly compacted engineered fill material and should have a minimum embedment depth of 12 or 18 inches below lowest adjacent finished grade.
- 5. Post-tensioned slabs will be required for the proposed residential structures in order to mitigate potential liquefaction related differential settlements and expansive soil conditions.
- 6. A minimum slab thickness of 5 inches and a minimum reinforcement consisting of #4 bars at 24 inches on center in each direction is recommended.
- 7. Based on the recommended allowable bearing pressures, the total static settlement of the shallow footings is anticipated to be less than one-inch, with static differential settlement anticipated to be approximately one-half of the total settlement.
- 8. The proposed wave generating equipment will require specialized grading and construction due to the presence of shallow groundwater. The construction will require localized dewatering and will likely

ADVISORY NOTIFICATION DOCUMENT

Planning-GEO

Planning-GEO. 1 GEO190007 ACCEPTED (cont.)

require the use of geo-grid reinforcement or geotechnical stabilization fabrics and crushed rock to provide for uniform foundation support and provide a stable construction environment.

GEO No. 190007 satisfies the requirement for a geologic/geotechnical study for Planning/CEQA purposes. GEO No. 190007 is hereby accepted for planning purposes. Engineering and other Building Code parameters were not included as a part of this review or approval. This approval is not intended and should not be misconstrued as approval for grading permit. Engineering and other building code parameters should be reviewed and additional comments and/or conditions may be imposed by the County upon application for grading and/or building permits.

Comments: RECOMMEND DWALSH 20190430 PPT180037

Transportation

Transportation. 1 DESIGN DETENTION BASINS

The proposed lake will be required to have the capacity to fully retain all the 100-year storm discharge generated within the area of the projects. The lake will have adequate capacity to provide for a minimum one-feet of free board. An emergency overflow path needs to be addressed along with the potential impacts to adjacent properties.

Transportation. 2 DRAINAGE 1

The land divider shall protect downstream properties from damages caused by alteration of the drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. All drainage easements shall be shown on the final map and noted as follows: "Drainage Easement - no building, obstructions, or encroachments by landfills are allowed". The protection shall be as approved by the Transportation Department.

Transportation. 3 DRAINAGE 2

The land divider shall accept and properly dispose of all off-site drainage flowing onto or through the site. In the event the Transportation Department permits the use of streets for drainage purposes, the provisions of Article XI of Ordinance No. 460 will apply. Should the quantities exceed the street capacity or the use of streets be prohibited for drainage purposes, the subdivider shall provide adequate drainage facilities and/or appropriate easements as approved by the Transportation Department.

Transportation. 4 DRAINAGE 4

The developer shall delineate and record by separate instrument the locations of the drainage channels to the benefit of CVWD or Riverside County over said area for flood control purposes unless otherwise agreed to by the Director of Transportation. The land divider shall comply with the Coachella Valley Water District (CVWD) recommendations as outlined in their letter dated September 17, 2018. A note shall be placed on the final map as follows: "Prior to the development of this land division Drainage Easements

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 4 DRAINAGE 4 (cont.)

shall be defined and recorded by separate instrument to the benefit of CVWD or Riverside County over said areas for flood control purposes. Maintenance of said Drainage Easements will be performed by Property Owners Association or as agreed to by CVWD or the Director of Transportation".

Transportation. 5 DRAINAGE EASEMENT

The developer shall protect downstream properties from damages caused by alteration of drainage patterns, i.e., concentration or diversion of flow. Protection shall be provided by constructing adequate drainage facilities including enlarging existing facilities and/or by securing a drainage easement. All drainage easements shall be recorded by separate instrument and noted as follows: "Drainage Easement no building, obstructions, or encroachments are allowed", if the above mentioned easements are not recorded on the final map.

Transportation. 6 ENCROACHMENT PERMIT

An encroachment permit must be obtained from the Transportation Department prior to the commencement of any work within the county road right-of-way.

Transportation. 7 FLOOD HAZARD REPORT

This is a proposal to divide 307 acres into residential lots. The proposed development includes grading of the site to construct a lake in open space areas. The developer's engineer has prepared a technical drainage study (date October 9, 2018) addressing the on-site drainage issues associated with the specific development areas. The developer will be required to provide a final hydrology and lake analyses of the project site based on the ultimate development condition for the property and identify proposed drainage improvement within the boundaries of the project area. The developer's final hydrology analysis shall document conformance with the Drainage Master Plan for the area and Riverside County ordinances.

The subdivider shall provide mitigation measures to contain 100 percent retention of the incremental increase of the post-development runoff from the 100 year storm as part of the drainage improvements for this project.

Transportation. 8 OFF-SITE PHASE

Should the applicant choose to phase any portion of this project, said applicant shall provide off-site access roads to County maintained roads as approved by the Transportation Department.

Transportation. 9 ORD 460 10-YR/100-YR

The 10-year storm flow shall be contained within the curb and the 100-year storm flow shall be contained within the public street right-of-way. In either situation the (Flow depth multiplied by Flow velocity) shall be less than or equal to 6. The rolled curb and gutter treatment may result in additional inlets. Curb heights shall be limited to a maximum of 8-inches. The typical street section shall be in accordance with Ordinance 460 and Ordinance 461.

Transportation. 10 PRIVATE STREETS

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 10 PRIVATE STREETS (cont.)

The internal streets within this land division shall not be offered for dedication.

Transportation. 11 RETENSION BASIN

*PENDING

Transportation. 12 SP - LC Landscape Concept Plan

Prior to the approval of any implementing land division project within the SPECIFIC PLAN (i.e. tract map or parcel map, use permit, plot plan, etc.), the following condition shall be placed on the implementing project:

Provide two (2) sets of plans on 24" x 36" sheet at 20 scale that includes a title block, north arrow, limit of work lines, hardscape features, graphic scale, street names, elevation drawings, etc. The plan shall clearly depict concept designs and theme elements for the expected future final landscaping, shading, and parking plan (the final planting and irrigation plans would normally be submitted as a minor plot plan and approved prior to the issuance of building permits). For guidance, please review Section 18.12, Sections 19.300 through 19.304 of Ordinance No. 348, Ordinance No. 859 (as adopted and any amendments thereto), and the Riverside County Guide to California Friendly Landscaping. No irrigation system information is required at the conceptual landscape phase.

Conceptual landscape plan shall also provide information on the size, number, genus, species, common name, spacing, plant factor, size, and symbol of trees, bushes and groundcover to be provided within landscaped areas and in other open space areas within the project. Top dressing(s) should be described, including the areas devoted to living groundcovers. All plants must be selected from the Riverside County California Friendly Plant List. Special features, such as rockwork, fencing, water features, recreational trails, MSCHP regulated areas, etc. shall be identified. The conceptual landscape plan shall consider existing landscaping on adjacent and nearby properties and provide a logical transition to the on site landscaping concepts with designs to prevent abrupt contrasts between properties.

If impacts to on site or nearby biological resources require special treatments, the planting plans shall be reviewed and approved by a professional biologist from the County's official list.

If the project is in the Coachella Valley, the landscape architect shall coordinate with the Riverside County Agricultural Commissioner's for a current list of quarantine plant materials. The number for the Agricultural Commissioner's office is 760 863 8291. The conceptual landscape plan shall be prepared in a professional manner by a California Licensed Landscape Architect.

Transportation. 13 SP303/IMPROVEMENTS

All roads shall be improved per the recommended General Plan or Specific Plan designation, as approved by the County Board of Supervisors, or as approved by the Transportation Department.

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 14 SP303/TS/CONDITIONS (cont.)

Transportation. 14 SP303/TS/CONDITIONS

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require a minimum of Level of Service 'C', except that Level of Service 'D' may be allowed in community development areas at intersections of any combination of secondary highways, major highways, arterials, urban arterials, expressways or state highways and ramp intersections.

Refer to the Specific Plan 303 Traffic Study for a full list of streets and intersections studied.

As such, the proposed project is consistent with this General Plan policy. The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

Transportation. 15 SP303/TUMF

The project proponent shall be required to pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance of a building permit, pursuant to Ordinance No. 673.

Transportation. 16 STD INTRO 3(ORD 460/461)

With respect to the conditions of approval for the referenced tentative exhibit, the land divider shall provide all street improvements, street improvement plans and/or road dedications set forth herein in accordance with Ordinance 460 and Riverside County Road Improvement Standards (Ordinance 461). It is understood that the tentative map correctly shows acceptable centerline elevations, all existing easements, traveled ways, and drainage courses with appropriate Q's, and that their omission or unacceptablility may require the map to be resubmitted for further consideration. These Ordinances and all conditions of approval are essential parts and a requirement occurring in ONE is as binding as though occurring in all. All questions regarding the true meaning of the conditions shall be referred to the Transportation Department.

Transportation. 17 TS/CONDITIONS - Phase I-III

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require development proposals to maintain a Level of Service 'C', except that Level of Service 'D' shall apply to all development proposals located within any of the following Area Plans: Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands, Lakeview/Nuevo, Sun

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 17

TS/CONDITIONS - Phase I-III (cont.)

City/Menifee Valley, Harvest Valley/Winchester, Southwest Area, The Pass, San Jacinto Valley, Western Coachella Valley and those Community Development Areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Spine Road (NS) at West Project Driveway (EW)

Polk Street (NS) at East Project Driveway (EW)

Polk Street (NS) at 66th Avenue (EW)

Polk Street (NS) at 64th Avenue (EW)

Polk Street (NS) at 62nd Avenue (EW)

Polk Street (NS) at 60th Avenue (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

Comments: PPT180037

Transportation. 17

TS/CONDITIONS - Phase I-III

The Transportation Department has reviewed the traffic study submitted for the referenced project. The study has been prepared in accordance with County-approved guidelines. We generally concur with the findings relative to traffic impacts.

The General Plan circulation policies require development proposals to maintain a Level of Service 'C', except that Level of Service 'D' shall apply to all development proposals located within any of the following Area Plans: Eastvale, Jurupa, Highgrove, Reche Canyon/Badlands, Lakeview/Nuevo, Sun City/Menifee Valley, Harvest Valley/Winchester, Southwest Area, The Pass, San Jacinto Valley, Western Coachella Valley and those Community Development Areas of the Elsinore, Lake Mathews/Woodcrest, Mead Valley and Temescal Canyon Area Plans.

The study indicates that it is possible to achieve adequate levels of service for the following intersections based on the traffic study assumptions.

Spine Road (NS) at West Project Driveway (EW)

ADVISORY NOTIFICATION DOCUMENT

Transportation

Transportation. 17

TS/CONDITIONS - Phase I-III (cont.)

Polk Street (NS) at East Project Driveway (EW)

Polk Street (NS) at 66th Avenue (EW)

Polk Street (NS) at 64th Avenue (EW)

Polk Street (NS) at 62nd Avenue (EW)

Polk Street (NS) at 60th Avenue (EW)

As such, the proposed project is consistent with this General Plan policy.

The associated conditions of approval incorporate mitigation measures identified in the traffic study, which are necessary to achieve or maintain the required level of service.

Transportation. 18

UTILITY INSTALL 1

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and within the project boundaries.

Transportation. 19

WATER SUPPLY ASSMNT VERIFICATION

Applicant to confirm with CVWD regarding a Water Supply Assessment (WSA) and/or Water Supply Verification (WSV) as part of the Specific Plan requirements.

Waste Resources

Waste Resources. 1

Gen - Custom

- 1. Hazardous materials are not accepted at Riverside County landfills. In compliance with federal, state, and local regulations and ordinances, any hazardous waste generated in association with the project shall be disposed of at a permitted Hazardous Waste disposal facility. Hazardous waste materials include, but are not limited to, paint, batteries, oil, asbestos, and solvents. For further information regarding the determination, transport, and disposal of hazardous waste, please contact the Riverside County Department of Environmental Health, Environmental Protection and Oversight Division, at 1.888.722.4234.
- 2. Consider xeriscaping and using drought tolerant/low maintenance vegetation in all landscaped areas of the project.

Comments: PPT180037

ADVISORY NOTIFICATION DOCUMENT

Waste Resources

Waste Resources. 1 Gen - Custom (cont.)

Waste Resources. 1 Gen - Custom

- 1. AB 1826 requires businesses and multifamily complexes to arrange for organic waste recycling services. Those subject to AB 1826 shall take at least one of the following actions in order to divert organic waste from disposal:
- -Source separate organic material from all other recyclables and donate or self-haul to a permitted organic waste processing facility.
- -Enter into a contract or work agreement with gardening or landscaping service provider or refuse hauler to ensure the waste generated from those services meet
- the requirements of AB 1826.
- 2. AB 341 focuses on increased commercial waste recycling as a method to reduce greenhouse gas (GHG) emissions. The regulation requires businesses and organizations that generate four or more cubic yards of waste per week and multifamily units of 5 or more, to recycle. A business shall take at least one of the following actions in order to reuse, recycle, compost, or otherwise divert commercial solid waste from disposal:
- Source separate recyclable and/or compostable material from solid waste and donate or self-haul the material to recycling facilities.
- Subscribe to a recycling service with their waste hauler.
- Provide recycling service to their tenants (if commercial or multi-family complex).
- Demonstrate compliance with the requirements of California Code of Regulations Title 14.

For more information, please visit:

www.rivcowm.org/opencms/recycling/recycling_and_compost_business.html#mandatory

Comments: PPT180037

Plan: TTM37269 Parcel: 751070033

50. Prior To Map Recordation

Transportation

050 - Transportation. 1 ACCESS RESTRICTION

Not Satisfied

Lot access shall be restricted on Polk Street, 64th Avenue and the street along the westerly project boundary and so noted on the final map, with the exception of the project entry streets as shown on the map for Tentative Tract Map No. 37269, as approved by the Transportation Department.

050 - Transportation. 2 ANNEX L&LMD/OTHER DIST

Not Satisfied

Prior to map recordation, the project proponent shall comply with County requirements within public road rights-of-way, in accordance with Ordinance 461. Assurance of maintenance is required by filing an application for annexation to Landscaping and Lighting Maintenance District No. 89-1-Consolidated and/or any other maintenance district approved by the Transportation Department.

050 - Transportation. 3 CORNER CUT-BACK I

Not Satisfied

All corner cutbacks shall be applied per Standard 805, Ordinance 461, except for corners at Entry streets intersecting with General Plan roads, they shall be applied per Exhibit 'C' of the Countywide Design Guidelines.

050 - Transportation. 4 DEDICATIONS

Not Satisfied

Polk Street shall be improved within a 64-foot half-width dedicated right-of-way in accordance with County Standard No. 92, with 8-inch curb and gutter. (86'128')

64th Avenue shall be improved within a 59-foot half-width dedicated right-of-way in accordance with County Standard No. 93, with 8-inch curb and gutter. (76'/118')

The street along the westerly project boundary referred to as the "Spine Road" and designated as Lot "AF" is designated on the Circulation Element of the General Plan as a Major Highway. As such, Lot "AF" shall be improved within the dedicated 118-foot right-of-way in accordance with Standard No. 93, modified to a street width of 76-foot measured from curb to curb including a 12-foot center median as approved by the Transportation Department.

Additional right-of-way shall be dedicated for public use to facilitate the installation of turning lanes as approved by the Transportation Department.

Polk Street, 64th Avenue and street along westerly project boundary designated as Lot "AF" shall be constructed prior to occupancy of first lot.

050 - Transportation. 5 EASEMENT

Not Satisfied

Any easement not owned by a public utility, public entity or subsidiary, not relocated or eliminated prior to final map approval, shall be delineated on the final map in addition to having the name of the easement holder, and the nature of their interests, shown on the map.

