

The Metropolitan Water District of Southern California

Agenda

The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

Board of Directors - Final - Revised 1

March 8, 2022

12:00 PM

Tuesday, March 8, 2022 Meeting Schedule
09:00 am - RP&AM 10:00 am - OP&T 11:30 am - Break 12:00 pm - BOD 12:30 pm - Sp.Exec

Agendas, live streaming, meeting schedules, and other board materials are available here: <https://mwdh2o.legistar.com/Calendar.aspx>. If you have technical difficulties with the live streaming page, a listen-only phone line is available at 1-877-853-5257; enter meeting ID: 891 1613 4145. Members of the public may present their comments to the Board on matters within their jurisdiction as listed on the agenda via in-person or teleconference. To participate via teleconference 1-833-548-0276 and enter meeting ID: 815 2066 4276 or click <https://us06web.zoom.us/j/81520664276pwd=a1RTQWh6V3h3ckFhNmDsUWpKR1c2Zz09>

MWD Headquarters Building • 700 N. Alameda Street • Los Angeles, CA 90012

1. Call to Order

- 1.1 Invocation: Pamela Tobin, ACWA President and Cathy Green, ACWA Vice President
- 1.2 Pledge of Allegiance: Director Brenda Dennstedt, Western Municipal Water District

2. Roll Call

3. Determination of a Quorum

4. Opportunity for members of the public to address the Board on matters within the Board's jurisdiction. (As required by Gov. Code § 54954.3(a))

- a. Member Agency Overview: Richard Wilson, Assistant General Manager, Water, City of Burbank. [ADDED]

[21-962](#)

Attachments: [03082022 BOD 4a Presentation](#)

PUBLIC HEARING

Meeting Delayed until 12:40 p.m.

- b. Public hearing regarding: (1) the proposed water rates and charges for calendar years 2023 and 2024 necessary to meet the revenue requirements for fiscal years 2022/23 and 2023/24, and (2) Review of the applicability of Metropolitan Water District Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26 [21-876](#)

5. OTHER MATTERS AND REPORTS

- A. Report on Directors' Events Attended at Metropolitan's Expense [21-941](#)
Attachments: [03082022 BOD 5A Report.pdf](#)
- B. Chairwoman's Monthly Activity Report [21-942](#)
Attachments: [03082022 BOD 5B Report.pdf](#)
- C. General Manager's summary of activities [21-943](#)
Attachments: [03082022 BOD 5C Report.pdf](#)
- D. General Counsel's summary of activities [21-944](#)
Attachments: [03082022 BOD 5D Report - Revised](#)
[03082022 BOD 5D Presentation](#)
- E. General Auditor's summary of activities [21-945](#)
Attachments: [03082022 BOD 5E Report.pdf](#)
- F. Ethics Officer's summary of activities [21-946](#)
Attachments: [03082022 BOD 5F Report.pdf](#)
- G. Presentation of 20-year Service Pin to Director David D. De Jesus, representing Three Valleys Municipal Water District [21-903](#)

**** CONSENT CALENDAR ITEMS -- ACTION ****

6. CONSENT CALENDAR OTHER ITEMS - ACTION

- A. Approval of the Minutes of the Regular Meeting for February 8, 2022 (Copies have been submitted to each Director) Any additions, corrections, or omissions [21-940](#)

Attachments: [03082022 BOD 6A minutes.pdf](#)

- B. Adopt resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA [21-887](#)

Attachments: [03082022 BOD 6B Resolution.pdf](#)
[Resolution 9297.pdf](#)

- C. Approve Committee Assignments

7. **CONSENT CALENDAR ITEMS - ACTION**

- 7-1 Authorize the General Manager to negotiate a Project Labor Agreement for application on construction contracts with a value of \$5 million or greater within Metropolitan's Capital Investment Plan; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) [21-880](#)

Attachments: [03082022 EO 7-1 B-L.pdf](#)
[03082022 EO 7-1 Presentation.pdf](#)

- 7-2 Authorize two professional services agreements to support radial gates replacement projects: (1) an agreement with Hazen and Sawyer in an amount not to exceed \$890,000; and (2) an agreement with LEE + RO, Inc. in an amount not to exceed \$904,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) [21-881](#)

Attachments: [03082022 EO 7-2 B-L.pdf](#)
[03082022 EO 7-2 Presentation.pdf](#)

- 7-3** Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program Environmental Impact Report and related CEQA actions; and award \$677,898 contract to Jeremy Harris Construction, Inc. to construct erosion control improvements for three sites in the Western San Bernardino County region (EO) **[21-882](#)**
- Attachments:** [03082022 EO 7-3 B-L.pdf](#)
[03082022 EO 7-3 Presentation.pdf](#)
- 7-4** Authorize a professional services agreement with HDR Engineering, Inc. in an amount not to exceed \$2,800,000 for preliminary design services in support of erosion control improvements along the Colorado River Aqueduct; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (EO) **[21-883](#)**
- Attachments:** [03082022 EO 7-4 B-L.pdf](#)
[03082022 EO 7-4 Presentation.pdf](#)
- 7-5** Authorize entering into a three-year contract with GP Generate, LLC for media placement services related to drought awareness and water conservation not to exceed \$10.5 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (CL) **[21-884](#)**
- Attachments:** [03082022 CL 7-5 B-L.pdf](#)
[03082022 CL 7-5 Presentation](#)
- 7-6** Approve the General Manager's Strategic Priorities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA **[21-886](#)**
- Attachments:** [03082022 BOD 7-6 B-L](#)
[04122022 BOD 7-7 Presentation](#)
- 7-7** Authorize the General Manager to Sign the Equity in Infrastructure Program pledge and participate in the project to support opportunities for historically underserved and underutilized businesses; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA (OPT) **[21-805](#)**
- Attachments:** [03082022 OPT 7-7 B-L.pdf](#)
[03082022 OPT 7-7 Presentation.pdf](#)

- 7-8** Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA (RPAM) **[21-888](#)**

Attachments: [03082022 RPAM 7-8 B-L.pdf](#)
[03082022 RPAM 7-8 Presentation.pdf](#)

- 7-9** Review and consider the County of Riverside's certified Final Environmental Impact Report and Addendum No. 1 and take related CEQA actions, and authorize the General Manager to grant a permanent easement to the County of Riverside for public road purposes traversing Metropolitan fee-owned property in the County of Riverside and identified as Riverside County Assessor Parcel Number 472-180-002 (RPAM) **[21-889](#)**

Attachments: [03082022 RPAM 7-9 B-L.pdf](#)
[03082022 RPAM 7-9 Presentation.pdf](#)

**** END OF CONSENT CALENDAR ITEMS ****

8. OTHER BOARD ITEMS - ACTION

NONE

9. BOARD INFORMATION ITEMS

- 9-1** Report on Conservation **[21-878](#)**

Attachments: [03082022 BOD 9-1 Report.pdf](#)

- 9-2** Review of the applicability of the Metropolitan Water District Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26 (FI) **[21-879](#)**

Attachments: [03082022 FI 9-2 B-L.pdf](#)
[03082022 FI 9-2 Presentation.pdf](#)

- 9-3** Review of the Remaining Planning Process and Funding Needs for Sites Reservoir Project (WPS) **[21-885](#)**

Attachments: [03082022 WPS 9-3 B-L.pdf](#)
[03082022 WPS 9-3 Presentation.pdf](#)

10. OTHER MATTERS

NONE

11. FOLLOW-UP ITEMS

NONE

12. FUTURE AGENDA ITEMS

13. ADJOURNMENT

NOTE:

At the discretion of the Board, all items appearing on this agenda and all committee agendas, whether or not expressly listed for action, may be deliberated and may be subject to action by the Board.