050 - Transportation. 6 EXISTING DRAINAGE FACILITIES

Not Satisfied

Surface and subsurface drainage facilities in the vicinity of this project were designed and constructed for agricultural drainage. The District will consider use of these facilities for urban drainage if (1) the surface and subsurface drainage facilities can physically handle the new urban drainage, (2) the area is incorporated into the National Pollutant Discharge of Stormwater in the Whitewater River

Plan: TTM37269 Parcel: 751070033

50. Prior To Map Recordation

Transportation

050 - Transportation. 6 EXISTING DRAINAGE FACILITIES (cont.)
Watershed, which is known as the MS4 permit and (3) the project is appeared into a

Not Satisfied

Watershed, which is known as the MS4 permit and (3) the project is annexed into a future district(s) for recovery of capital and operation/maintenance costs associated with the new urban drainage system.

050 - Transportation. 7 FINAL MAP DRAIN EASEMENT 2

Not Satisfied

The minimum drainage easement width shall be 20-feet unless otherwise approved by the Director of Transportation.

050 - Transportation. 8 FINAL MAP DRAIN EASEMENT

Not Satisfied

The land divider shall delineate the locations of the lake on the final map and shall record a drainage easement to the benefit of the public and agencies over said areas for flood control purposes unless otherwise agreed to by the Director of Transportation. A note shall be placed on the final map identifying and describing the easements as follows, "Drainage Easements - No Buildings, Obstructions, or encroachments by landfills are allowed." Maintenance will be performed by Home Owners Association or as agreed to by the Director of Transportation".

050 - Transportation. 9 IMP PLANS

Not Satisfied

Improvement plans for the required improvements must be prepared and shall be based upon a design profile extending a minimum of 300 feet beyond the project boundaries at a grade and alignment as approved by the Riverside County Transportation Department. Completion of road improvements does not imply acceptance for maintenance by County.

050 - Transportation. 10 INTERSECTION/50' TANGENT

Not Satisfied

All centerline intersections shall be at 90 degrees, plus or minus 5 degrees, with a minimum 50' tangent, measured from flowline/curbface or as approved by the Transportation Planning and Development Review Division Engineer.

050 - Transportation. 11 LANDSCAPING APP, ANNEX

Not Satisfied

Landscaping within public road rights-of-way shall comply with Transportation Department standards and require approval by the Transportation Department. Assurance of continuing maintenance is required by filing an application for annexation into a County Service Area, Landscaping and Lighting Maintenance District NO. 89-1-Consolidated and/or Assessment District.

050 - Transportation. 12 OFF-SITE ROAD IMPROVEMENTS

Not Satisfied

Polk Street shall be improved with 32-feet of paved asphalt within a 40-foot wide graded road bed from the southern edge of the project to 66th Avenue and from 64th Avenue to 62nd Avenue. The off-site sections of Polk Street include Class II bike lanes, striping and signage.

050 - Transportation. 13 PARKWAY TREES/INTER. STREET

Not Satisfied

The project proponent shall comply in accordance with landscaping requirements within public road rights-of-way, in accordance with Ordinance 461. Parkway trees shall be installed in the interior streets within the subdivision. Landscape plans shall be submitted on standard County Plan sheet format (24" X 36"). Landscaping plans shall be submitted with the street improvement plans. Parkway

Plan: TTM37269 Parcel: 751070033

50. Prior To Map Recordation

Transportation

050 - Transportation. 13 PARKWAY TREES/INTER. STREET (cont.) Not Satisfied tree maintenance shall be annexed to Lighting and Landscaping Maintenance District, landscaping plans shall depict ONLY such parkway trees as are to be placed within the public road rights-of-way.

050 - Transportation. 14 PRIVATE STREET MAINTENANCE

Not Satisfied

Prior to map recordation the developer shall provide evidence of continuous maintenance as approved by the Transportation Department, Planning Department and County Counsel.

050 - Transportation. 15 ROAD IMPROVEMENTS

Not Satisfied

Polk Street along project frontage shall be half-width improvements including sidewalk, curb and gutter, median etc. Polk Street shall also include a 16-foot paved lane on the east half of the street.

64th Avenue along project frontage shall be half-width improvements including sidewalk, curb and gutter, median etc. 64th Avenue shall also include a 16-foot paved lane on the south half of the street.

Spine Road shall be improved along the project frontage to the intersection of Lot A of Tract Map No. 33487 (proposed secondary access road through Tract Map No. 33487). half width improvements including sidewalk, curb, gutter, median etc. Spine Road shall also include a 16 foot lane on the west side of the street

All roads adjacent to the project shall provide lane widths and striping that accommodates Class II bike lanes and signage.

050 - Transportation. 16 SOILS 2

Not Satisfied

The developer/owner shall submit a preliminary soils and pavement investigation report addressing the construction requirements within the road right-of-way.

050 - Transportation. 17 STEETLIGHT PLAN

Not Satisfied

A separate streetlight plan is required for this project. Street lighting shall be located at the intersection(s) along public streets and in accordance with the Vista Santa Rosa Design Guidelines as approved by the Transportation Department. Street lighting within the development shall be in accordance with the Vista Santa Rosa Design Guidelines as approved by the Transportation Department. Street lighting shall be designed in accordance with County Ordinance 460 and Streetlight Specification Char found in Specification Section 22 of Ordinance 461 as approved by Transportation Department. For projects within SCE boundaries use County of Riverside Ordinance 461, Standard No's 1000 or 1001. For projects within Imperial Irrigation District (IID) use IID's pole standard.

Energy cost and maintenance of street lights with in the Community (privately maintained roads) shall be responsibility of the Homeowner Association.

050 - Transportation. 18 STREET LIGHTS-CSA/L&LMD

Not Satisfied

The project proponent shall contact the County Service Area (CSA) Project Manager who determines whether the development is within an existing CSA or will require annexation into the CSA. If the project is outside boundaries of a CSA, the project proponent shall contact the Transportation Department L&LMD 89-1-C Administrator and submit the following: 1. Completed Transportation

Plan: TTM37269 Parcel: 751070033

50. Prior To Map Recordation

Transportation

050 - Transportation. 18 STREET LIGHTS-CSA/L&LMD (cont.)

Not Satisfied

Department application 2. Appropriate fees for annexation. 3. (2)Sets of street lighting plans approved by Transportation Department. 4. "Streetlight Authorization" form from SCE, IID or other electric provider.

050 - Transportation. 19 STREET NAME SIGN

Not Satisfied

The land divider shall install street name sign(s) in accordance with County Standard No. 816 as directed by the Transportation Department.

050 - Transportation. 20 STREET SWEEPING

Not Satisfied

The project proponent shall contact the County Service Area (CSA) Project Manager to file an application for annexation or inclusion into CSA for street sweeping; or enter into a similar mechanism as approved by the Transportation Department.

050 - Transportation. 21 STRIPING PLAN

Not Satisfied

A signing and striping plan is required for this project. The applicant shall be responsible for any additional paving and/or striping removal caused by the striping plan. Traffic signing and striping shall be performed by County forces with all incurred costs borne by the applicant, unless otherwise approved by the County Traffic Engineer.

050 - Transportation. 22 TS/DESIGN (Phase I-III)

Not Satisfied

The project proponent shall be responsible for the design of traffic signal(s) at the intersections of:

None

050 - Transportation. 23 TS/DESIGN

Not Satisfied

The project proponent may be responsible for the design of traffic signal(s) at the intersection(s) based on a final review of all traffic data.

050 - Transportation. 24 TS/GEOMETRICS (Phase I-III)

Not Satisfied

Polk Street (NS) at Driveway 1 (EW) - Construct the intersection with the following geometrics:

Northbound: One shared left-through lane.

Southbound: One shared through-right turn-lane.

Eastbound: One shared left-right turn lane. Install a stop control

Westbound: Not Applicable (N/A)

Spine Road (NS) at Driveway 2 (EW) – Construct the intersection with the following geometrics:

Northbound: One shared through-right turn-lane.

Southbound: One shared through-left turn-lane.

Eastbound: N/A

Westbound: One shared left-right turn lane. Install a stop control.

or as approved by the Transportation Department.

50. Prior To Map Recordation

Transportation

050 - Transportation. 24 TS/GEOMETRICS (Phase I-III) (cont.)

Not Satisfied

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

050 - Transportation. 25 TS/GEOMETRICS

Not Satisfied

Complete intersection geometrics shall be based on the approved site specific Traffic Plan, the Specific Plan and as approved by the Riverside County Transportation Department.

050 - Transportation. 26 USBR FAC AND AGGRCLTR DRAIN

Not Satisfied

There are existing US Bureau of Reclamation (USBR) facilities and District and private agricultural drain lines not shown on the development plans. There may be conflicts with these facilities. CVWD requests that prior to recordation of the map utility clearances have been completed with the district. The USBR conflicts include but are not limited to Lateral 123.45-1.3-6.0 Lt-0.1. The District conflicts include but are not limited to Ave 64 Evacuation Channel, Ave 64 Ag Drain, Ave 64 Martinez Drain, Ave 65 Ag Drain and Tile Drain 512.

050 - Transportation. 27 UTILITY PLAN

Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be designed to be placed underground in accordance with ordinance 460 and 461, or as approved by the Transportation Department. The applicant is responsible for coordinating the work with the serving utility company. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A disposition note describing the above shall be reflected on design improvement plans whenever those plans are required. A written proof for initiating the design and/or application of the relocation issued by the utility company shall be submitted to the Transportation Department for verification purposes.

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 1 EASEMENTS/PERMISSION

Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 2 EASEMENTS/PERMISSION

Not Satisfied

Prior to the issuance of a grading permit, it shall be the sole responsibility of the owner/applicant to

Plan: TTM37269 Parcel: 751070033

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 2 EASEMENTS/PERMISSION (cont.)

Not Satisfied

obtain any and all proposed or required easements and/or permissions necessary to perform the grading herein proposed.

A notarized letter of permission and/or recorded easement from the affected property owners or easement holders shall be provided in instances where off site grading is proposed as part of the grading plan.

In instances where the grading plan proposes drainage facilities on adjacent off site property, the owner/ applicant shall provide a copy of the recorded drainage easement or copy of Final Map.

060 - BS-Grade. 3 IF WQMP IS REQUIRED

Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 4 IF WQMP IS REQUIRED

Not Satisfied

If a Water Quality Management Plan (WQMP) is required, the owner / applicant shall submit to the Building & Safety Department, the Final Water Quality Management Plan (WQMP) site plan for comparison to the grading plan.

060 - BS-Grade. 5 IMPROVEMENT SECURITIES

Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

060 - BS-Grade. 6 IMPROVEMENT SECURITIES

Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security. Please contact the Riverside County Transportation Department for additional information and requirements.

060 - BS-Grade. 7 MINIMUM DRAINAGE GRADES

Not Satisfied

Minimum drainage grade shall be 1% except on portland cement concrete where .35% shall be the minimum.

060 - BS-Grade. 8 TILE DRAINS

Not Satisfied

Prior to the issuance of a grading permit, the existing underdrainage system (tile drains) shall be clearly delineated on the grading plan. The grading plan shall include, but is not limited to following information:

- 1. Location and depth of the existing tile drains.
- 2. Proposed location of service risers, tie-ins and inspection vaults.
- Easement locations.
- 4. Show any relocating/rerouting of existing drains to accommodate planned subsurface improvements.
- 5. Appropriate incorporation of supplemental underdrainage devices and proper tie in into tile-drain manifolds and mains.
- 6. Maintenance responsibility (HOA, CVWD, etc.) shall be noted on plan.

60. Prior To Grading Permit Issuance

BS-Grade

060 - BS-Grade. 8 TILE DRAINS (cont.)

Not Satisfied

7. The Preliminary Soils report shall include any mitigation measures and these measures shall be incorporated on the grading plan as required.

060 - BS-Grade. 9 TILE DRAINS

Not Satisfied

Prior to the issuance of a grading permit, the existing underdrainage system (tile drains) shall be clearly delineated on the grading plan. The grading plan shall include, but is not limited to following information:

- 1. Location and depth of the existing tile drains.
- 2. Proposed location of service risers, tie-ins and inspection vaults.
- 3. Easement locations.
- 4. Show any relocating/rerouting of existing drains to accommodate planned subsurface improvements.
- 5. Appropriate incorporation of supplemental underdrainage devices and proper tie in into tile-drain manifolds and mains.
- 6. Maintenance responsibility (HOA, CVWD, etc.) shall be noted on plan.
- 7. The Preliminary Soils report shall include any mitigation measures and these measures shall be incorporated on the grading plan as required.

Fire

060 - Fire. 1 Prior to grading

Not Satisfied

FIRE GRADING PERMITS REQUIRED

Submittal to the Office of the Fire Marshal for Precise Grading permit will be required.

Planning

060 - Planning. 1

Development Standards

Not Satisfied

All buildings shall comply with the Development Standards identified in Ordianance No. 348 and the Kohl Ranch Specific Plan.

The development standards for the two dwelling units as identified in Subsections AA. through DD. of Ordinance No. 348.4897 are as follows:

- AA. The minimum overall area for each individual unit within a two-family dwelling exclusive of the area set aside for street rights of way shall be two thousand square feet.
- □ BB. The minimum lot area for two-family lots as a residential site shall be two thousand (2,000) square feet. The minimum lot area shall be determined by excluding that portion of the lot that is used solely for access to the portion of a lot used as a building. For each two family dwelling, common open space shall be provided equal to the difference between the lot area for such two family dwelling and 8,000 feet.
- □ CC. Side yards on interior and through lots shall not be less than 2 feet for one-story buildings; not less than ten feet (10) for two-story buildings; and not less than fifteen feet (15) for three-story buildings. Side yards on corner and revered corner lots shall be not less than ten (10) feet from the exiting street line as shown on any Specific Plan on Highways, whichever is nearer to the proposed structure, upon which the main building sides, except that where the lot is less than 50 feet wide the yard need not exceed twenty percent of the lot width.
- DD. The rear yard shall not be less than ten (10) feet for one-story buildings; not less than 15 for two-story buildings; and not less than 20 feet for three story buildings. Although the structures have

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 1 Development Standards (cont.) Not Satisfied not been plotted on the tentative map exhibit, the applicant has demonstrated that ability to comply with these setback requirements.

060 - Planning, 2

Map - Mitigation Monitoring - Thermal Beach Club Mitigation N

Not Satisfied

*The land divider, or the land divider's successor, shall prepare and submit a written report to the Riverside County Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this TENTATIVE MAP which must be satisfied prior to the issuance of a grading permit. The Planning Director may require inspection or other monitoring to ensure such compliance.

MM AQ 1 (Added): Where physically and economically feasible, electricity from power poles shall be used instead of temporary diesel or gasoline-powered generators to reduce associated construction emissions. Feasibility shall be determined by the Department of Building and Safety's Grading Division prior to issuance of grading permits.

MM AQ 2 (Added): To reduce potential fugitive dust emissions associated with the unpaved portions of the soil import haul road on Polk Street south of 62nd Avenue, the Project shall pave Polk Street prior to any soil hauling activities. The construction specifications shall be reviewed by the County's Building and Safety Department for compliance with this mitigation measure prior to issuance of grading permit.

MM AQ 3 (Added): To reduce NOX emissions associated with off-road construction equipment during grading, heavy-duty construction equipment greater than 75 horsepower (i.e., scrapers, graders, and excavators) shall be certified to meet or exceed United States Environmental Protection Agency (USEPA) Tier 3 standards. Proof of compliance shall be reviewed by the Department of Building and Safety's Grading Division prior to issuance of a grading permit. An exemption from this requirements may be granted by Riverside County in the event that the applicant documents that (1) equipment with the required tier is not reasonably available (e.g., reasonability factors to be considered include those available within Riverside County within the scheduled construction period), and (2) corresponding reductions in criteria pollutant emissions are achieved from other construction equipment.