Each agenda item with a committee designation will be considered and a recommendation may be made by one or more committees prior to consideration and final action by the full Board of Directors. The committee designation appears in parenthesis at the end of the description of the agenda item e.g. (E&O, BF&I). Committee agendas may be obtained from the Executive Secretary.

Requests for a disability related modification or accommodation, including auxiliary aids or services, in order to attend or participate in a meeting should be made to the Executive Secretary in advance of the meeting to ensure availability of the requested service or accommodation.

Burbank Water System

Metropolitan Water District of Southern California
Board Meeting

March 8, 2022

Richard Wilson,
Assistant General Manager – Water
Systems



WATER AND
POWER

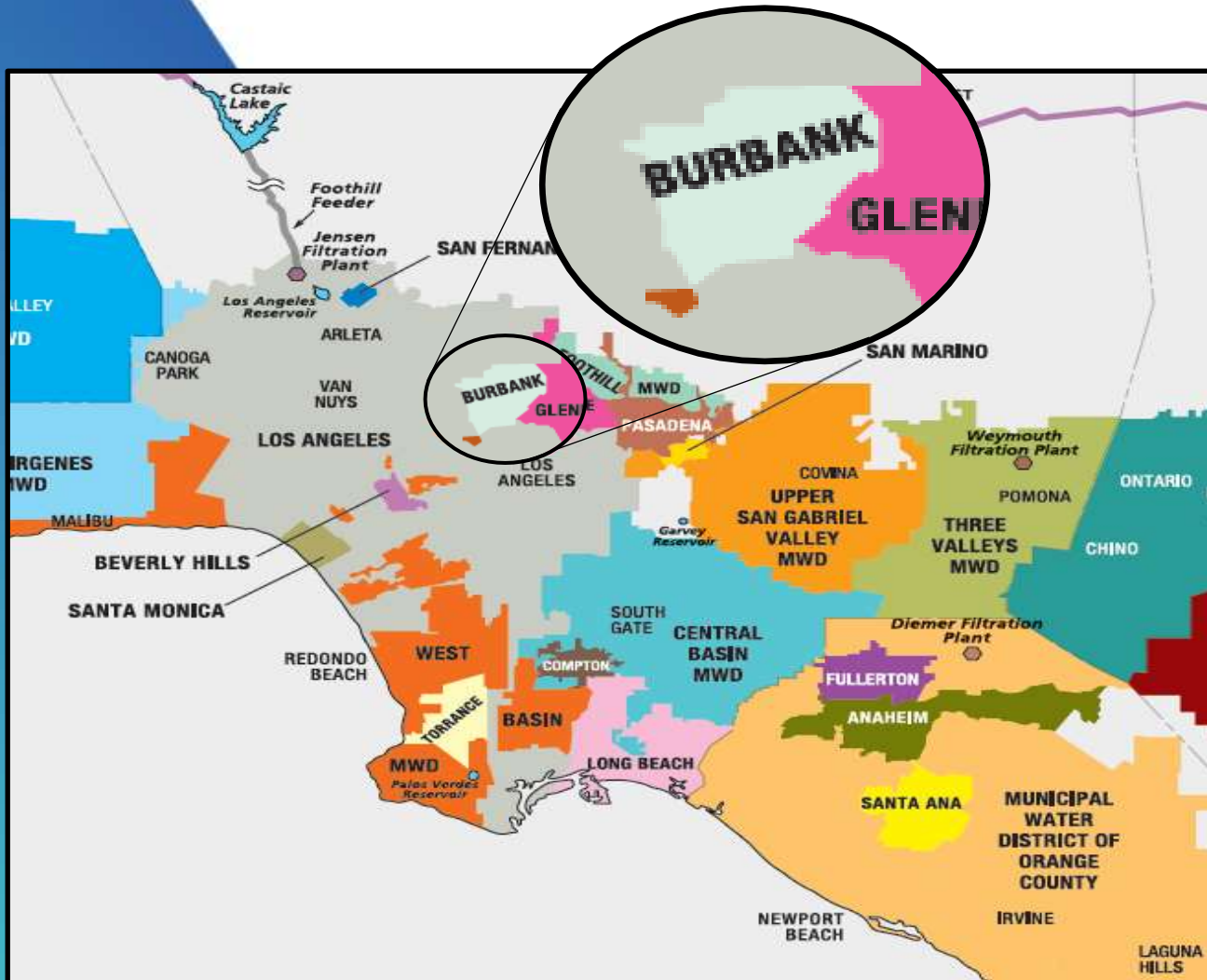


Presentation Outline

- **Burbank at a Glance**
- **Water & Power**
- **Water System**
 - Supply/Demand
 - Sources
- **Flowing into the Future**



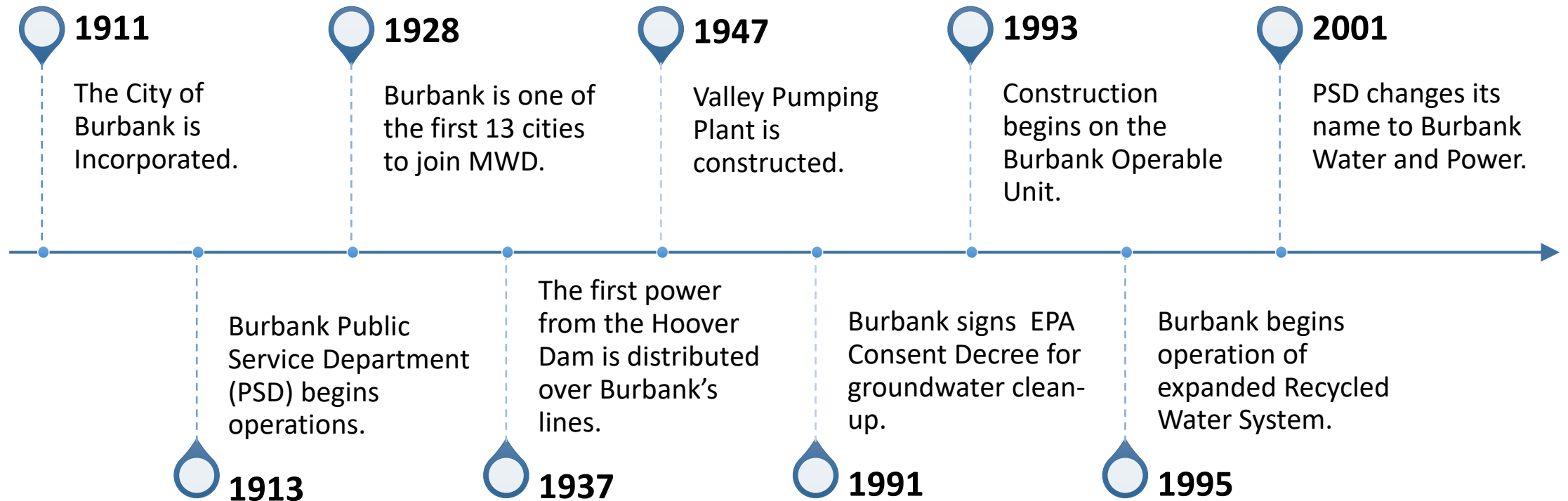
City of Burbank



- **Incorporated:** 1911
- **Service Area:** 17 square miles
 - Located in the San Fernando Valley
 - 12 Miles NW of DTLA
- **Population:** 103,969