060 - Planning. 3

Map - Mitigation Monitoring

Not Satisfied

*The land divider, or the land divider's successor, shall prepare and submit a written report to the Riverside County Planning Director demonstrating compliance with those conditions of approval and mitigation measures of this TENTATIVE MAP which must be satisfied prior to the issuance of a grading permit. The Planning Director may require inspection or other monitoring to ensure such compliance.

C7-1 Private developments constructed in the project area shall be required to provide adequate site drainage during construction.

C7-2 Temporary culverts, ditches, dams, catch basins, and settling ponds shall be installed in construction areas to maintain existing drainage flows and collect excess water and sediment coming from construction sites.

Refer to mitigation measures C1-1 through C1-6 in EIR 396 – Section V.C.1., Landform & Topography/Slopes & Erosion, regarding grading requirements.

C7-3 All development shall be subject to NPDES regulations enforced by the RWQCB.

C7-4 All discharges to surface waters and groundwater shall comply with the goals of the most current applicable Water Quality Control Plan for the Colorado River Basin.

C7-5 Interim agricultural operations shall be required to comply with the applicable permit

60. Prior To Grading Permit Issuance

Planning

060 - Planning. 3 Map - Mitigation Monitoring (cont.) requirements in the application of pesticides.

Not Satisfied

Planning-CUL

060 - Planning-CUL. 1 CULTURAL SENSITIVITY TRAINING

Not Satisfied

The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

060 - Planning-CUL. 2 Gen - CULTURAL SENSITIVITY TRAINING

Not Satisfied

The Project Archaeologist and if required, a representative designated by the Tribe shall attend the pre-grading meeting with the contractors to provide Cultural Sensitivity Training for all Construction Personnel. Training will include a brief review of the cultural sensitivity of the Project and the surrounding area; what resources could potentially be identified during earthmoving activities; the requirements of the monitoring program; the protocols that apply in the event unanticipated cultural resources are identified, including who to contact and appropriate avoidance measures until the find(s) can be properly evaluated; and any other appropriate protocols. This is a mandatory training and all construction personnel must attend prior to beginning work on the project site. A sign-in sheet for attendees of this training shall be included in the Phase IV Monitoring Report.

060 - Planning-CUL. 3 Gen - NATIVE AMERICAN MONITOR

Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.

060 - Planning-CUL. 4 Gen - PROJECT ARCHAEOLOGIST

Not Satisfied

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program. A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

60. Prior To Grading Permit Issuance

Planning-CUL

060 - Planning-CUL. 4 Gen - PROJECT ARCHAEOLOGIST (cont.)

Not Satisfied

060 - Planning-CUL. 5 NATIVE AMERICAN MONITOR

Not Satisfied

Prior to the issuance of grading permits, the developer/permit applicant shall enter into an agreement with the consulting tribe(s) for a Native American Monitor.

The Native American Monitor(s) shall be on-site during all initial ground disturbing activities and excavation of each portion of the project site including clearing, grubbing, tree removals, grading and trenching,. In conjunction with the Archaeological Monitor(s), the Native American Monitor(s) shall have the authority to temporarily divert, redirect or halt the ground disturbance activities to allow identification, evaluation, and potential recovery of cultural resources.

The developer/permit applicant shall submit a fully executed copy of the agreement to the County Archaeologist to ensure compliance with this condition of approval. Upon verification, the Archaeologist shall clear this condition.

This agreement shall not modify any condition of approval or mitigation measure.

060 - Planning-CUL. 6 PROJECT ARCHAEOLOGIST

Not Satisfied

Prior to issuance of grading permits: The applicant/developer shall provide evidence to the County of Riverside Planning Department that a County certified professional archaeologist (Project Archaeologist) has been contracted to implement a Cultural Resource Monitoring Program. A Cultural Resource Monitoring Plan shall be developed that addresses the details of all activities and provides procedures that must be followed in order to reduce the impacts to cultural and historic resources to a level that is less than significant as well as address potential impacts to undiscovered buried archaeological resources associated with this project. A fully executed copy of the contract and a wet-signed copy of the Monitoring Plan shall be provided to the County Archaeologist to ensure compliance with this condition of approval.

Working directly under the Project Archaeologist, an adequate number of qualified Archaeological Monitors shall be present to ensure that all earth moving activities are observed and shall be on-site during all grading activities for areas to be monitored including off-site improvements. Inspections will vary based on the rate of excavation, the materials excavated, and the presence and abundance of artifacts and features. The frequency and location of inspections will be determined by the Project Archaeologist.

Planning-EPD

060 - Planning-EPD. 1 0060-EPD-Nesting Bird Survey (MBTA)

Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 15st through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted.

The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department,

60. Prior To Grading Permit Issuance

Planning-EPD

060 - Planning-EPD. 1 0060-EPD-Nesting Bird Survey (MBTA) (cont.) Not Satisfied Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report to Environmental Programs Division (EPD) documenting the results of the pre-construction nesting bird survey.

060 - Planning-EPD. 2 0060-EPD-Nesting Bird Survey (MBTA)

Not Satisfied

Birds and their nests are protected by the Migratory Bird Treaty Act (MBTA) and California Department of Fish and Wildlife (CDFW) Codes. Since the project supports suitable nesting bird habitat, removal of vegetation or any other potential nesting bird habitat disturbances shall be conducted outside of the avian nesting season. Nesting bird season is February 15st through August 31st. If habitat or structures that support nesting birds must be cleared during the nesting season, a preconstruction nesting bird survey shall be conducted.

The preconstruction nesting bird survey must be conducted by a biologist who holds a current MOU with the County of Riverside. If nesting activity is observed, appropriate avoidance measures shall be adopted to avoid any potential impacts to nesting birds. The nesting bird survey must be completed no more than 3 days prior to any ground disturbance. If ground disturbance does not begin within 3 days of the survey date a second survey must be conducted. Prior to the issuance of a grading permit the project proponent must provide written proof to the Riverside County Planning Department, Environmental Programs Division (EPD) that a biologist who holds an MOU with the County of Riverside has been retained to carry out the required survey. Documentation submitted to prove compliance prior to grading permit issuance must at a minimum include the name and contact information for the Consulting Biologist and a signed statement from the Consulting Biologist confirming that they have been contracted by the applicant to conduct a Preconstruction Nesting Bird Survey. In some cases EPD may also require a Monitoring and Avoidance Plan prior to the issuance of a grading permit.

Prior to finalization of a grading permit or prior to issuance of any building permits the projects consulting biologist shall prepare and submit a report to Environmental Programs Division (EPD) documenting the results of the pre-construction nesting bird survey.

Planning-PAL

060 - Planning-PAL. 1 PRIMP REQUIRED

Not Satisfied

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

PRIOR TO ISSUANCE OF GRADING PERMITS:

1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project

60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 1 PRIMP REQUIRED (cont.) paleontologist).

Not Satisfied

- 2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:
- 1. Description of the proposed site and planned grading operations.
- 2. Description of the level of monitoring required for all earth-moving activities in the project area.
- 3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- 4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- 5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
- 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- 7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- 8. Procedures and protocol for collecting and processing of samples and specimens.
- 9. Fossil identification and curation procedures to be employed.
- 10. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
- 11. All pertinent exhibits, maps and references.
- 12. Procedures for reporting of findings.
- 13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.
- 14. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

060 - Planning-PAL. 2 PRIMP

Not Satisfied

This site is mapped in the County's General Plan as having a High potential for paleontological resources (fossils). Proposed project site grading/earthmoving activities could potentially impact this resource. HENCE:

60. Prior To Grading Permit Issuance

Planning-PAL

060 - Planning-PAL. 2 PRIMP (cont.)

Not Satisfied

PRIOR TO ISSUANCE OF GRADING PERMITS:

- 1. The applicant shall retain a qualified paleontologist approved by the County to create and implement a project-specific plan for monitoring site grading/earthmoving activities (project paleontologist).
- 2. The project paleontologist retained shall review the approved development plan and grading plan and conduct any pre-construction work necessary to render appropriate monitoring and mitigation requirements as appropriate. These requirements shall be documented by the project paleontologist in a Paleontological Resource Impact Mitigation Program (PRIMP). This PRIMP shall be submitted to the County Geologist for approval prior to issuance of a Grading Permit. Information to be contained in the PRIMP, at a minimum and in addition to other industry standards and Society of Vertebrate Paleontology standards, are as follows:
- 1. Description of the proposed site and planned grading operations.
- 2. Description of the level of monitoring required for all earth-moving activities in the project area.
- 3. Identification and qualifications of the qualified paleontological monitor to be employed for grading operations monitoring.
- 4. Identification of personnel with authority and responsibility to temporarily halt or divert grading equipment to allow for recovery of large specimens.
- 5. Direction for any fossil discoveries to be immediately reported to the property owner who in turn will immediately notify the County Geologist of the discovery.
- 6. Means and methods to be employed by the paleontological monitor to quickly salvage fossils as they are unearthed to avoid construction delays.
- 7. Sampling of sediments that are likely to contain the remains of small fossil invertebrates and vertebrates.
- 8. Procedures and protocol for collecting and processing of samples and specimens.
- 9. Fossil identification and curation procedures to be employed.
- 10. Identification of the permanent repository to receive any recovered fossil material. *Pursuant the County "SABER Policy", paleontological fossils found in the County should, by preference, be directed to the Western Science Center in the City of Hemet. A written agreement between the property owner/developer and the repository must be in place prior to site grading.
- 11. All pertinent exhibits, maps and references.
- 12. Procedures for reporting of findings.
- 13. Identification and acknowledgement of the developer for the content of the PRIMP as well as acceptance of financial responsibility for monitoring, reporting and curation fees. The property owner and/or applicant on whose land the paleontological fossils are discovered shall provide appropriate funding for monitoring, reporting, delivery and curating the fossils at the institution where the fossils will be placed, and will provide confirmation to the County that such funding has been paid to the institution.
- 14. All reports shall be signed by the project paleontologist and all other professionals responsible for the report's content (eg. PG), as appropriate. One original signed copy of the report(s) shall be submitted to the County Geologist along with a copy of this condition and the grading plan for appropriate case processing and tracking. These documents should not be submitted to the project Planner, Plan Check staff, Land Use Counter or any other County office. In addition, the applicant shall submit proof of hiring (i.e. copy of executed contract, retainer agreement, etc.) a project paleontologist for the in-grading implementation of the PRIMP.

Safeguard Artifacts Being Excavated in Riverside County (SABER)

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 1 DRAINAGE SUBMIT PLANS

Not Satisfied

The developer shall comply with Riverside County Ordinance 458 as amended in the preparation of on-site flood protection. The developer shall submit plans for grading, landscaping, and irrigation systems, any other necessary documentation along with supporting hydrologic and hydraulic calculations to CVWD and Riverside County Transportation for review and approval. The developer shall pay all fees as required by CVWD and Riverside County Transportation Department.

060 - Transportation. 2 EASEMENT FOR DRAINAGE

Not Satisfied

The developer will prepare and record Easements for Drainage Purposes by separate instrument to the benefit of public, for areas where drainage facilities and other drainage appurtenances are required and/or where drainage flow patterns must be maintained to convey flood plain water. All drainage easements shall be recorded and noted as follows:"Drainage Easement - no building, obstructions, or encroachments are allowed."

060 - Transportation. 3 LAKE MAINTENANCE

Not Satisfied

Maintenance of the lake and other drainage facilities shall be the responsibility of the individual property landowners through Home Owners Association or as agreed to by the Director of Transportation. Proper documentation will be provided in the form of an operational and maintenance responsibilities requirements to the satisfaction of the County of Riverside defining the maintenance responsibilities of the individual landowners or Home Owner Association. Adequate areas shall be incorporated into the final improvements to accommodate maintenance access to and along the proposed lake and other drainage facilities.

060 - Transportation. 4 Map - Submit Grading Plan

Not Satisfied

When you submit a grading plan to the Department of Building and Safety, a copy of the grading plan (24" X 36") shall be submitted to the Transportation Department for review and subsequently for the required clearance of the condition of approval prior to the issuance of a grading permit. Please note, if improvements within the road right-of-way are required per the conditions of approval, the grading clearance may be dependent on the submittal of street improvement plans, the opening of an IP account, and payment of the processing fee. Otherwise, please submit required grading plan to the Transportation Department, Plan Check Section, 8th Floor, 4080 Lemon Street, Riverside, CA 92051.

060 - Transportation. 5 PHASING

Not Satisfied

If the projects are built in phases, each phase shall be protected from the 100-year tributary storm flows independent of all phases of construction. All proposed interim and ultimate retention basins shall protect the public street right-of-way from inundation associated with storm water runoff from the projects as well as private property adjacent to or within the project boundary.

060 - Transportation. 6 RCTD-MAP-WQ - Whitewater Region - FINAL WQMP REQU Not Satisfied

The project is located in the Whitewater watershed. An approved Water Quality Management Plan (WQMP) is required prior to recordation of a final map or issuance of a grading permit. The project shall submit a single PDF on two CD/DVD copies, in accordance with the latest version of the WQMP manual, found at www.rcflood.org/npdes. In addition, the project proponent shall ensure that the effects of increased peak flowrate for the 1, 3, 6, 24-hour storm events for the 2, 5, 10, and 100-year return periods from the project are mitigated or in Bermuda Dunes area these flows shall be fully

60. Prior To Grading Permit Issuance

Transportation

060 - Transportation. 6 RCTD-MAP-WQ - Whitewater Region - FINAL WQMP REQU Not Satisfied retained. All details necessary to build BMPs per the WQMP shall be included on the grading plans.

060 - Transportation. 7 TYPICAL SITE GRADING

Not Satisfied

All on-site grading shall be graded to drain to public street improvements and/or adequate drainage facilities and shall be conveyed through the project site in a manner that will not adversely impact either on-site improvements or worsen the existing drainage conditions to adjacent on-site and off-site properties.

060 - Transportation. 8 WATER QUALITY MGMT PLANS

Not Satisfied

The developer shall submit Water Quality Management Plans (WQMP) to Riverside County Flood Control & Water Conservation District and Transportation Department for review and approval.

TRN-Grade

060 - TRN-Grade. 1

Approved WQMP

Not Satisfied

Prior to the issuance of a grading permit, the owner / applicant shall submit to the Building & Safety Department, the approved project - specific Water Quality Management Plan (WQMP) to verify that all approved water quality treatment control BMPs have been included on the grading plan.

060 - TRN-Grade. 2 BMP Permit

Not Satisfied

Prior to the issuance of a grading permit, the owner / applicant shall obtain a BMP (Best Management Practices) Permit for the monitoring of the erosion and sediment control BMPs for the site. The Department of Building and Safety will conduct NPDES (National Pollutant Discharge Elimination System) inspections of the site based on Risk Level to verify compliance with the Construction General Permit, Stormwater ordinances and regulations until completion of the construction activities, permanent stabilization of the site and permit final.

060 - TRN-Grade. 3

Drainage Design - Q100

Not Satisfied

All onsite drainage facilities shall be designed to accommodate 100 year storm flows. A drainage report with hydrologic and hydraulic calculations shall be submitted to the Building and Safety Department for review and approval.

060 - TRN-Grade. 4 Drainage Easement(s)

Not Satisfied

In instances where the grading plan proposes drainage facilities on adjacent offsite property, the owner/ applicant shall provide a copy of the recorded drainage easement.

060 - TRN-Grade. 5

Fire Department Approval for Driveway(s)

Not Satisfied

Driveways 150 feet in length and longer shall be designed in accordance with Riverside County Fire Department standards - or the governing Fire Department if not the County - and shall require their approval prior to issuance of the grading permit.

060 - TRN-Grade. 6

Geotechnical Reports

Not Satisfied

A geotechnical/soils report(s) in accordance with the CALIFORNIA BUILDING CODE AND

60. Prior To Grading Permit Issuance

TRN-Grade

060 - TRN-Grade. 6 Geotechnical Reports (cont.)