An Original Founding
Member City of MWD since
1928

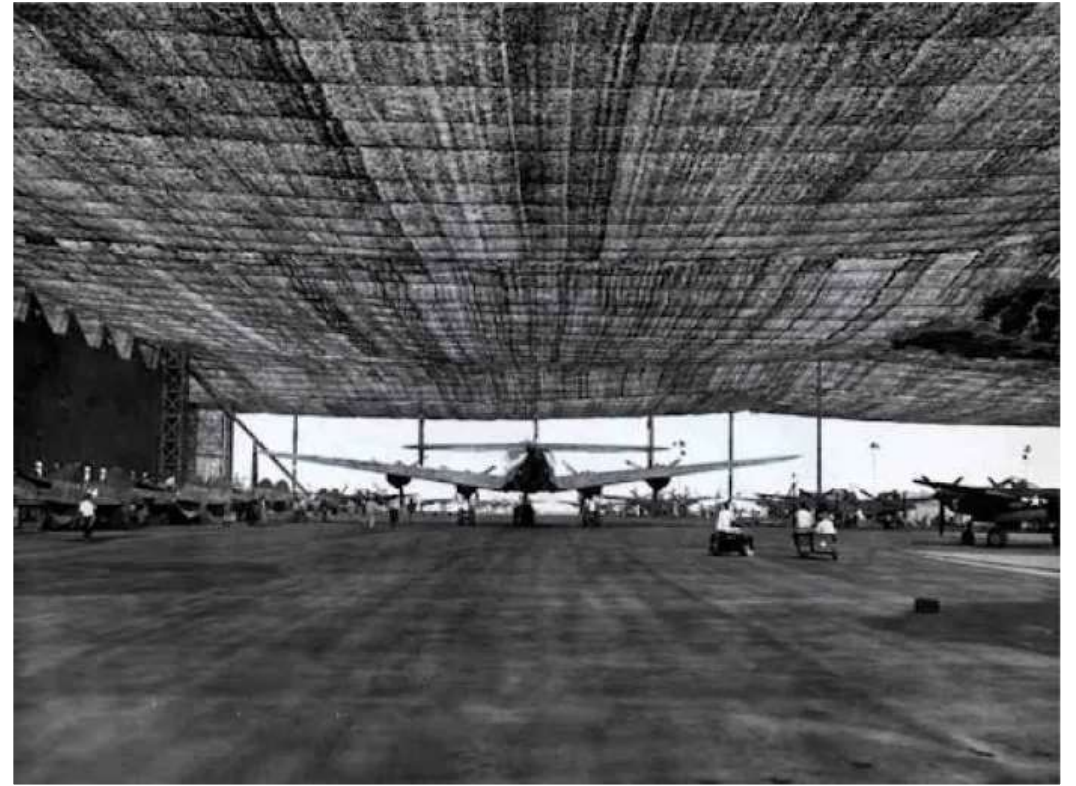




Burbank Then



During WW2, movie set designers helped in the effort to camouflage the Lockheed plant under a very large burlap tarp. An intricate scene of suburban life, complete with painted homes, false trees, and even fire hydrants created the ultimate masquerade

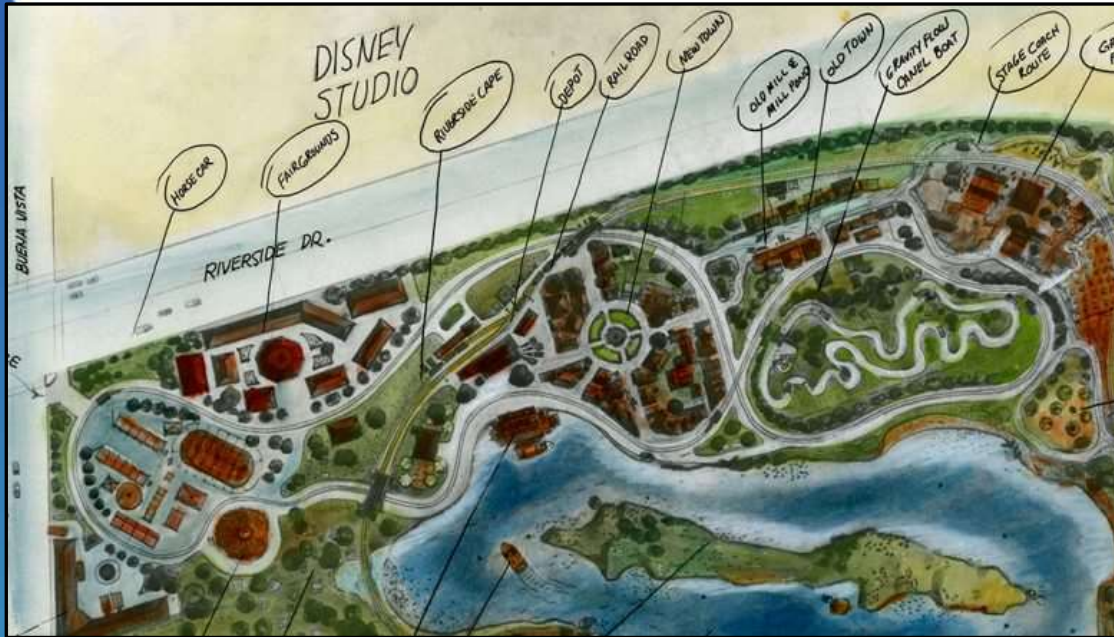


...Now



- Billed as the "Media Capital of the World," Burbank boasts more than 1,000 media and entertainment companies such as Walt Disney Studios, Warner Bros., Cartoon Network, Netflix and Nickelodeon.
- Six name changes later, Hollywood Burbank Airport serves as a regional hub and preferred alternative for the LA region to 3.9 million passengers a year.
- Former Lockheed site is now Empire Center retail site generating over 10% of Burbank's sales tax revenue.
- Home to largest Ikea in North America. (470,000 ft²)

...and Almost



- In the early 1950's Walt Disney presented his plan to build an amusement park in Burbank to City Council and was rejected as local politicians didn't want to bring a "carny" atmosphere to Burbank.