Not Satisfied

RIVERSIDE COUNTY GEOTECHNICAL GUIDELINES FOR REVIEW OF GEOTECHNICAL AND GEOLOGIC REPORTS shall be submitted to the Building and Safety Department for review and approval prior to issuance of a grading permit.

060 - TRN-Grade. 7 Import/Export

Not Satisfied

In instances where a grading plan involves import or export, prior to obtaining a grading permit, the applicant shall have obtained approval for the import/export location from the Building and Safety Department.

A separate stockpile permit is required for the import site which shall be authorized in conjunction with an approved construction project and shall comply with the requirements of Ordinance 457. Additionally, if the movement of import / export occurs using county roads, review and approval of the haul routes by the Transportation Department may be required.

060 - TRN-Grade. 8 Improvement Securities

Not Satisfied

Prior to issuance of a Grading Permit, the applicant may be required to post a Grading and/or Erosion Control Security with the Transportation Department.

060 - TRN-Grade. 9 Notice of Intent

Not Satisfied

Prior to issuance of a grading permit, sites indicating a disturbance of "ONE" acre or larger, the owner/applicant shall provide a "Notice of Intent" (NOI) for the construction site. For additional information and to obtain a copy of the NPDES State Construction Permit, contact the SWRCB at www.swrcb.ca.gov.

060 - TRN-Grade. 10 PM10 Plan Required

Not Satisfied

A PM10 Fugitive Dust Mitigation Plan, prepared in accordance with AQMD Rule 403.1, shall be submitted to the Building and Safety Department for review and approval prior to the issuance of a grading permit.

- 1. The PM10 plan shall require the posting of signs in accordance with the Coachella Valley Fugitive Dust Control Handbook.
- 2. All PM10 measures must be in place prior to commencing any grading activity on site.
- 3. The owner, developer, contractor, and their assignees must attend the PM10 class conducted by SCAOMD.

060 - TRN-Grade. 11 Pre-construction Meeting

Not Satisfied

Upon receiving grading plan approval and prior to the issuance of a grading permit, the applicant is required to schedule a pre-construction meeting with the Building and Safety Department.

060 - TRN-Grade, 12 Tile Drains

Not Satisfied

Prior to the issuance of a grading permit, the existing underdrainage (tile drains) shall be clearly delineated on the grading plan. All easements, subsurface improvements and maintenance responsibility (HOA, CVWD, etc.) shall be included on the grading plan.

70. Prior To Grading Final Inspection

70. Prior To Grading Final Inspection

Planning-CUL

070 - Planning-CUL. 1 Gen - PHASE IV MONITORING REPORT

Not Satisfied

Upon completion of the implementation phase (clearing, grubbing, grading trenching), a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

070 - Planning-CUL. 2 PHASE IV CULTURAL RESOURCES REPORT

Not Satisfied

Upon completion of the implementation phase (clearing, grubbing, grading trenching), a Phase IV Cultural Resources Monitoring Report shall be submitted that complies with the Riverside County Planning Department's requirements for such reports for all ground disturbing activities associated with this grading permit. The report shall follow the County of Riverside Planning Department Cultural Resources (Archaeological) Investigations Standard Scopes of Work posted on the TLMA website. The report shall include results of any feature relocation or residue analysis required as well as evidence of the required cultural sensitivity training for the construction staff held during the required pre-grade meeting.

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade, 1

NO BUILDING PERMIT W/O GRADING PERMIT

Not Satisfied

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

080 - BS-Grade. 2

NO BUILDING PERMIT W/O GRADING PERMIT

Not Satisfied

Prior to the issuance of any building permit, the property owner shall obtain a grading permit and/or approval to construct from the Building and Safety Department.

080 - BS-Grade, 3 ROUGH GRADE APPROVAL

Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

- 1. Submitting a "Wet Signed" copy of the Grading Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
- 2. Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
- 3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
- 4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage or other means of site stabilization as approved by County Inspector prior to receiving a rough grade permit

Plan: TTM37269 Parcel: 751070033

80. Prior To Building Permit Issuance

BS-Grade

080 - BS-Grade. 3

ROUGH GRADE APPROVAL (cont.)

Not Satisfied

final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

080 - BS-Grade. 4

ROUGH GRADE APPROVAL

Not Satisfied

Prior to the issuance of any building permit, the applicant shall obtain rough grade approval and/or approval to construct from the Building and Safety Department. The Building and Safety Department must approve the completed grading of your project before a building permit can be issued. Rough Grade approval can be accomplished by complying with the following:

- 1. Submitting a "Wet Signed" copy of the Soils Compaction Report containing substantiating data from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for his/her certification of the project.
- 2. Submitting a "Wet Signed" copy of the Rough Grade certification from a Registered Civil Engineer certifying that the grading was completed in conformance with the approved grading plan.
- 3. Requesting a Rough Grade Inspection and obtaining rough grade approval from a Riverside County inspector.
- 4. Rough Grade Only Permits: In addition to obtaining all required inspections and approval of all final reports, all sites permitted for rough grade only shall provide 100 percent vegetative coverage to stabilize the site prior to receiving a rough grade permit final.

Prior to release for building permit, the applicant shall have met all rough grade requirements to obtain Building and Safety Department clearance.

E Health

080 - E Health. 1

E Health Clearance

Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health.

080 - E Health. 2

E Health Clearance

Not Satisfied

Prior to issuance of the building permit, clearance must be obtained from the Department of Environmental Health.

080 - E Health. 3

Food Plans

Not Satisfied

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code.

080 - E Health. 4

Food Plans

Not Satisfied

A total of three complete set of plans for each food establishment are needed including a fixture schedule, a finish schedule, and a plumbing schedule in order to ensure compliance with applicable California Health and Safety Code.

080 - E Health. 5

Pool Plans

Not Satisfied

A set of three complete plans for the swimming pool/spa must be submitted to verify compliance with

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Riverside County PLUS CONDITIONS OF APPROVAL

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Plan: TTM37269

Parcel: 751070033

80. Prior To Building Permit Issuance

E Health

080 - E Health. 5

Pool Plans (cont.)

Not Satisfied

the California Administrative Code, the California Health and Safety Code and the Uniform Plumbing Code.

Code.

080 - E Health. 6

Recreational Water Facility

Not Satisfied

The "Surf Bay" recreational water feature must be approved by Riverside County Department of Environmental Health (District Environmental Services) plan check program. Please contact the Indio office at (760) 863-8287 for additional information.

080 - E Health, 7

Sewer Will Serve

Not Satisfied

A "Will Serve" letter is required from the sewer agency serving the project.

080 - E Health, 8

Sewer Will Serve

Not Satisfied

A "Will Serve" letter is required from Coachella Valley Water District for sanitary sewer service..

080 - E Health. 9

Surf Bay

Not Satisfied

A set of three complete plans for the surf bay/lagoon must be submitted to verify compliance with the California Administrative Code, the California Health and Safety Code and the Uniform Plumbing Code.

080 - E Health, 10

Water Will Serve

Not Satisfied

A "Will-Serve" letter is required from the appropriate water agency.

080 - E Health. 11

Water Will Serve

Not Satisfied

A "Will-Serve" letter is required from Coachella Valley Water District for domestic water supply is required.

Fire

080 - Fire. 1

Prior to permit

Not Satisfied

FIRE CONSTRUCTION PERMITS REQUIRED

Submittal to the Office of the Fire Marshal for development, construction, installation and operational use permitting will be required.

Planning

080 - Planning. 1

ALUC - Conditions

Not Satisfied

"*Prior to Building Permit Issuance:

- 1. Any outdoor lighting installed shall be hooded or shielded so as to prevent either the spillage of lumens or reflection into the sky. Outdoor lighting shall be downward facing.
- 2. The following uses/activities are not included in the proposed project and shall be prohibited at this site:
- (a) Any use which would direct a steady light or flashing light of red, white, green, or amber colors associated with airport operations toward an aircraft engaged in an initial straight climb following takeoff or toward an aircraft engaged in a straight final approach toward a landing at an airport, other

80. Prior To Building Permit Issuance

Planning

080 - Planning. 1 ALUC - Conditions (cont.)

Not Satisfied

- than an FAA-approved navigational signal light or visual approach slope indicator.
- (b) Any use which would cause sunlight to be reflected towards an aircraft engaged in an initial straight climb following takeoff or towards an aircraft engaged in a straight final approach towards a landing at an airport.
- (c) Any use which would generate smoke or water vapor or which would attract large concentrations of birds, or which may otherwise affect safe air navigation within the area. (Such uses include aquaculture, production of cereal grains, sunflower, and row crops, composting operations, trash transfer stations that are open on one or more sides, recycling centers containing putrescible wastes, construction and demolition debris facilities, fly ash disposal, and incinerators.)
- (d) Any use which would generate electrical interference that may be detrimental to the operation of aircraft and/or aircraft instrumentation.
- 3. The attached notice shall be provided to all prospective purchasers of the proposed parcels and tenants or lessees of the buildings, and shall be recorded as a deed notice prior to or in conjunction with recordation of the final tract map. In the event that the Office of the Riverside County Assessor-Clerk-Recorder declines to record said notice, the text of the notice shall be included on the Environmental Constraint Sheet (ECS) of the final tract map, if an ECS is otherwise required.
- 4. The shoreline of the surf lagoon shall be maintained in sand or gravel. No vegetation or landscaping shall be permitted along the margins of the shoreline.
- 5. Vegetation around the reservoir that would provide food, cover, or nesting opportunities for birds or other wildlife would be incompatible with airport operations and shall not be utilized in project landscaping. Trees shall be spaced to prevent contiguous canopy, when mature. Trees and bushes shall not produce fruit, seeds, or berries.
- Any landscaping around the reservoir shall be in accordance with the guidance provided in ALUC "LANDSCAPING NEAR AIRPORTS" brochure, and the "AIRPORTS, WILDLIFE AND STORMWATER MANAGEMENT" brochure available at RCALUC.ORG which list acceptable plants from Riverside County Landscaping Guide, or other alternative landscaping as may be recommended by a qualified wildlife hazard biologist.
- 6. The reservoir to be used for the delivery and retention of canal water for recreational use in the surf lagoon shall be constructed with steep sides (minimum slope of 3:1), minimal surface area, and deep water and lined with concrete or other impervious materials to prevent vegetation growth along the margins.
- 7. The reservoir shall be completely covered at all times from top, sides, and bottom so as to prevent access by birds and other wildlife. The cover shall consist of 1" x 1" UV-protected polypropylene mesh secured at ground level around the edges and suspended four feet above the edge elevation, on steel cables spaced not greater than 30 feet apart, as depicted on the attached exhibits. The suspension design is intended to allow for the sagging of the netting material without touching the surface of the waters, so that the material stays dry. The cables and netting material shall be maintained in operable condition (no gaps or tears) throughout the life of the permit, as long as the reservoir holds water or other liquid.
- 8. Club personnel responsible for maintenance of the lagoon and reservoir shall be trained and equipped to disperse birds that may attempt to access the waters through use of handheld sonic devices to be used only when birds are noted present or approaching, in order to "herd" them away from the facility. Club personnel shall receive training from an FAA-qualified wildlife hazard biologist or someone who has received training from an FAA-qualified wildlife hazard biologist through a "Train the Trainer" program or similar.
- 9. In the event that any incidence of wildlife hazard affecting the safety of air navigation occurs as a result of the presence of the surf lagoon and/or reservoir on-site, upon notification to the airport operator (currently the Riverside County Economic Development Agency) of an incidence, the airport

80. Prior To Building Permit Issuance

Planning

080 - Planning. 1 ALUC - Conditions (cont.)

Not Satisfied

operator shall notify Kohl Ranch Company, LLC (or its successor(s)-in-interest) (hereafter [sic] referred to as "owner") in writing. Within 15 days of written notice, the owner shall be required to promptly take all measures necessary to eliminate such wildlife hazard, including, if necessary, the draining of the lagoon and/or emptying of the reservoir. An "incidence" includes any situation that results in an accident, incident, "near-miss," or specific safety complaint regarding an in-flight experience to the airport operator or to federal state, or county authorities responsible for the safety of air navigation. The owner shall work with the airport operator to prevent recurrence of the incidence. For each such incidence made known to the owner, the necessary remediation shall only be considered to have been fulfilled when the airport operator states in writing that the situation has been remediated to the airport owner's satisfaction.

- 10. The uses within Buildings 1 through 4 and the square footages of individual portions of those buildings shall comply with the chart included on Sheet 1 of the plot plan dated May 23, 2019. The maximum Building Code occupancy for any of these buildings shall not exceed 300 persons. 11. Due to the site's proximity to Jacqueline Cochran Regional Airport, flight of unmanned aerial systems (drones) is height restricted over this site and requires advance coordination with the Federal
- 080 Planning. 2

Climate Action Plan - On-site Renewable Energy

Not Satisfied

In accordance with measure R2-E10 of the County's Climate Action Plan, the proposed project shall be required to offset its as provided below:

i. Commercial, office, industrial or manufacturing development: 20 percent of energy demand

Aviation Administration for use of airspace. Heights may be restricted to 100 feet.

- ii. Multi-family residential development: 20 percent of energy demand
- iii. Single-family residential development: 30 percent of energy demand

This offset is anticipated to be accommodated through solar panels mounted on the building rooftops. The energy demand shall be determined at the initial building permit stage if the tenant/particular use is known at that time. If the tenant or particular use is not known at that time, this condition should be deferred to the tenant improvement building permit and to any subsequent tenant improvement permits as tenants may change.

Utilizing the energy demand calculated, the appropriate amount of solar panels shall be included with the related building permits to ensure their installation and operation.

As it relates to the initial building permit, the roof shall be designed to accommodate rooftop mounted solar panels.

ALUC approval could be required for rooftop mounted solar panels related glare prior to building permit issuance based on their separate conditions of approval and determination of consistency for this project.

080 - Planning. 3

EV Charging Stations

Not Satisfied

The Clubhouse Village area provides 361 parking spaces that trigger the requirement for a minimum of nine electric vehicle (EV) charging stations. Based on the 361 parking space lot, the project shall provide a minimum of nine EV charging stations, and shall comply with all applicable parking requirements below:

80. Prior To Building Permit Issuance

Planning

080 - Planning. 3 EV Charging Stations (cont.)
ELECTRIC VEHICLE PARKING AND CHARGING STATIONS.

Not Satisfied

- 1) Requirements.
- a. Development projects for Multiple Family Dwellings that require two (2) to twenty-four (24) parking spaces shall designate one (1) parking space for electrical vehicles.
- b. All development projects that require twenty-five (25) to forty-nine (49) parking spaces shall designate two (2) parking spaces for electrical vehicles.
- c. All development projects that require fifty (50) or more parking spaces shall designate three (3) spaces for electrical vehicles, and designate one (1) additional space for electrical vehicles for each additional fifty (50) parking spaces.
- d. All electrical vehicle parking spaces shall be serviced by an electrical vehicle charging station. If capable, a charging station may service more than one electrical vehicle parking space.
- e. All electrical vehicle parking spaces shall be shown on parking site plans.
- 2) Signage and Charging Station Location
- a. Signage shall be installed designating spaces for electric vehicles only.
- b. Charging stations shall be installed in locations easily accessible to service an electrical vehicle.
- c. Charging stations and associated equipment or materials shall not encroach into the minimum required areas for driveways, parking spaces, garages or vehicle maneuvering.