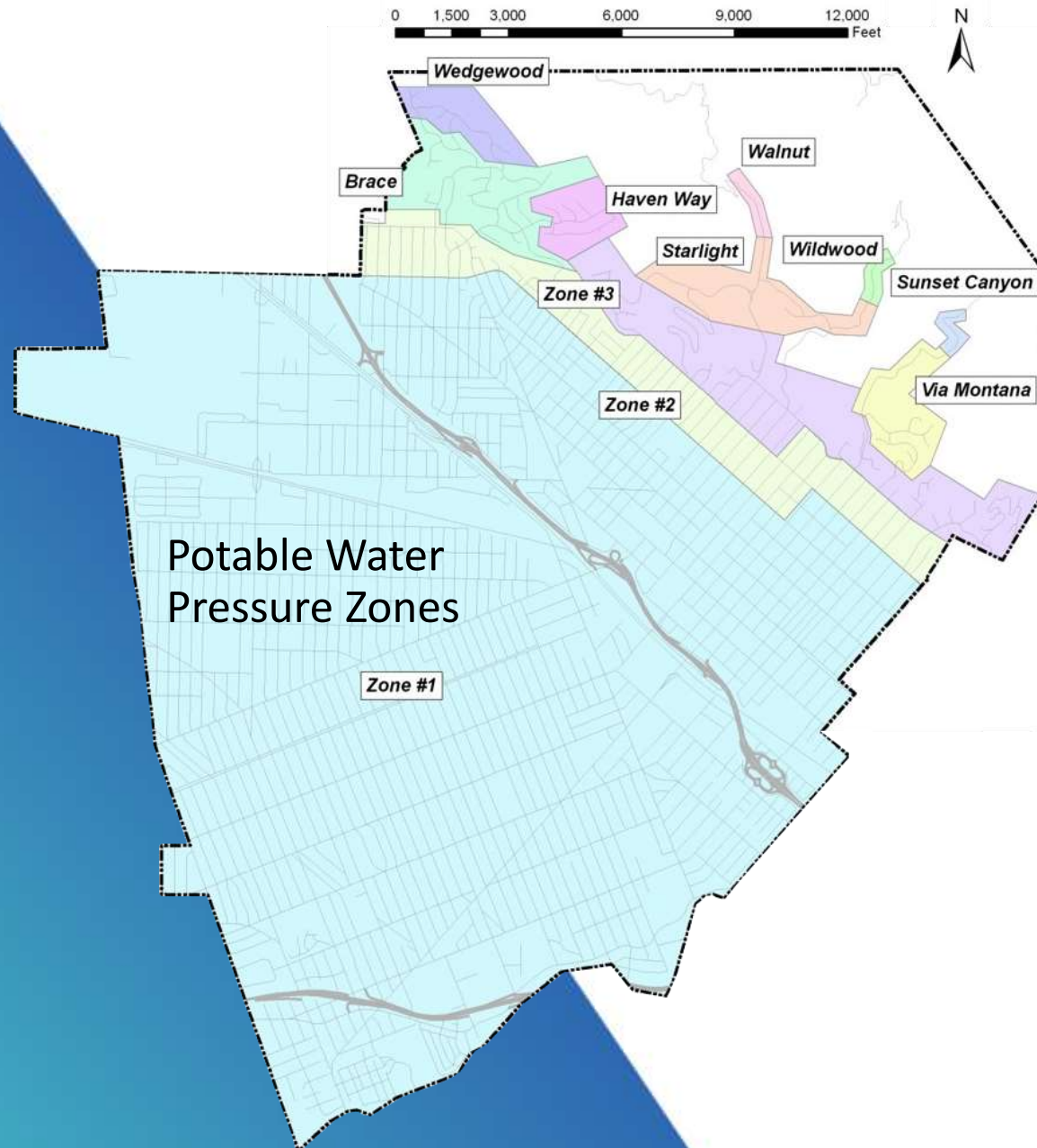
- In the 1920's Burbank was the favored location for UCLA prior to a donation of land in Westwood, Los Angeles.

BWP Divisions



- **Water**
 - Engineering, Operations, & Construction
- **Electric**
 - 46,000+ Residential, ~7,000 Commercial services
 - Diamond Level Service Provider
- **Power**
 - Magnolia Power Plant can reach 310MW operating exclusively on recycled water
- **Operational Technology**
 - ONE Burbank offers business reliable fiber networking service.
- **Customer Service**
 - Conservation & Marketing
- **Finance**
 - BWP has its own dedicated finance division

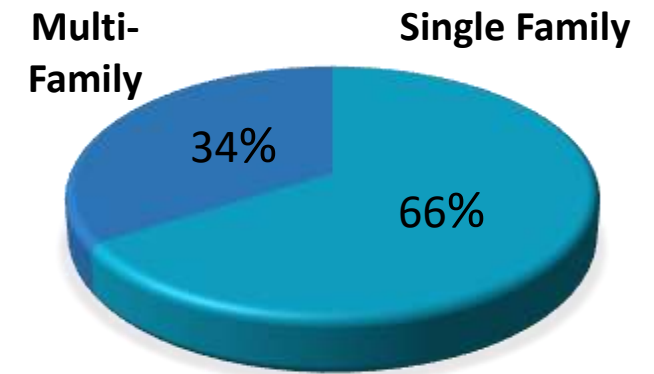
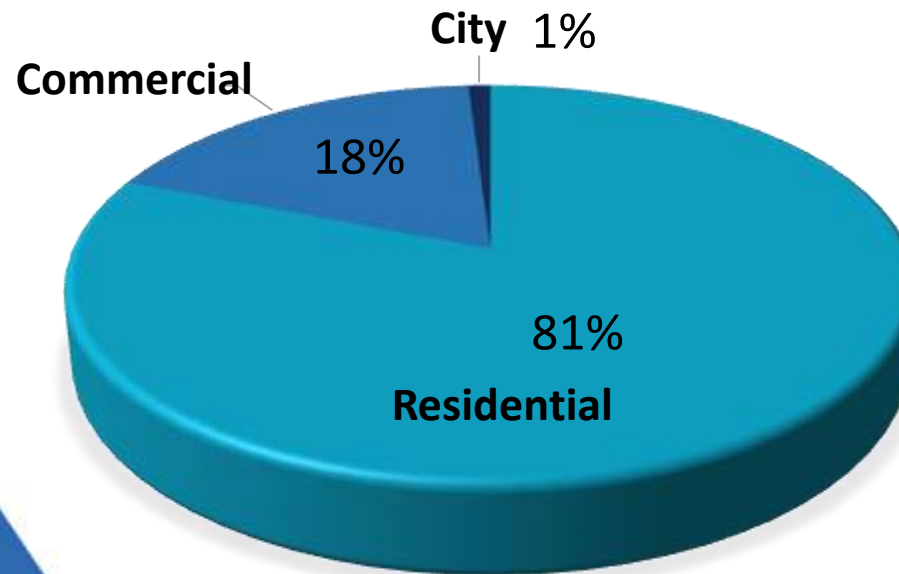
Potable System



- 286 Miles of pipe
- 6,217 Valves
- 1,844 Hydrants
- 35 Boosters
- 5 MWD Connections
- 11 Pressure zones

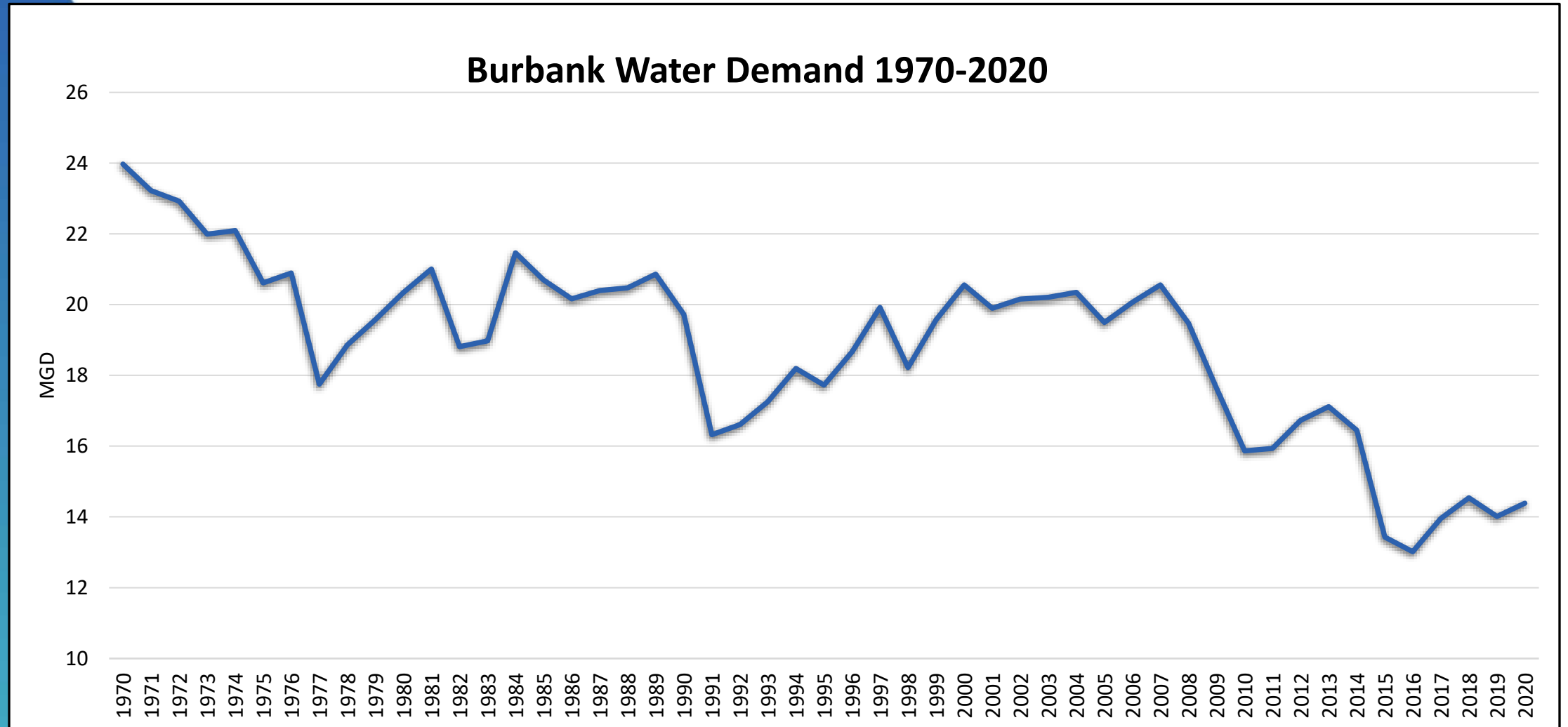
Burbank Water Demand

- 26,800 Service Connections
- Average Demand: 14.5 MGD
- Max Day: Approx. 21 MG



Residential Breakdown

Historical Water Demand



Water Sources



- No Native Water Rights
 - Los Angeles Pueblo Right
- Local treated groundwater
 - 20% Import Return Credit
 - Spreading – GW replenishment
 - Untreated purchases via B6
 - Cyclic storage
 - Physical Solution
 - May purchase up to 4,200 AF per year from LADWP
 - Recycled water exchange w/ LADWP
- MWD Treated Deliveries
 - 5 treated MWD connections
 - SWP and CRA

Burbank Operable Unit (BOU)



- Commissioned in 1995
- 9,000 GPM Capacity
- Funded by Lockheed Martin
- Treats to remove VOC's present in local groundwater as a result from Lockheed's manufacturing operations since 1940's.
- Primary treatment process is air stripping, followed by granular activated carbon
- Upcoming Capital Improvement Projects
 - Treatment plant upgrade
 - LA extraction wells pipeline to BOU

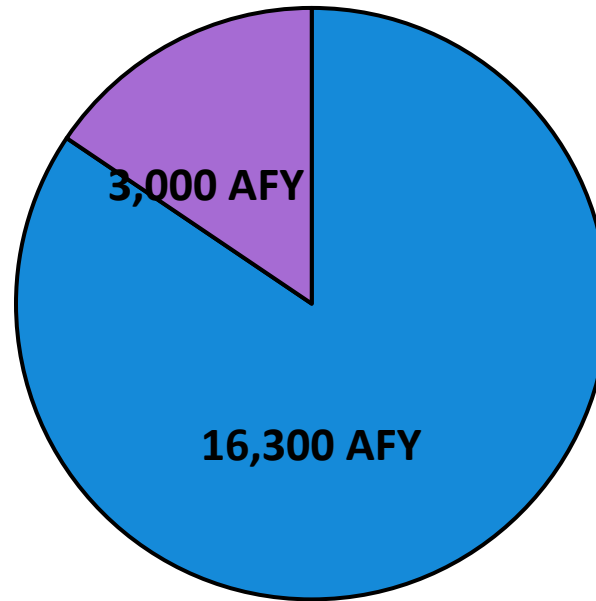
B-06 Untreated Connection



- Located in Sylmar at the terminus of MWD's San Fernando Tunnel
- 50 cfs max meter capacity
- Deliveries are spread at Pacoima and/or Lopez spreading grounds
- Relied on for approx. 6,800 AFY
 - Necessary for balancing groundwater inventory
 - Extract bucket-for-bucket from San Fernando Basin locally in Burbank