Transportation

080 - Transportation. 1 FINAL MAP DRAIN EASMT 1

Not Satisfied

Proposed retention basins shall be designed of adequate size to retain 100 percent incremental increase of the post-development storm water runoff from the 100 year storm event. The 100 percent retention of the incremental increase of the post-development runoff from the 100 year storm shall be required as part of the drainage improvements for this project. The subdivider shall obtain approval from the Riverside County Transportation Department regarding the adequacy of the retention basin design. Preliminary design will require the submittal of actual infiltration rate of 2-inches per hour. Final design will require the submittal of actual infiltration rate testing otherwise infiltration will be considered as zero.

080 - Transportation. 2 GARAGE DOOR 1

Not Satisfied

Garage door setbacks for all residential zones shall be 20 feet for roll up doors, measured from the street right-of-way to the face of garage. If conventional swing out doors are used, an additional 4 feet will be required. Side entry garages shall comply with minimum building setback requirements.

080 - Transportation. 3 LSP - LANDSCAPE INSPECTION DEPOSIT

Not Satisfied

Prior to building permit issuance, all landscape inspection deposits and plan check fees shall be paid.

080 - Transportation. 4 LSP - L

LSP - LANDSCAPE SECURITIES

Not Satisfied

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 4 LSP - LANDSCAPE SECURITIES (cont.)

Not Satisfied

Prior to the issuance of building permits, the project proponent shall submit an estimate to install and replace plantings, irrigation systems, ornamental landscape elements, in amounts to be approved by the Transportation Department, Landscape Section. After approval of the estimate, the estimate shall be resubmitted on the requisite form for County Counsel review. A cash security shall be required when the estimated cost is \$2,500.00 or less. Please allow adequate time to ensure that securities are in place. Bond and Agreements may take at least 30-days for review. The performance security shall be released following a successful completion of the One-Year Post-Establishment Inspection.

080 - Transportation. 5

Map - CVAG TUMF

Not Satisfied

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

080 - Transportation. 6

RCTD-WQ - ESTABLISH WQMP MAINT ENTITY

Not Satisfied

A maintenance plan and signed WQMP/BMP maintenance agreement shall be submitted to the Transportation Department shall be approved and recorded against the property. A maintenance organization will be established with a funding source for the permanent maintenance.

080 - Transportation. 7

RCTD-WQ - IMPLEMENT WQMP

Not Satisfied

The Project shall construct BMP facilities described in the approved Final County WQMP prior to the issuance of a building permit to the satisfaction of County Grading Inspection Section. The Project is responsible for performing all activities described in the County WQMP and that copies of the approved Final County WQMP are provided to future owners/occupants.

080 - Transportation, 8

TS/DESIGN (Phase I-III)

Not Satisfied

The project proponent shall be responsible for the design of traffic signal(s) at the intersections of:

None

080 - Transportation. 9 TS/GEOMETRICS (Phase I-III)

Not Satisfied

Polk Street (NS) at Driveway 1 (EW) – Construct the intersection with the following geometrics:

Northbound: One shared left-through lane.

Southbound: One shared through-right turn-lane.

Eastbound: One shared left-right turn lane. Install a stop control

Westbound: Not Applicable (N/A)

Spine Road (NS) at Driveway 2 (EW) - Construct the intersection with the following geometrics:

Northbound: One shared through-right turn-lane. Southbound: One shared through-left turn-lane.

Eastbound: N/A

Westbound: One shared left-right turn lane. Install a stop control.

or as approved by the Transportation Department.

80. Prior To Building Permit Issuance

Transportation

080 - Transportation. 9 TS/GEOMETRICS (Phase I-III) (cont.)

Not Satisfied

All improvements listed are requirements for interim conditions only. Full right-of-way and roadway half sections adjacent to the property for the ultimate roadway cross-section per the County's Road Improvement Standards and Specifications must be provided.

Any off-site widening required to provide these geometrics shall be the responsibility of the landowner/developer.

080 - Transportation. 10 TUMF

Not Satisfied

Prior to the issuance of a building permit, the applicant shall pay the Transportation Uniform Mitigation Fee (TUMF) in accordance with the fee schedule in effect at the time of issuance, pursuant to Ordinance No. 673.

Waste Resources

080 - Waste Resources. 1 Gen - Recyclables Collection and Loading Area

Not Satisfied

Prior to issuance of a building permit, the applicant shall submit one electronic (1) copy of a Recyclables Collection and Loading Area plot plan to the Riverside County Department of Waste Resources for review and approval. The plot plan shall conform to Design Guidelines for Recyclables Collection and Loading Areas, provided by the Department of Waste Resources, and shall show the location of and access to the collection area for recyclable materials, shall demonstrate space allocation for trash and recyclable materials and have the adequate signage indicating the location of each bin in the trash enclosure.

The project applicant is advised that clearance of the Recyclables Collection and Loading Area plot plan only satisfies the Waste Resources' conditions for Recyclables Collection and Loading Areas space allocation and other Recyclables Collection and Loading Area Guideline items. Detailed drawings of the Trash Enclosure and its particular construction details, e.g., building materials, location, construction methods etc., should be included as part of the Project plan submittal to the Riverside County Department of Building and Safety.

080 - Waste Resources. 2 Gen - Waste Recycling Plan

Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

080 - Waste Resources. 3 Gen - Waste Recycling Plan

Not Satisfied

Prior to issuance of a building permit, a Waste Recycling Plan (WRP) shall be submitted to the

80. Prior To Building Permit Issuance

Waste Resources

080 - Waste Resources. 3 Gen - Waste Recycling Plan (cont.)

Not Satisfied

Riverside County Department of Waste Resources for approval. At a minimum, the WRP must identify the materials (i.e., concrete, asphalt, wood, etc.) that will be generated by construction and development, the projected amounts, the measures/methods that will be taken to recycle, reuse, and/or reduce the amount of materials, the facilities and/or haulers that will be utilized, and the targeted recycling or reduction rate. During project construction, the project site shall have, at a minimum, two (2) bins: one for waste disposal and the other for the recycling of Construction and Demolition (C&D) materials. Additional bins are encouraged to be used for further source separation of C&D recyclable materials. Accurate record keeping (receipts) for recycling of C&D recyclable materials and solid waste disposal must be kept. Arrangements can be made through the franchise hauler.

90. Prior to Building Final Inspection

BS-Grade

090 - BS-Grade, 1 PRECISE GRADE APPROVAL

Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

- 1. Requesting and obtaining approval of all required grading inspections.
- 2. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

090 - BS-Grade. 2 PRECISE GRADE APPROVAL

Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

- 1. Requesting and obtaining approval of all required grading inspections.
- 2. Submitting a "Wet Signed" copy of the Grading Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
- 3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
- 4. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance

E Health

090 - E Health. 1 E Health Clearance

Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental

Page 26

Not Satisfied

Plan: TTM37269 Parcel: 751070033

90. Prior to Building Final Inspection

E Health

090 - E Health. 1 E Health Clearance (cont.)

Health.

090 - E Health. 2 E Health Clearance Not Satisfied

Prior to building permit final, clearance must be obtained from the Department of Environmental Health.

090 - E Health. 3 Hazmat Clearance Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

090 - E Health. 4 Hazmat Clearance Not Satisfied

Obtain clearance from the Hazardous Materials Management Division.

090 - E Health. 5 Hazmat Review Not Satisfied

If further review of the site indicates additional environmental health issues, the Hazardous Materials Management Division reserves the right to regulate the business in accordance with applicable County Ordinances.

Transportation

090 - Transportation. 1 80% COMPLETION

Not Satisfied

Occupancy releases will not be issued to Building and Safety for any lot exceeding 80% of the total recorded residential lots within any map or phase of map prior to completion of the following improvements:

- a) Primary and Alternate (secondary) access roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions.
- b) Interior roads shall be completed and paved to finish grade according to the limits indicated in the improvement plans and as noted elsewhere in these conditions. All curbs, gutters, sidewalks and driveway approaches shall be installed. The final lift of Asphalt concrete on interior streets shall be placed prior to the release of the final 20% of homes or the production models or at any time when construction of new homes within the development has stopped. The developer shall be required to cap pave in front of occupied homes up to the nearest capped street within the tract boundary. The subdivision will remain responsible for the maintenance of these facilities until all improvements within the tract boundary shall be completed and accepted into the County maintained system.
- c) Storm drains and flood control facilities shall be completed according to the improvement plans and as noted elsewhere in these conditions. Written confirmation of acceptance for use by the Flood Control District, if applicable, is required.
- d) Water system, including fire hydrants, shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All water valves shall be raised to pavement finished grade. Written confirmation of acceptance from water purveyor is required.
- e) Sewer system shall be installed and operational, according to the improvement plans and as noted elsewhere in these conditions. All sewer manholes shall be raised to pavement finished grade. Written confirmation of acceptance from sewer purveyor is required.
- f) Landscaping and irrigation, water and electrical systems shall be installed and operational in

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 1 80% COMPLETION (cont.) accordance with County Ordinance 461.

Not Satisfied

090 - Transportation. 2 DRAINAGE IMPROV NOTICE

Not Satisfied

All drainage improvements including the construction of drainage swales, storm drains, inlet structures, and retention basins are required to be completed prior to occupancy.

090 - Transportation. 3 EASEMENT FOR DRAINAGE 2

Not Satisfied

The developer will prepare and record easements for drainage purposes by separate instrument to the benefit of public, for areas where drainage facilities and other drainage appurtenances are required and/or where drainage flow patterns must be maintained to convey flood plain water. All drainage easements shall be recorded by separate instrument and noted as follows, "Drainage Easement - no building, obstructions, or encroachments are allowed."

090 - Transportation. 4 LSP - LANDSCAPE INSPECTION REQUIRED

Not Satisfied

The project's Licensed/Registered Landscape Architect or On-site Representative shall schedule the Landscape PRE-INSTALLATION INSPECTION (irrigation/soils reports), the Landscape INSTALLATION INSPECTION (planting/mulch/Ord 859 compliance), and ensure an acceptable Landscape Security and Inspection Deposit is posted with the Department. The PRE-INSTALLATION INSPECTION shall occur prior to the installation of any landscape or irrigation. An INSTALLATION INSPECTION shall be at least 5 working days prior to the building final inspection or issuance of occupancy permit, whichever occurs first. All landscape planting and irrigation systems shall be installed in accordance with Landscaping Concept Plans, Planning Exhibits, landscaping, irrigation, Ord 859 requirements, and shading plans. All landscaping shall be healthy, free of weeds, disease and pests; and, irrigation systems are properly constructed and determined to be in good working order.

Non-residential permits - After a successful landscape ONE-YEAR POST-ESTABLISHMENT INSPECTION, the Landscape Inspector and the Licensed/Registered Landscape Architect shall execute a Landscape Certificate of Completion that shall be submitted to the Transportation Department, Landscape Section. Landscape Bonds may be released at that time.

090 - Transportation. 5 Map - Utility Install

Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with Ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A certificate should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

090 - Transportation. 6 OWNER MAINT NOTICE

Not Satisfied

The subdivider shall record sufficient documentation to advise purchasers of any parcel that the owners of individual parcels are responsible for the maintenance of the drainage facility (including the lake). A viable maintenance mechanism acceptable to Riverside County should be provided for the lake and drainage systems. The subdivider shall prepare the CC&R and obtain approval from Riverside County Transportation Department regarding the maintenance of the drainage systems.

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 6 OWNER MAINT NOTICE (cont.)

Not Satisfied

The CC&R shall include the language that HOA will inspect the systems a minimum two times a year and also remove debris from the lake two times a year. These maintenance wordings shall be shown on the title sheet of improvement plans.

090 - Transportation. 7 Primary Access

Not Satisfied

Street Improvements to Polk Street between 66th Ave and 62 Ave as conditioned in Tract Map No. 37269 shall be complete prior to final occupancy.

090 - Transportation. 8 RCTD-WQ - WQMP COMPLETION

Not Satisfied

Prior to Building Final Inspection, the Project is required to furnish educational materials regarding water quality to future owners/occupants, provide an engineered WQMP certification, inspection of BMPs, GPS location of BMPs, ensure that the requirements for inspection and cleaning the BMPs are established, and for businesses registering BMPs with the Transportation Department's Business Storm Water Compliance Program Section.

090 - Transportation. 9 Secondary Access

Not Satisfied

Secondary Access shall be provided to the site prior to final occupancy by either completing improvements to Spline Road and 64th Ave. per the conditions of Tract Map 37269, or completing improvements to the Private Street connecting the project to Tyler Street.

090 - Transportation. 10 STREET LIGHTS INSTALL

Not Satisfied

Install streetlights along the streets associated with development in accordance with the approved street lighting plan and standards of County Ordinance 460 and 461. For projects within Imperial Irrigation District (IID) use (IID's) pole standard. Streetlight annexation into L&LMD or similar mechanism as approved by the Transportation Department shall be completed. It shall be the responsibility of the Developer to ensure that streetlights are energized along the streets of those lots where the Developer is seeking Building Final Inspection (Occupancy).

090 - Transportation. 11 STREET SWEEPING

Not Satisfied

Street sweeping annexation or inclusion into CSA or similar mechanism as approved by the Transportation Department shall be completed.

090 - Transportation. 12 TS/INSTALLATION (Phase I-III)

Not Satisfied

The project proponent shall be responsible for the design and construction of traffic signal(s) at the intersections of:

None

090 - Transportation. 13 UTILITY INSTALL

Not Satisfied

Electrical power, telephone, communication, street lighting, and cable television lines shall be placed underground in accordance with ordinance 460 and 461, or as approved by the Transportation Department. This also applies to existing overhead lines which are 33.6 kilovolts or below along the project frontage and between the nearest poles offsite in each direction of the project site. A certificate

90. Prior to Building Final Inspection

Transportation

090 - Transportation. 13 UTILITY INSTALL (cont.)

Not Satisfied

should be obtained from the pertinent utility company and submitted to the Department of Transportation as proof of completion.

TRN-Grade

090 - TRN-Grade. 1

Precise Grade Approval

Not Satisfied

Prior to final building inspection, the applicant shall obtain precise grade approval and/or clearance from the Building and Safety Department. The Building and Safety Department must approve the precise grading of your project before a building final can be obtained. Precise Grade approval can be accomplished by complying with the following:

- 1. Requesting and obtaining approval of all required grading inspections.
- 2. Submitting a "Wet Signed" copy of the Soils Compaction Report from the Soils Engineer (registered geologist or certified geologist, civil engineer or geotechnical engineer as appropriate) for the sub-grade and base of all paved areas.
- 3. Submitting a "Wet Signed" copy of the Sub-grade (rough) Certification from a Registered Civil Engineer certifying that the sub-grade was completed in conformance with the approved grading plan.
- 4. Submitting a "Wet Signed" copy of the Precise (Final) Grade Certification for the entire site from a Registered Civil Engineer certifying that the precise grading was completed in conformance with the approved grading plan.
- 5. Submitting a "Wet Signed" copy of the Certification certifying the installation of any onsite storm drain systems not inspected by Riverside County Flood Control District or the Riverside County Transportation Department.

Prior to release for building final, the applicant shall have met all precise grade requirements to obtain Building and Safety Department clearance.

090 - TRN-Grade. 2 Required Grading Inspections

Not Satisfied

The developer / applicant shall be responsible for obtaining the following inspections required by Ordinance 457.

- 1. Sub-grade inspection prior to base placement.
- 2. Base inspection prior to paving.
- 3. Precise grade inspection of entire permit area.
- a. Inspection of Final Paving
- b. Precise Grade Inspection
- c. Inspection of onsite storm drain facilities

090 - TRN-Grade. 3 TS/INSTALLATION (Phase i-III)

Not Satisfied

The project proponent shall be responsible for the design and construction of traffic signal(s) at the intersections of:

None

Waste Resources

090 - Waste Resources. 1 Gen - Custom

Not Satisfied

Prior to final building inspection, applicants shall complete a Mandatory Commercial Recycling and Organics Recycling Compliance form (Form D). Form D requires applicants to identify programs or plans that address commercial and organics recycling, in compliance with State legislation/regulation.