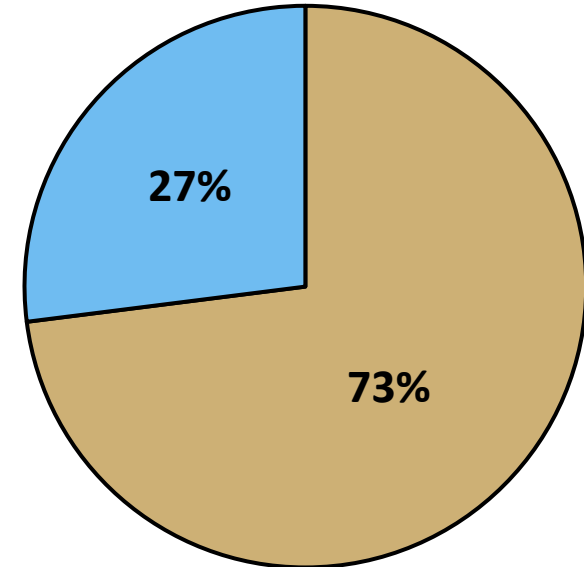
Supply Breakdown

Total Water Consumption



■ Potable
■ Recycled

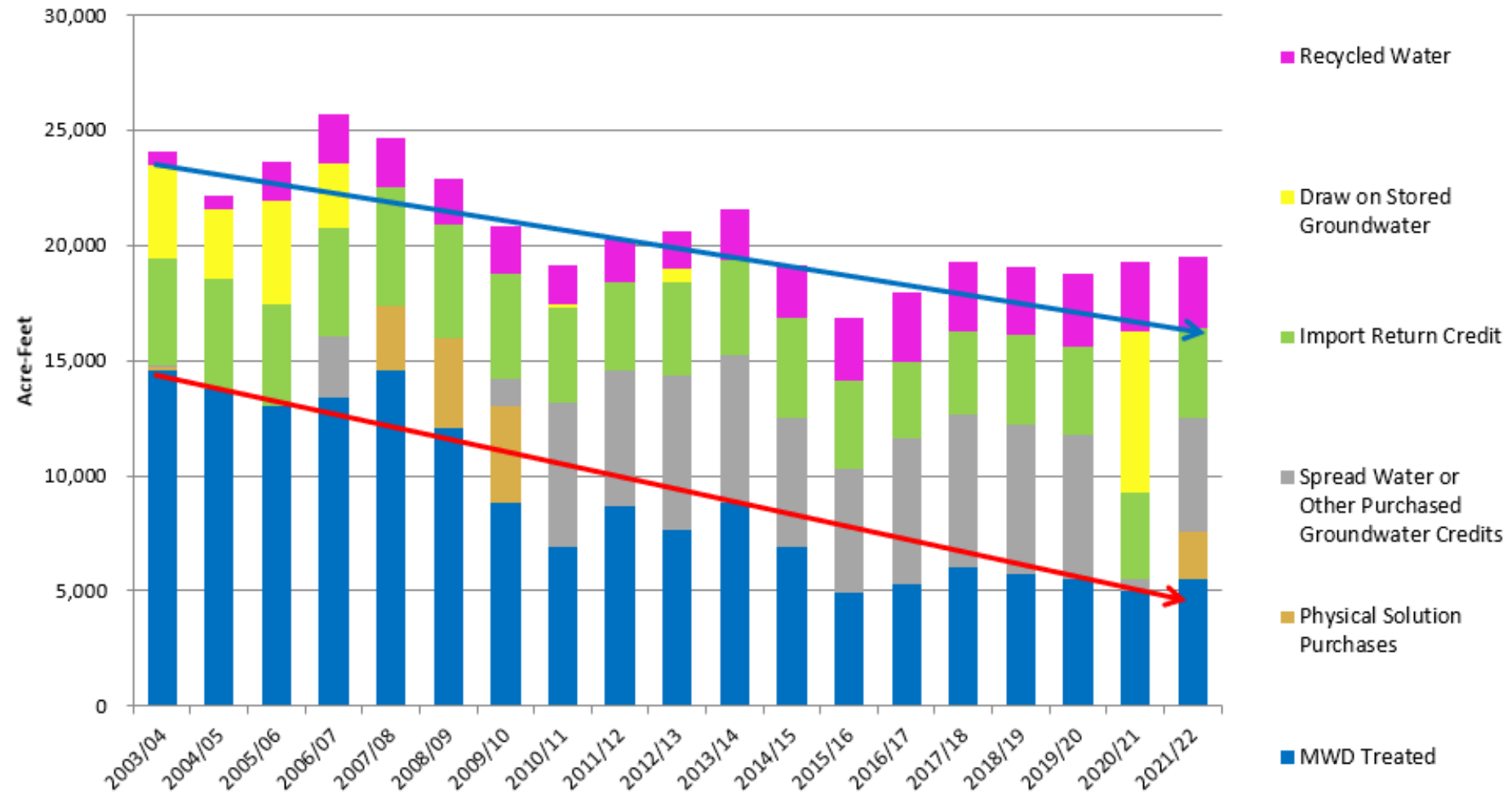
Potable Supply



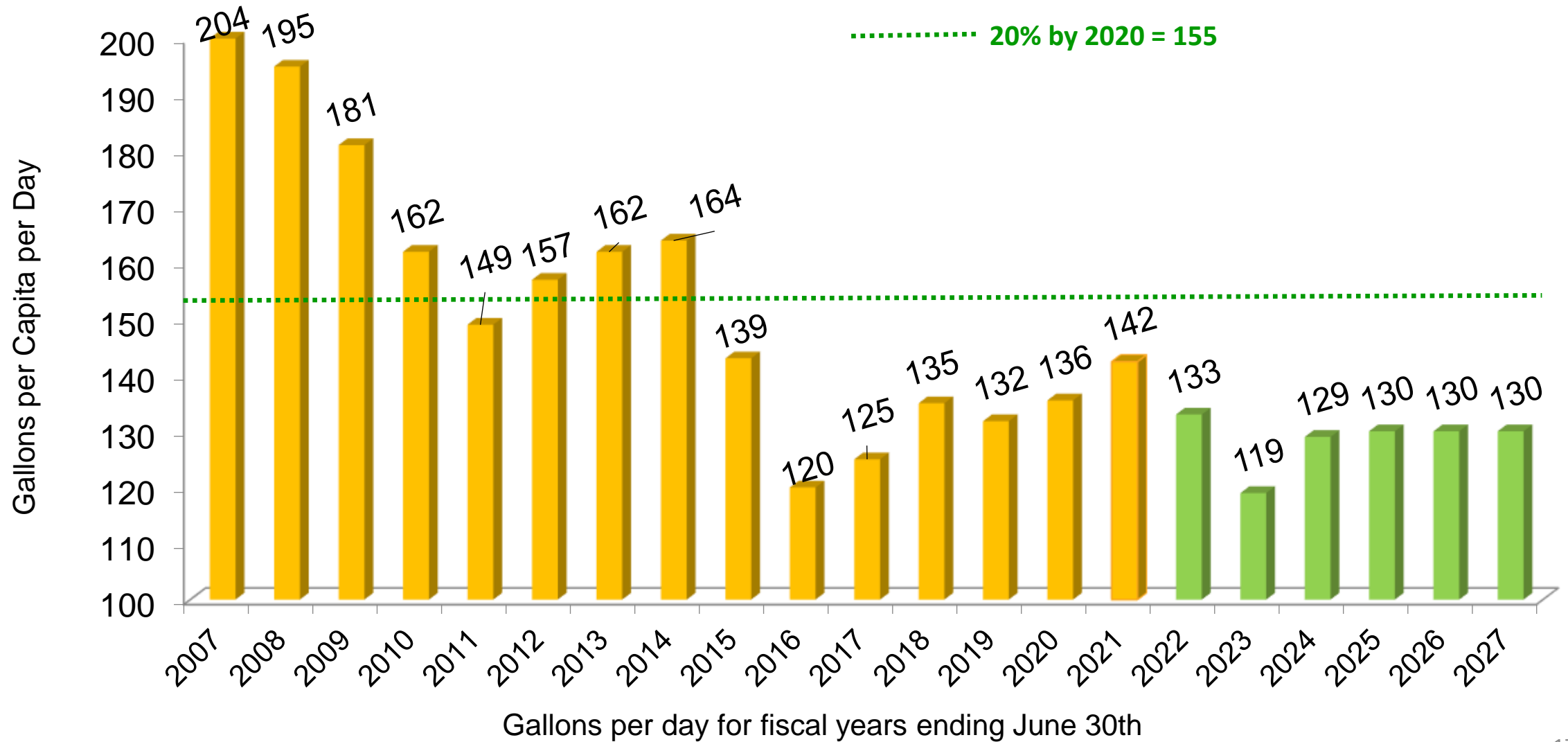
■ Local Treated Groundwater
■ MWD Treated