90. Prior to Building Final Inspection

Waste Resources

090 - Waste Resources. 1 Gen - Custom (cont.)

Not Satisfied

Once completed, Form D shall be submitted to the Recycling Section of the Department of Waste Resources for approval. To obtain Form D, please contact the Recycling Section at 951-486-3200, or email to: Waste-CompostingRecycling@rivco.org

090 - Waste Resources. 2 Gen - Recyclables Collection and Loading Area Inspection

Not Satisfied

Prior to final building inspection, the applicant shall construct the recyclables collection and loading area in compliance with the Recyclables Collection and Loading Area plot plan, as approved and stamped by the Riverside County Department of Waste Resources, and as verified by the Riverside County Building and Safety Department through site inspection.

090 - Waste Resources. 3 Gen - Waste Reporting Form and Receipts

Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.

090 - Waste Resources. 4 Gen - Waste Reporting Form and Receipts

Not Satisfied

Prior to final building inspection, evidence (i.e., waste reporting form along with receipts or other types of verification) to demonstrate project compliance with the approved Waste Recycling Plan (WRP) shall be presented by the project proponent to the Planning Division of the Riverside County Department of Waste Resources. Receipts must clearly identify the amount of waste disposed and Construction and Demolition (C&D) materials recycled.



PLANNING DEPARTMENT

Charissa Leach, PE Assistant TLMA Director

and "L." - APN: 751-070-034, APN 751 This is to advise that the Riverside Count 2019, and has made the following determ 1. The project WILL NOT have a signification of the project WILL NOT have a signification of the project was (\$3,069.75+\$50.00) and reflect the information of the project was (\$3,069.75+\$50.00) and reflect the information of the project was a significant of the project was a significant of the project with the project was a significant of the project with the project was a significant of the project with the project was a significant of the project with the project was a significant of the project was a significant of the project with the project was a significant of the project was a significant	ninations regarding that p icant effect on the enviror is not prepared for the pindependent judgment of ade a condition of the app ing Plan/Program WAS NO ations WAS NOT adopted provisions of CEQA.	roject: nment. roject pursuant to the provisions of the the Lead Agency. proval of the project. DT adopted. and record of project approval is availerside, CA 92501.	e California Enviror	nmental Quality Act al public at: Riverside
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This is to advise that the Riverside Count 2019, and has made the following determ	ninations regarding that p	roject:	above-referenced p	project on <u>October 29</u>
This is to advise that the Riverside Count	ty <u>Board of Supervisors</u> a	s the lead agency, has approved the a roiect:	above-referenced p	project on October 29.
200 "I " - APN' /51-0/0-034 APN 751	- U / U-UUU.			
adopted Specific Plan No. 303 to facili	tate the Thermal Beach	Club development within all or po	rtions of Planning	Neighborhoods "J"
and L-3. SPECIFIC PLAN NO. 303 (Ko	ohl Ranch), SUBSTANTI	AL CONFORMANCE NO. 3 (SP003	03S03) - Substan	tial conformance to
- Tentative Tract Map for Schedule "A (CZ190027) - To reconfigure the boun	<u>·″ subdivision 307 acres</u> idaries of Kohl Ranch §	s into 326 single-family residential Specific Plan Planning Areas: J-1. 、	<u>lots. CHANGE OF</u> J-2. J-3. J-4. J-5. J	ZONE NO. 1900027 -6. J-7. J-8. L-1. L-2.
consist of surfing demonstrations for	Thermal Beach Club re	sidents and their guest. TENTATIV	E TRACT MAP NO	D. 37269 (TTM37269)
development and use of a 21 acre lage area) that includes a spa, pool, deck,	restaurant and bar. In	capability and 42,000 square feet of addition, the application will requ	f private club hou lest annual events	se buildings (village The events would
REQUEST: PLOT PLAN NO. 180037 (P	PT180037) - Plot Plan fo	or the construction of the Thermal E	Beach Club. The p	roposal includes the
Project Location				
North of 66th Avenue, South of 64th Aven	ue. East of Tyler Street, \	West of Polk Street – Thermal, CA		
Project Applicant	Addres	SS		
Kohl Ranch Company, LLC		San Vicente Blvd., Suite 510, Los An	geles, CA 90049	
State Clearinghouse Number (if submitte	a to the State Clearingho	ouse)		
N/A	and the the Otet - Ote - it is			
County Contact Person	Phone	Number		
Jason Killebrew		955-0314		
Project Title/Case Numbers				
SP30303S03, PPT180037, CZ1900027,	TTM37269			
TODOLOGIA I IIII S OF HOUSE OF DECERTION	ination in compliance w	ith Section 21152 of the California	Public Resources	Code.
SUBJECT: Filing of Notice of Determine				
☐ County of Riverside County Clerk SUBJECT: Filing of Notice of Determine		Riverside, CA 92502-1409		
	R) FROM:	Riverside County Planning Department 4080 Lemon Street, 12th Floor P. O. Box 1409	238686 El Cei Palm Desert	กเช Road , California 92211

Please charge deposit fee case#: ZCEQ180127 ZCFG 06443

Date Received for Filing and Posting at OPR:

R1713649

COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT Permit Assistance Center

4080 Lemon Street39493 Los Alamos Road38686 El Cerrito RoadSecond FloorSuite APalm Desert, CA 92211Riverside, CA 92502Murrieta, CA 92563(760) 863-8277

(951) 955-3200 (951) 600-6100

Received from: JTM LAND COMPANY, LLC \$9,347.28

paid by: CK 77091

paid towards: SPOO303A4 SPECIFIC PLAN AMENDMENT

at parcel #: 60936 MONZA ST THER

appl type: SP02

 Account Code
 Description
 Amount

 200063130100230168
 CMP TRANS PLAN
 \$395.00

 654953120100208100
 FLOOD CONTROL: CVWD
 \$628.00

 202033100200772210
 LMS SURCHARGE
 \$183.28

 202013100300201800
 COMBINED DEPOSIT FEES
 \$8,141.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org

COUNTY OF RIVERSIDE
SPECIALIZED DEPARTMENT RECEIPT
Permit Assistance Center

R1713646

4080 Lemon Street Second Floor

10.00

39493 Los Alamos Road Suite A 38686 El Cerrito Road Palm Desert, CA 92211

Riverside, CA 92502 (951) 955-3200 Murrieta, CA 92563 (951) 600-6100

(760) 863-8277

Received from: JTM LAND COMPANY, LLC

\$3,648.54

paid by: CK 77089

paid towards: CZ07952

CHANGE OF ZONE

at parcel #: 60936 MONZA ST THER

appl type: CZ01

By Oct 03, 2017 16:26
MGARDNER posting date Oct 03, 2017

POSCING QUICE OCC 03, 2017

Account Code 200063130100230168 202033100200772210

202013100300201800

Description
CMP TRANS PLAN
LMS SURCHARGE
COMBINED DEPOSIT FEES

\$235.00 \$71.54 \$3,342.00

Amount

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org

R1713648

COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT Permit Assistance Center

4080 Lemon Street 39493 Los Alamos Road 38686 El Cerrito Road Second Floor Suite A Palm Desert, CA 92211 Riverside, CA 92502 Murrieta, CA 92563 (760) 863-8277

(951) 955-3200 (951) 600-6100

Received from: JTM LAND COMPANY, LLC \$2,464.32

paid by: CK 77090

paid towards: EA43068 ALL OTHER APPLICATIONS

at parcel #: 60936 MONZA ST THER

appl type: EA05

Account Code Description Amount 200063130100230168 CMP TRANS PLAN \$48.00 202033100200772210 LMS SURCHARGE \$48.74 202013100300201800 COMBINED DEPOSIT FEES \$2,367.58

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org

R1713647

COUNTY OF RIVERSIDE SPECIALIZED DEPARTMENT RECEIPT Permit Assistance Center

4080 Lemon Street

39493 Los Alamos Road

38686 El Cerrito Road

Second Floor

Suite A

Palm Desert, CA 92211 (760) 863-8277

Riverside, CA 92502 (951) 955-3200

Murrieta, CA 92563 (951) 600-6100

Received from: JTM LAND COMPANY, LLC

\$50.00

paid by: CK 77090

paid towards: CFG06443

CALIF FISH & GAME: DOC FEE

FOR EA43068

at parcel #: 60936 MONZA ST THER

appl type: CFG3

MCARDNER

Oct 03, 2017 16:28

posting date Oct 03, 2017

Account Code 658353120100208100 Description

CF&G TRUST: RECORD FEES

Amount \$50.00

Overpayments of less than \$5.00 will not be refunded!

Additional info at www.rctlma.org



PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.

APPLICATION INFORMATION

Applicant's Name: Kohl Ranch Company, LLC	E-Mail: kohl.david@gmail.com
Contact Person: David Kohl	E-Mail: kohl.david@gmail.com
Mailing Address: 11812 San Vicente Blvd., Suite 5	0
Los Angeles CA	90049
City State	ZIP
Daytime Phone No: (310) 276-7300	_ Fax No: ()
Engineer/Representative's Name: Albert A. Webb Associ	ates E-Mail: melissa.perez@webba
Contact Person: Melissa Perez	E-Mail: melissa.perez@webbassociates
Mailing Address: 3788 McCray Street	
Street Riverside CA	92506
City State	ZIP
Daytime Phone No: (951) 686-1070	Fax No: (951) 788-1256
Property Owner's Name: Kohl Ranch Company, LLC	E-Mail: kohl.david@gmail.com
Contact Person: David Kohl	E-Mail: kohl.david@gmail.com
Mailing Address: 11990 San Vicente Blvd., Suite 20	0
Los Angeles Street	90049
City State	ZIP
Daytime Phone No: (310) 276-7300	Fax No: ()
Check this box if additional persons or entities have are in addition to that indicated above; and attach a separate	ownership interest in the subject property(ies) te sheet that references the property address

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

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and/or assessor's parcel number and list those names, mailing addresses, phone and fax numbers, and

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PLAN

email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.

The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.

AUTHORIZATION FOR CONCURRENT FEE TRANSFER

The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.

AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:

I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.

(If an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s

Department after submittal but before the subdivision is ready for p	public hearing)
David Kohl	· 2/2//
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)
PRINTED NAME OF PROPERTY OWNER(S)	SIGNATURE OF PROPERTY OWNER(S)

PROJECT INFORMATION:

Description of Substantial Conformance Request (Reference the existing Planning Area(s), and/or Policies, and/or Conditions that are proposed to be modified, and clearly state the proposed modifications) (if lengthy, extra pages may be attached):

REQUEST FOR DETERMINATION OF SUBSTANTIAL CONFORMANCE WITH A SPECIFIC PL	AN_
See attached project description.	
Related cases filed in advance of, or concurrently with, this request:	
Tentative Tract Map #, Plot Plan #, Lot Line Adjustment, Chane of Zone #	
PROPERTY INFORMATION:	
Assessor's Parcel Number(s): Assessor Parcel Numbers: 751-070-033-6 and 751-070-034-7	
Approximate Gross Acreage: 307.12 Project area is approximately 239 acres	
General location (nearby or cross streets): North of 66th Avenue , Se	outh of
64th Avenue, East of Tyler Street, West of Polk Street	
Have there been any prior requests for substantial conformance? Yes 🗸 No 🗍	
If yes, of what nature? Plot Plan 19935 and proposed lakes substantially conform to permitted uses under \$	EDNOSOS
Member's private automotive race course substantially conforms to permitted uses within the Heavy Industrial Open Space designations under SP00303.	

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1058 SP SC Condensed Application.docx Created. 07/02/2015 Revised: 05/17/2016



PLANNING DEPARTMENT

Charissa Leach, P.E. Assistant TLMA Director

APPLICATION FOR LAND USE AND DEVELOPMENT

CHECK ONE AS APPROPRIATE;							
PLOT PLAN PUBLIC USE PERMIT VARIANCE TEMPORARY USE PERMIT							
REVISED PERMIT Original Case No							
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.							
APPLICATION INFORMATION							
Applicant Name: Kohi Ranch Company, LLC							
Contact Person: David Kohl E-Mail: kohl.david@gmail.com							
Mailing Address: _11812 San Vicente Blvd., Suite 510							
Los Angeles CA 90049							
City State ZIP							
Daytime Phone No: (_310_) 276-7300							
Engineer/Representative Name: Albert A. Webb Associates							
Contact Person: Fayres Hall E-Mail: fayres.hall@webbassociates.com							
Mailing Address: 3788 McCray Street							
Riverside CA 92506							
City State ZIP							
Daytime Phone No: (951) 686-1070 Fax No: (951) 788-1256							
Property Owner Name: Kohl Ranch Company, LLC							
Contact Person:David Kohl E-Mail:kohl.david@gmail.com							
Mailing Address:1812 San Vicente Blvd., Suite 510							
Los Angeles CA 90049							
City State ZIP							
Daytime Phone No: (310) 276-7300 Fax No: ()							
Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555							

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Check this box if additional persons or entities have an ownership interest in the subject property(ies) in addition to that indicated above; and attach a separate sheet that references the use permit type and number and list those names, mailing addresses, phone and fax numbers, and email addresses; and provide signatures of those persons or entities having an interest in the real property(ies) involved in this application.
AUTHORITY FOR THIS APPLICATION IS HEREBY GIVEN:
I certify that I am/we are the record owner(s) or authorized agent, and that the information filed is true and correct to the best of my knowledge, and in accordance with Govt. Code Section 65105, acknowledge that in the performance of their functions, planning agency personnel may enter upon any land and make examinations and surveys, provided that the entries, examinations, and surveys do not interfere with the use of the land by those persons lawfully entitled to the possession thereof.
(if an authorized agent signs, the agent must submit a letter signed by the owner(s) indicating authority to sign on the owner(s)'s behalf, and if this application is submitted electronically, the "wet-signed" signatures must be submitted to the Planning Department after submittal but before the use permit is ready for public hearing.
David Kohl David Kohl
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
PRINTED NAME OF PROPERTY OWNER(S) SIGNATURE OF PROPERTY OWNER(S)
The Planning Department will primarily direct communications regarding this application to the person identified above as the Applicant. The Applicant may be the property owner, representative, or other assigned agent.
AUTHORIZATION FOR CONCURRENT FEE TRANSFER
The applicant authorizes the Planning Department and TLMA to expedite the refund and billing process by transferring monies among concurrent applications to cover processing costs as necessary. Fees collected in excess of the actual cost of providing specific services will be refunded. If additional funds are needed to complete the processing of this application, the applicant will be billed, and processing of the application will cease until the outstanding balance is paid and sufficient funds are available to continue the processing of the application. The applicant understands the deposit fee process as described above, and that there will be NO refund of fees which have been expended as part of the application review or other related activities or services, even if the application is withdrawn or the application is ultimately denied.
PROPERTY INFORMATION:
Assessor's Parcel Number(s): 751-070-033 and -034
Approximate Gross Acreage: 31.54
General location (nearby or cross streets): North of 66th Avenue, South of
64th Avenue, East ofTyler Street, West ofPolk Street

APPLICATION FOR LAND USE AND DEVELOPMENT

APPLICATION FOR LAND USE AND DEVELOPMENT PROJECT PROPOSAL: Describe the proposed project. See attached project description Identify the applicable Ordinance No. 348 Section and Subsection reference(s) describing the proposed land use(s): Number of existing lots: EXISTING Buildings/Structures: Yes No Square Bldg. No.* Height **Stories** Use/Function To be Removed Feet Permit No. 2 3 4 5 6 8 9 Place check in the applicable row, if building or structure is proposed to be removed.

	PROPOSED Buildings/Structures: Yes X No					
No.*	Square Feet		Stories	Use/Function		
1	16.000	42	2	Spa, Exercise, Lockers and Deck		
2	1,000	42	2	Bar		
3	5.900	42	2	Administration, dining and kitchen		
4	4,500	42	2	Administration, dining and kitchen Retail, Restaurant, Bar and Kitchen		
5						
6						
7						
8						
9						
10						

	PROPOSED Outdoor Uses/Areas: Yes X No					
No.*	Square Feet	Use/Function				
1	7,000	Pool and Deck				
2						
3						
4						
5						

APPLICATION FOR LAND USE AND DEVELOPMENT
6 7
8
9 10
* Match to Buildings/Structures/Outdoor Uses/Areas identified on Exhibit "A".
☐ Check this box if additional buildings/structures exist or are proposed, and attach additional page(s) to identify them.)
Related cases filed in conjunction with this application:
Are there previous development applications filed on the subject property: Yes No Translation No(s). TR37269 (e.g. Tentative Parcel Map, Zone Change, etc.)
the table to table to the table to
Initial Study (EA) No. (if known) CEQ180096 EIR No. (if applicable):
Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes No
If yes, indicate the type of report(s) and provide a signed copy(ies):
Is the project located within 1,000 feet of a military installation, beneath a low-level flight path or within special use airspace as defined in Section 21098 of the Public Resources Code, and within an urbanized area as defined by Government Code Section 65944? Yes No No
Is this an application for a development permit? Yes No 🗌
If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below.
If not known, please refer to <u>Riverside County's Map My County website</u> to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer – then select the "Watershed" sub-layer)
If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package.
Santa Ana River/San Jacinto Valley
Santa Margarita River
Whitewater River
Form 295-1010 (08/03/18)

If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

HAZARDOUS WASTE AND SUBSTANCES ST	TATEMENT
The development project and any alternatives proposed in this application compiled pursuant to Section 65962.5 of the Government Code. Ac required to submit a signed statement that contains the following inform	cordingly, the project applicant is
Name of Applicant:	
Address:	
Phone number:	
Address of site (street name and number if a late, incole)	
Address of site (street name and number if available, and VIP Code) Local Agency: County of Riverside	
Assessor's Book Page, and Parcel Number:	
Specify any list pursuant to Section 65962.5 of the Government Code:	
Regulatory Identification number:	
Date of list:	
Applicant:	Date
Applicant:	Date ATEMENT gent for any development project of Section 25505 and Article 2 of the Health and Safety Code on from the air pollution control
HAZARDOUS MATERIALS DISCLOSURE STA Government Code Section 65850.2 requires the owner or authorized at to disclose whether: 1. Compliance will be needed with the applicable requirements (commencing with Section 25531) of Chapter 6.95 of Division 2 or the requirements for a permit for construction or modificating district or air quality management district exercising jurisdiction.	ATEMENT gent for any development project of Section 25505 and Article 2 of the Health and Safety Code ion from the air pollution control on in the area governed by the

This completed application form, together with all of the listed requirements provided on the Land Use and Development Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\Land Use and Development Condensed application.docx
Created, 04/29/2015 Revised; 08/03/2018



PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

CHE	CK ONE AS APPROPE	RIATE:				
	TENTATIVE TRACT MA REVERSION TO ACREA AMENDMENT TO FINAI	☐ TENTATIVE PARCEL MAP ☐ EXPIRED RECORDABLE MAP ☐ VESTING MAP				
	MINOR CHANGE	Original Case No.				
	REVISED MAP	Original Case No.				
INCO	MPLETE APPLICATIONS WILL I	NOT BE ACCEPTED.				
APP	LICATION INFORMATI	ON				
Appi	icant Name: Kohl Ranc	h Company, LLC				
	Contact Person: David	i Kohl		_ E-Mail:	kohl.da	vid@gmail.com
	Mailing Address: 1181	2 San Vicente Blvd.				
	Los Angeles		Street CA		90049	
	Daytime Phone No: (3	City 10) 276-7300	State	Fax No: (ZiP	
Engi	neer/Representative Na	me: Albert A. Webb	Associates	3		
	Contact Person: Fayre	es Hall	ir re	_ E-Mail:	Fayres.	hall@webbassociates.g
	Mailing Address: 3788	McCray Street				
	Riverside		Street CA		92506	
		City	State		ZIP	
	Daytime Phone No: (9	51) 686-1070		Fax No: (951	788-1256
Ргор	erty Owner Name: Koh	l Ranch Company, L	.LC			
	Contact Person: David	l Kohl		E-Mail: kol	nl.david@	gmail.com
	Mailing Address: 1181	2 San Vicente Blvd.,	Suite 510			
	Riverside Office · 4080 Len		De			ına Court, Suite H

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(760) 863-8277 · Fax (760) 863-7555

(951) 955-3200 · Fax (951) 955-1811

APPLICATION FOR SUBDIV	ISION AND DEV	ELOPMENT		
Los Angeles		Street CA	90049	
	City	State	ZIP	
Daytime Phone No: (31	0) 276-7300		Fax No: () _	
Check this box if additional in addition to that indicated at number and list those names provide signatures of those papplication.	oove; and attach and attach and address	a separate she ses, phone ar	eet that references that numbers, and	e subdivision type and email addresses; and
AUTHORITY FOR THIS APP	LICATION IS HE	REBY GIVEN:		
I certify that I am/we are the and correct to the best of acknowledge that in the perfo land and make examinations interfere with the use of the land	my knowledge, rmance of their fo and surveys, pro	and in acco unctions, pland ovided that the	rdance with Govt. (ning agency personno entries, examination	Code Section 65105, el may enter upon any s, and surveys do not
(If an authorized agent signs, the age behalf, and if this application is so Department after submittal but before	ubmitted electronical	ly, the "wet-sign	ed" signatures must be	ity to sign on the owner(s)'s obmitted to the Planning
David Kohl			W W	
PRINTED NAME OF PR	OPERTY OWNER(S)		SIGNATURE OF PROPE	RTY OWNER(S)
PRINTED NAME OF PR	OPERTY OWNER(S)		SIGNATURE OF PROPE	RTY OWNER(S)
The Planning Department will identified above as the Applic assigned agent.				
AUTHO	ORIZATION FOR	CONCURRE	NT FEE TRANSFER	
The applicant authorizes the F by transferring monies among collected in excess of the actuare needed to complete the pthe application will cease uncontinue the processing of the described above, and that the application review or other reapplication is ultimately denied	g concurrent apply all cost of providing the cost of providing the cost of this application. The cost of the cost	lications to co ing specific se application, the g balance is The applicant efund of fees	ver processing costs ervices will be refunded e applicant will be bill paid and sufficient for understands the de which have been exp	as necessary. Fees ed. If additional funds led, and processing of unds are available to eposit fee process as bended as part of the
PROPERTY INFORMATION:				
Assessor's Parcel Number(s):	Assessor Parcel	Numbers: 75	1-070-033-6 and 751-	070-034-7
Approximate Gross Acreage:	307.12 Project ar	rea is approxin	nately 239 acres	

APPLICATION FOR SUBDIVISION AND DEVELOPMENT General location (cross streets, etc.): North of 66th Avenue _____, South of 64th Avenue , East of Tyler Street , West of Polk Street SUBDIVISION PROPOSAL: Map Schedule: Minimum Developable Lot Size: Number of existing lots: Number of proposed developable lots: 326 Planned Unit Development (PUD): Yes No 🗸 Vesting Map: Yes ☐ No 🗸 Subdivision Density: 8.3 dwelling units per Number of proposed non-developable lots (excluding streets): ____ Is there previous development application(s) filed on the same site: Yes \(\text{\bar No} \\ \text{\b Initial Study (EA) No. (if known) _____ EIR No. (if applicable): ____ Have any special studies or reports, such as a traffic study, biological report, archaeological report, geological or geotechnical reports, been prepared for the subject property? Yes \(\square\) No \(\square\) If yes, indicate the type of report(s) and provide signed copy(ies): __ If the project located within either the Santa Ana River/San Jacinto Valley watershed, the Santa Margarita River watershed, or the Whitewater River watershed, check the appropriate checkbox below. If not known, please refer to Riverside County's Map My County website to determine if the property is located within any of these watersheds (search for the subject property's Assessor's Parcel Number, then select the "Geographic" Map Layer - then select the "Watershed" sub-layer) If any of the checkboxes are checked, click on the adjacent hyperlink to open the applicable Checklist Form. Complete the form and attach a copy as part of this application submittal package. Santa Ana River/San Jacinto Valley Santa Margarita River ✓ Whitewater River If the applicable Checklist has concluded that the application requires a preliminary project-specific Water Quality Management Plan (WQMP), such a plan shall be prepared and included with the submittal of this application.

APPLICATION FOR SUBDIVISION AND DEVELOPMENT

This completed application form, together with all of the listed requirements provided on the Subdivision Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1011 Subdivision Condensed Application.docx Created: 04/08/15 Revised: 06/07/16



PLANNING DEPARTMENT

INDEMNIFICATION AGREEMENT REQUIRED FOR ALL PROJECTS

The owner(s) of the property, at their own expense, agree to defend, indemnify and hold harmless the County of Riverside and its agents, officers, and employees from and against any lawsuit, claim, action, or proceeding (collectively referred to as "proceeding") brought against the County of Riverside, its agents, officers, attorneys and employees to attack, set aside, void, or annul the County's decision to approve any tentative map (tract or parcel), revised map, map minor change, reversion to acreage, conditional use permit, public use permit, surface mining permit, WECS permit, hazardous waste siting permit, temporary outdoor event permit, plot plan, substantial conformance, revised permit, variance, setback adjustment, general plan amendment, specific plan, specific plan amendment, specific plan substantial conformance, zoning amendments, and any associated environmental documents. This defense and indemnification obligation shall include, but not limited to, damages, fees and/or costs awarded against the County, if any, and cost of suit, attorney's fees and other costs, liabilities and expenses incurred in connection with such proceeding whether incurred by applicant, property owner, the County, and/or the parties initiating or bringing such proceeding.

Property Owner(s) Signature(s) and Date

PRINTED NAME of Property Owner(s)

If the property is owned by multiple owners, the paragraph above must be signed by each owner.

Attach additional sheets, if necessary.

If the property owner is a corporate entity, Limited Liability Company, partnership or trust, the following documentation must also be submitted with this application:

- If the property owner is a limited partnership, provide a copy of the LP-1, LP-2 (if an amendment) filed with the California Secretary of State.
- If the property owner is a general partnership, provide a copy of the partnership agreement documenting who has authority to bind the general partnership and to sign on its behalf.
- If the property owner is a corporation, provide a copy of the Articles of Incorporation and/or a
 corporate resolution documenting which officers have authority to bind the corporation and to sign
 on its behalf. The corporation must also be in good standing with the California Secretary of State.
- If the property owner is a trust, provide a copy of the trust certificate.

Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811 Desert Office · 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7040



RIVERSIDE COUNTY PLANNING DEPARTMENT

Steve Weiss, AICP Planning Director

APPLICATION FOR CHANGE OF ZONE

CHECK ONE AS APPROPRIATE:	
☐ Standard Change of Zone	
There are three different situations where a Planning Review	w Only Change of Zone will be accepted:
 ✓ Type 1: Used to legally define the boundaries of one or ☐ Type 2: Used to establish or change a SP zoning ordin ☐ Type 3: Used when a Change of Zone application was 	ance text within a Specific Plan
INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED.	
APPLICATION INFORMATION	
Applicant Name: Kohl Ranch Company, LLC	
Contact Person: David Kohl	E-Mail: kohl.david@gmail.com
Mailing Address: 11812 San Vicente Blvd., Suite 510	
Los Angeles Street CA	90049
City State	ZIP
Daytime Phone No: (310) 276-7300	Fax No: ()
Engineer/Representative Name: Webb Associates	
Contact Person: Melissa Perez	E-Mail: melissa.perez@webbassociate
Mailing Address: 3788 McCray Street	
Riverside Street CA	92506
City State	ZIP
Daytime Phone No: (<u>951</u>) <u>686-1070</u>	Fax No: (951) 788-1256
Property Owner Name: Kohl Ranch Company, LLC	
Contact Person: David Kohl	E-Mail: kohl.david@gmail.com
Mailing Address: 11990 San Vicente Blvd., Suite 200 Street	
Riverside Office · 4080 Lemon Street, 12th Floor P.O. Box 1409, Riverside, California 92502-1409 (951) 955-3200 · Fax (951) 955-1811	esert Öffice · 77-588 El Duna Court, Suite H Palm Desert, California 92211 (760) 863-8277 · Fax (760) 863-7555

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APPLICATION FOR CHANGE OF ZONE

Los Angeles		CA	90049
Cit	'y S	State	ZIP
Check this box if additional in addition to that indicated at and/or assessor's parcel number email addresses; and provide property(ies) involved in this ap	oove; and attach a se er and list those nam signatures of those	eparate sheet that rees. mailing addresse	s phone and fav numbers ar
The Planning Department will identified above as the Applica assigned agent.	primarily direct commant. The Applicant m	nunications regarding nay be the property	g this application to the perso owner, representative, or othe
AUTHO	RIZATION FOR CON	CURRENT FEE TRA	ANSFER
The applicant authorizes the Pl by transferring monies among collected in excess of the actual are needed to complete the protect the application will cease until continue the processing of the described above, and that ther application review or other reliapplication is ultimately denied.	concurrent application construction countries and countries applications application. The application of will be NO refund	ons to cover process pecific services will be cation, the applicant lance is paid and s applicant understand of fees which have	sing costs as necessary. Fee be refunded. If additional fund will be billed, and processing of ufficient funds are available to ds the deposit fee process a been expended as part of the
AUTHORITY FOR THIS APPLI	CATION IS HEREBY	GIVEN:	
I certify that I am/we are the reand correct to the best of nacknowledge that in the performand and make examinations are interfere with the use of the land	ny knowledge, and nance of their functio nd surveys, provided	in accordance with ns, planning agency that the entries, exa	n Govt. Code Section 65105 personnel may enter upon an aminations, and surveys do no
(If an authorized agent signs, the agent behalf, and if this application is sub Department after submittal but before to David Kohl PRINTED NAME OF PROPERTY.	mitted electronically, the he subdivision is ready for	"wet-signed" signatures public hearing.)	ating authority to sign on the owner(s) must be submitted to the Plannin
PRINTED NAME OF PROPE	ERTY OWNER(S)	SIGNATURE (OF PROPERTY OWNER(S)
PROPERTY INFORMATION:			
Assessor's Parcel Number(s): 2	Assessor Parcel Num	bers: 751-070-033-6	and 751-070-034-7
Approximate Gross Acreage: 3	07.12 Project area is	approximately 239 a	cres
General location (nearby or cros	s streets): North of	66th Avenue	, South o

APPLICATION FOR CHANGE OF ZONE

See attached project descri	ription.	
Related cases filed in conju	unction with this request:	
Tentative Tract Map #3726	9, Plot Plan #180127, Lot Line Adjustment	#180034 Chane of Zono #

This completed application form, together with all of the listed requirements provided on the Change of Zone Application Filing Instructions Handout, are required in order to file an application with the County of Riverside Planning Department.