Water Planning

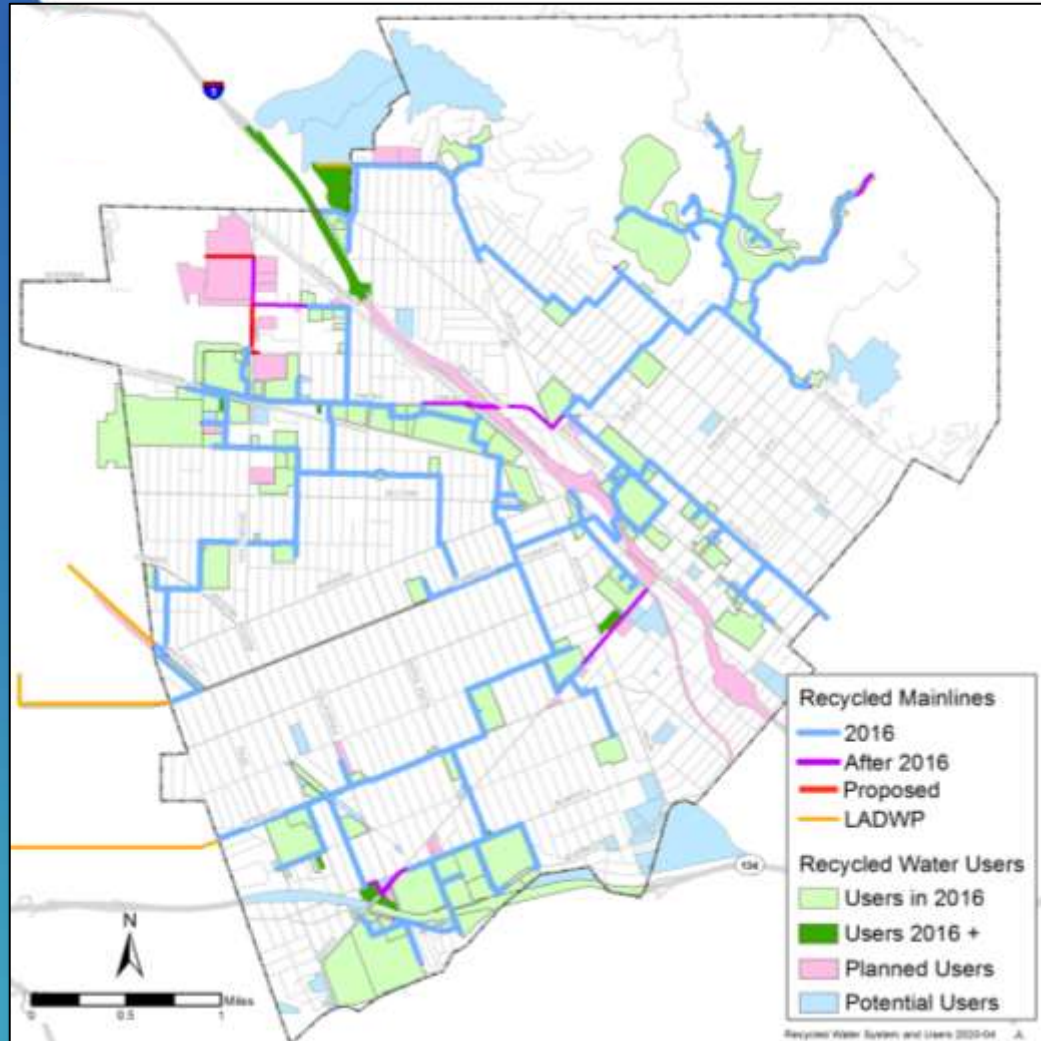
BWP Water Sources



Water Use per Capita



Recycled Water



- BWP delivers recycled water for landscape irrigation, power plant use, commercial uses, golf course irrigation, and water truck filling
- 35 miles of pipe serving 170+ sites
 - 5% Repurposed potable mains
- 2.7 MGD
- 3,000 AF of annual deliveries (approx. 1 billion gallons) offsetting potable demand.

Major Recycled Water Users



- **DeBell Golf Club – 250 AFY**

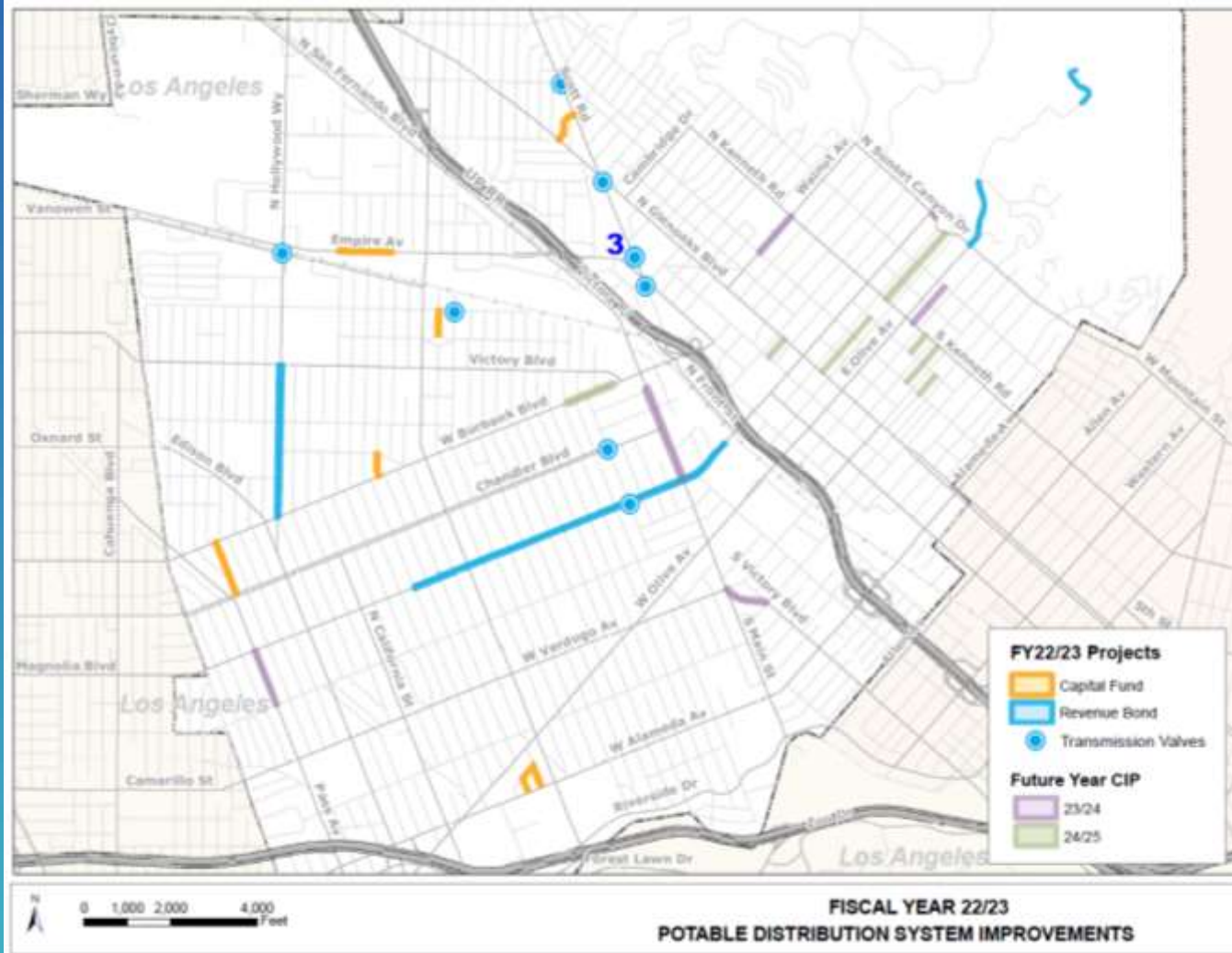
- 100 Acre 18-Hole Golf Course
- Consumes approx. 500,000 gallons of water on an average summer day.