Y:\Current Planning\LMS Replacement\Condensed P.D. Application Forms\295-1071 CZ Condensed Application.docx Created: 07/06/2015 Revised: 05/17/2016



COUNTY OF RIVERSIDE TRANSPORTATION AND LAND MANAGEMENT AGENCY



Juan C. Perez
Director of Transportation and Land Management Agency

Patricia Romo Transportation Director, Transportation Department Charissa Leach, P.E. Assistant TLMA Director Planning Department Mike Lara
Building Official,
Building & Safety Department

Hector Viray
Code Enforcement Official,
Code Enforcement Department

LAND USE and PERMIT APPLICATION PROCESSING AGREEMENT

Agreement for Payment of Costs of Application Processing

TO BE COMPLI	TED BY	APPLIC	CANT:
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If your application is subject to Deposit	-based Fee, the following applies	
Change of Zone		
Description of application/permit use:		
and Kohl Ranch Company, LLC	hereafter "Applicant" and Kohl Ranch Company, LLC	" Property Owner".
This agreement is by and between the	County of Riverside, hereafter "County of Riverside",	

Section 1. Deposit-based Fees

Purpose: The Riverside County Board of Supervisors has adopted ordinances to collect "Deposit-based Fees" for the costs of reviewing certain applications for land use review and permits. The Applicant is required to deposit funds to initiate staff review of an application. The initial deposit may be supplemented by additional fees, based upon actual and projected labor costs for the permit. County departments draw against these deposited funds at the staff hourly rates adopted by the Board of Supervisors. The Applicant and Property Owner are responsible for any supplemental fees necessary to cover any costs which were not covered by the initial deposit.

Section 2. Applicant and Property Owner Responsibilities for Deposit-based Fee Applications

- A. Applicant agrees to make an initial deposit in the amount as indicated by County ordinance, at the time this Agreement is signed and submitted with a complete application to the County of Riverside. Applicant acknowledges that this is an initial deposit and additional funds may be needed to complete their case The County of Riverside will not pay interest on deposits. Applicant understands that any delays in making a subsequent deposit from the date of written notice requesting such additional deposit by County of Riverside, may result in the stoppage of work.
- B. Within 15 days of the service by mail of the County of Riverside's written notice that the application permit deposit has been reduced to a balance of less than 20% of the initial deposit or that the deposit is otherwise insufficient to cover the expected costs to completion, the Applicant agrees to make an additional payment of an amount as determined by the County of Riverside to replenish the deposit. Please note that the processing of the application or permit may stop if the amount on deposit has been expended. The Applicant agrees to continue making such payments until the County of Riverside is reimbursed for all costs related to this application or permit. The County of Riverside is entitled to recover its costs, including attorney's fees, in collecting unpaid accounts that would have been drawn on the deposit were it not depleted.
- C. The Property Owner acknowledges that the Applicant is authorized to submit this agreement and related application(s) for land use review or permit on this property. The Property Owner also acknowledges that should the Applicant not reimburse the County of Riverside for all costs related to this application or permit, the Property Owner shall become immediately liable for these costs which shall be paid within15 days of the service by mail of notice to said property Owner by the County.

- D. This Agreement shall only be executed by an authorized representative of the Applicant and the Property Owner. The person(s) executing this Agreement represents that he/she has the express authority to enter into this agreement on behalf of the Applicant and/or Property Owner.
- E. This Agreement is not assignable without written consent by the County of Riverside. The County of Riverside will not consent to assignment of this Agreement until all outstanding costs have been paid by Applicant.
- F. Deposit statements, requests for deposits or refunds shall be directed to Applicant at the address identified in Section 4.

Section 3. To ensure quality service, Applicant is responsible to provide one-week written notice to the County of Riverside Transportation and Land Management Agency (TLMA) Permit Assistance Centers if any of the information below changes.

Section 4. Applicant and Owner Information

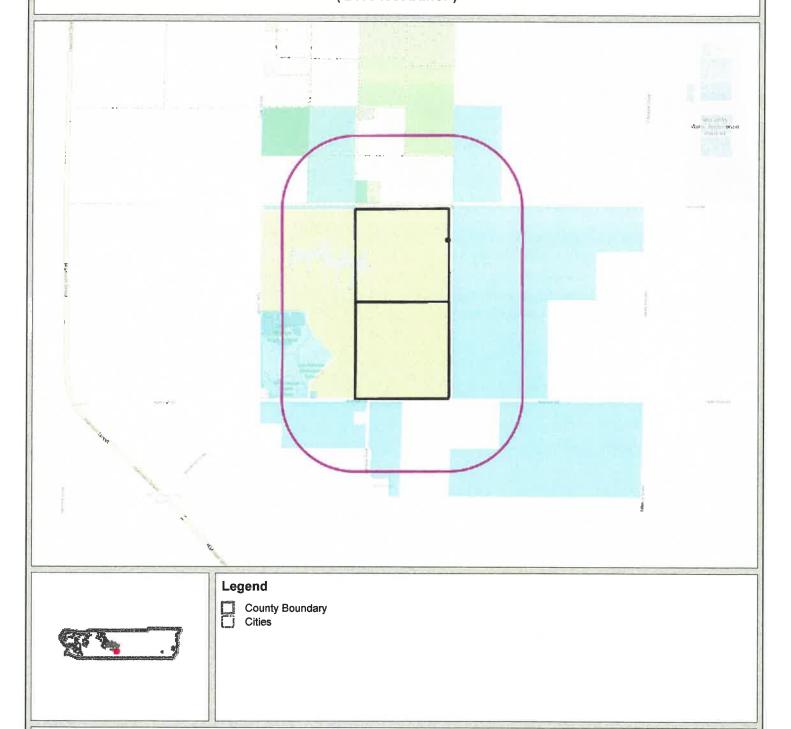
1. PROPERTY INFORMATION:		
Assessors Parcel Number(s): 751-070-033-6 and 751-070-034-7	7	
Property Location or Address: North of 66th Ave., south of 64th Ave., east of Tyler St., west of Po	olk. St.	
2. PROPERTY OWNER INFORMATION:		
Property Owner Name: David Kohl Firm Name: Kohl Ranch Company, LLC	Phone No.: 310-276-7300 . Email: kohl.david@gmail.com	
Address: 11812 San Vicente Blvd. Suite 510		
Los Angeles, CA 90049	_	
3. APPLICANT INFORMATION:	*	
Applicant Name: David Kohl	Phone No.: 310-276-7300	
Firm Name: Kohl Ranch Company, LLC	Email: kohl.david@gmail.com	
Address (if different from property owner) 11812 San Vicente Blvd. Suite 510		
Los Angeles, CA 90049		
4. SIGNATURES: Signature of Applicant: Print Name and Title: David Kohl	Date:	
Signature of Property Owner: Print Name and Title: David Kohl	Date:\\Z\\\9	
Signature of the County of Riverside, by Print Name and Title:		
FOR COUNTY OF RIVERSIDE USE ONLY		
Application or Permit (s)#:		
Set #:Application Date:		

PROPERTY OWNERS CERTIFICATION FORM

I, VINNIE NG	UYEN c	ertify that on	<u>July 16, 2019</u> ,
The attached property owner	ers list was prepared by	River	side County GIS,
APN (s) or case numbers _	SP00303S03 PP	T180037 TTN	<u>M37269</u> for
Company or Individual's N	ame <u>RCIT</u>	- GIS	
Distance buffered	24	00'	
Pursuant to application req	uirements furnished b	y the Riverside	County Planning Department
Said list is a complete and	true compilation of th	ne owners of the	subject property and all other
property owners within 60	0 feet of the property	involved, or if	that area yields less than 25
different owners, all proper	ty owners within a no	tification area exp	panded to yield a minimum of
25 different owners, to a m	naximum notification a	area of 2,400 fee	t from the project boundaries,
based upon the latest equal	ized assessment rolls.	If the project is	a subdivision with identified
off-site access/improvement	ts, said list includes a	complete and true	compilation of the names and
mailing addresses of the	owners of all proper	rty that is adjac	ent to the proposed off-site
improvement/alignment.			
I further certify that the in	formation filed is true	e and correct to t	the best of my knowledge. 1
understand that incorrect or	incomplete information	on may be ground	s for rejection or denial of the
application.			
TITLE:	GIS Analyst		
ADDRESS:	4080 Lemon S	treet 9TH Floo	<u>r</u>
	Riverside, Ca.	92502	
TELEPHONE NUMBER (8	Sa.m. – 5 n.m.):	(951) 955-	8158

Riverside County GIS Mailing Labels

SP00303S03_PPT180037_TTM37269 (2400 feet buffer)



Notes





3,009 6,019 Feet

IMPORTANT Maps and data are to be used for reference purposes only. Map features are approximate, and are not necessarily accurate to surveying or engineering standards. The County of Riverside makes no warranty or guarantee as to the content (the source is often third party), accuracy, timeliness, or completeness of any of the data provided, and assumes no legal responsibility for the information contained on this map. Any use of this product with respect to accuracy and precision shall be the sole responsibility of the user.

REPORT PRINTED ON... 7/16/2019 4:04:20 PM

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NOTICE OF PUBLIC HEARING

and

INTENT TO CONSIDER AN ADDENDUM TO AN

ENVIRONMENTAL IMPACT REPORT (EIR)

A PUBLIC HEARING has been scheduled, pursuant to Riverside County Land Use Ordinance No. 348, before the RIVERSIDE COUNTY PLANNING COMMISSION to consider a proposed project in the vicinity of your property, as described below:

PLOT PLAN NO. 180037, TENTATIVE TRACT MAP NO. 37269, CHANGE OF ZONE NO. 1900027, and SPECIFIC PLAN NO. 303 (Kohl Ranch), SUBSTANTIAL CONFORMANCE NO. 3 - Intent to Consider Addendum No. 9 to Certified Environmental Impact Report No. 396 (EIR396) - CEQ180096 - Applicant: Kohl Ranch Company, LLC -Engineer/Representative: Albert A. Webb and Associates – Fourth Supervisorial District – Lower Coachella Valley District - Eastern Coachella Valley Area Plan - Location: Easterly of Tyler Street, northerly of Avenue 62, southerly of Avenue 60, and westerly of Polk Street - Gross Acreage: 2,177 acres - Zoning: Specific Plan No. 303 (SP303) Kohl Ranch - REQUEST: Plot Plan No. 180037 (PPT180037), for the construction of the Thermal Beach Club. The proposal includes the development and use of a 21 acre lagoon with wave making capability and 42,000 sq. ft. of private club house buildings (village area) that includes a spa, pool, deck, restaurant and bar. In addition, the application will request annual events. The events would consist of surfing demonstrations for Thermal Beach Club residents and their guest. Tentative Tract Map No. 37269 (TTM37269), a Schedule "A" subdivision of approximately 123 acres, within two (2) existing parcels totaling approximately 307 acres, into 210 residential lots for 326 dwelling units. Change of Zone No. 190027, to reconfigure the boundaries of Kohl Ranch Specific Plan Planning Areas: J-1, J-2, J-3, J-4, J-5, J-6, J-7, J-8, L-1. L-2, and L-3. Specific Plan No. 303 (Kohl Ranch). Substantial Conformance No. 3 (SP00303S03), the Substantial conformance to adopted Specific Plan No. 303 to facilitate the Thermal Beach Club development within all or portions of Planning Neighborhoods "J" and "L". APN's: 751-070-034 and 751-070-033.

TIME OF HEARING: 9:30 a.m. or as soon as possible thereafter.

DATE OF HEARING: SEPTEMBER 25, 2019

PLACE OF HEARING: STEVE ROBBINS ADMINISTRATION BUILDING

COACHELLA VALLEY WATER DISTRICT

ADMINISTRATION BOARD ROOM

75515 HOVLEY LANE EAST, PALM DESERT, CA 92211

For further information regarding this project, please contact Project Planner Jason Killebrew at (951) 955-0314 or email at lkillebr@rivco.org, or go to the County Planning Department's Planning Commission agenda web page at http://planning.rctlma.org/PublicHearings.aspx.

The Riverside County Planning Department has determined that the above-described project will not have a significant effect on the environment and has recommended certification of an addendum to an EIR. The Planning Commission will consider the proposed project, and the proposed addendum, at the public hearing.

The case file for the proposed project, and the addendum to the environmental impact report, may be viewed Monday through Friday, from 8:00 a.m. to 5:00 p.m. at the Riverside County Planning Department office located at 4080 Lemon Street 12th Floor, Riverside, CA 92501. For further information or an appointment, contact the project planner.

Any person wishing to comment on the proposed project may do so in writing between the date of this notice and the public hearing; or, may appear and be heard at the time and place noted above. All comments received prior to the public hearing will be submitted to the Planning Commission, and the Planning Commission will consider such comments, in addition to any oral testimony, before making a decision on the proposed project.

If this project is challenged in court, the issues may be limited to those raised at the public hearing, described in this notice, or in written correspondence delivered to the Planning Commission at, or prior to, the public hearing. Be advised that as a result of public hearings and comment, the Planning Commission may amend, in whole or in part, the proposed project. Accordingly, the designations, development standards, design or improvements, or any properties or lands within the boundaries of the proposed project, may be changed in a way other than specifically proposed.

Please send all written correspondence to:
RIVERSIDE COUNTY PLANNING DEPARTMENT

Attn: Jason Killebrew

P.O. Box 1409, Riverside, CA 92502-1409

751200013 SUSAN ELEANOR DISINGER JOHN MCDONALD WREN STEVEN WIBLE

11567 N SETTLERS DR PARKER CO 80134 751040001 KOHL RANCH CO 11990 SAN VICENTE BLV 200 LOS ANGELES CA 90049

749090037 MING HUEI LEE TITANIUM GROUP I 43851 OAK HARBOUR DR BERMUDA DUNES CA 92203 749320002 DESERT DIAMOND PROP 444 W OCEAN BLV STE 1108 LONG BEACH CA 90802

751200019 LAZARO RENTERIA YOLANDA A RENTERIA 51660 AVENIDA VILLA LA QUINTA CA 92253 751200015 EFRAIN SANTOS 66300 MARTINEZ RD THERMAL CA. 92274

751210001 JOSE DENIZ BRACAMONTES MARIA GUADALUPE DENIZ 66550 MARTINEZ THERMAL CA 92274 751210002 JOSE DENIZ BRACAMONTES MARIA GUADALUPE DENIZ 66550 MARTINEZ RD THERMAL CA. 92274

751210003 IRENE RODRIGUEZ MONTANO 66700 MARTINEZ ST THERMAL CA. 92274

751210004 KELLY KATHLEEN SIXKILLER 80710 PLUM LN INDIO CA 92201

751040006 ALEJANDRINA MARTINEZ 81329 PALMYRA AVE INDIO CA 92201 751210006 JOSE ALFREDO PEREZ LUZ MARIE CANO JAMES PHILIP PEREZ

82165 AVENUE 58 THERMAL CA 92274

751070031 COACHELLA VALLEY UNIFIED SCHOOL DIST 82224 CHURCH ST THERMAL CA 92274 751070008 IGNACIO MEZA PEREZ MA L ACOSTA DEMEZA 86250 66TH AVE THERMAL CA 92274 751040012 CVCWD P O BOX 1058 COACHELLA CA 92236 749090035 USA 749 P O BOX 2245 PALM SPRINGS CA 92262

749320001 USA 749 P O BOX 2245 PALM SPRINGS CA 92263 749090002 USA 749 P O BOX 2362 NEWPORT BEACH CA 92663

749310007 K & J RANCH P O BOX 371 THERMAL CA 92274 751200018 AIDA S AGUIRRE P O BOX 727 INDIO CA 92202

751200016 MARIO LEDESMA LIMON HOPE PEREZ LIMON RUDY PADILLA PEREZ

P O BOX 727 MECCA CA 92254 751200011 ALFREDO BAZUA CHRISTINA BAZUA PO BOX 818 MECCA CA 92254

751200001 ALBERT L GOOD ROUTE 2 BOX 299 DELANO CA 93215 751200002 ALG RIVERSIDE RTE 2 BOX 299 DELANO CA 93215

751070018 USA 751 US DEPT OF INTERIOR WASHINGTON DC 21401 Richard Drury Komalpreet Toor Lozeau Drury, LLP 1939 Harrison Street, Suite 150 Oakland, CA 94612

Kirkland West Habitat Defense Council PO Box 7821 Laguna Niguel, Ca, 92607-7821