- **Magnolia Power Project – 900 AFY**

- 310MW Natural gas-fired combined cycle generating plant
- Participants: Anaheim (38%), Burbank (31%), Cerritos (4%), Colton (4%), Glendale (17%), Pasadena (6%)



Mitigating Aging Infrastructure



- Secured bond financing to fund critical infrastructure investments
- Actively seeking grant funding to lessen the City's financial burden
- Lining transmission mains instead of replacing them

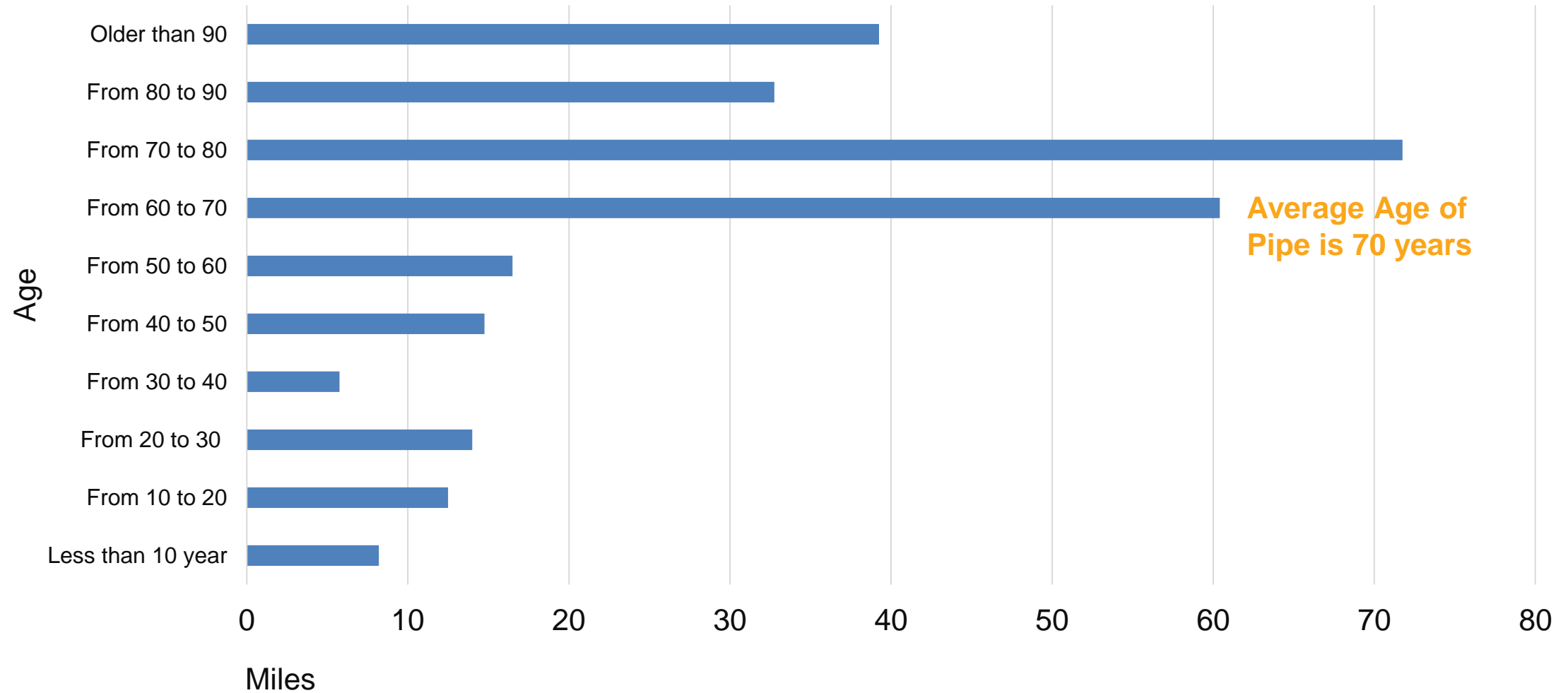


Pipe Age and Break History

Year	Break/Leak
2011	6
2012	23
2013	27
2014	27
2015	13
2016	16
2017	23
2018	25
2019	16
2020	17
2021	17

- There are 278 miles of pipe in Burbank
- There are 30 miles of pipe that are approximately 100 years old (or more)
- All of the aged pipe is cast iron
- Break/Leak History (by Calendar Year)

Pipe Age Profile





Pipe Age Profile

- With a replacement rate of 1 mile per year, there will be a “wave” of aging pipes, most of it cast iron:
- In 2031, there will be 71 miles of pipe over 90 years old
- In 2041, there will be 143 miles of pipe over 90 years old
- In 2051, there will be 203 miles of pipe over 90 years old
- However, cast iron pipe can last well over 100 years, even 140 years
- But the rate of aging pipes underscores the need to use a toolbox consisting of physical strength tests, non-invasive condition assessments, and risk consequence analysis. Due to the quantity of pipes getting older, we need to step up our focus on planning for the future.



Water Main Condition Assessment Technology

- **Statistical Study/Machine Learning:** Uses proprietary computer algorithm to calculate: Likelihood of Failure (LoF) and Consequence of Failure (CoF)
- **Satellite Leak Detection:** Ground penetrating satellite imagery to detect water leak around pipelines on the entire system
- **Automated Leak Detection:** Devices installed on fire hydrants on critical pipelines to provide early warning leak detection
- **Acoustic Velocity Signal Processing:** Determine remaining pipe thickness/remaining pipe useful life by measuring velocity of acoustic wave along the pipe

Rehabilitation of Facilities

- The Valley Pumping Plant Booster Station project will replace WW2 era pumps with new equipment that meets today and future demands
- Water Facility Master Plan will catalog assets, identify failure modes, and prioritize mitigation measures which will improve overall system resiliency.
- Full replacement of Reservoir



Drought Response



TURF REPLACEMENT

Replace Your Turf Grass with Drought-Resistant Landscape and Get a \$2/sq foot Rebate



WATER SMART

Sign Up for WaterSmart to see your water Use and Get Personalized Water Saving Tips



WATER - WISE GARDENING

Visit the Burbank Water-Wise Gardening Website for Landscaping Ideas and Resources

- Voluntary 15% reduction in water use
- Sustainable Water Use Ordinance provides defined response levels
- Conservation programs
- Indoor/outdoor water use study will help target further reductions in use



Richard Wilson, P.E.
Assistant General Manager – Water
(818) 238-3558
RWilson@burbankca.gov

March 8, 2022 Board Meeting

Item 5A



Metropolitan Water District of Southern California Summary of Events

Attended by Directors at Metropolitan's Expense in February 2022

Date(s)	Location	Meeting Hosted by:	Participating Director(s)
Feb. 16 – 17	Virtual	Urban Water Institute VIRTUAL 2022 Spring Water Conference	Russell Lefevre Sat Tamaribuchi



● Chairwoman of the Board Monthly Activity Report – February 2022

Summary

This report highlights activities of the Chairwoman of the Board during the month of February 2022 on matters relating to The Metropolitan Water District of Southern California's business.

Monthly Activities

February 1

- Participated via teleconference and provided comments at the Metropolitan Black Employees' Association Black History Month Opening Ceremony
- Participated via teleconference with Assemblywoman Lisa Calderon, General Manager Hagekhalil, Assistant General Manager Zinke to discuss Metropolitan's legislative proposal on alternative delivery methods for the construction of Metropolitan's emergency drought projects and proposed Regional Recycled Water Project.

February 2

- Participated via teleconference in West Basin Municipal Water District's Caucus meeting
- Participated via teleconference with Metropolitan's Employee Resource Groups, Metropolitan's Bargaining Units, and Assistant General Manager Kasaine at Metropolitan's Diversity, Equity, and Inclusion Council meeting
- Participated via teleconference with Assistant General Manager Zinke for a briefing on current legislative matters

February 3

- Participated via teleconference with IEWORKS President Channing Hawkins to learn more about IEWORKS' career pathways in water initiative
- Participated via teleconference in the California African American Water Education Foundation Executive Committee meeting

February 4

- Participated via teleconference with General Manager Hagekhalil to discuss matters of the Board

February 7

- Participated via teleconference in Metropolitan's Finance and Insurance Committee meeting
- Participated via teleconference in Metropolitan's Engineering and Operations Committee meeting
- Participated via teleconference in Metropolitan's Water Planning and Stewardship Committee meeting
- Participated via teleconference in Metropolitan's Communications and Legislation Committee meeting

February 8

- Participated via teleconference in Metropolitan’s Legal and Claims Committee meeting
- Participated via teleconference in Metropolitan’s Joint Legal and Claims and Organization, Personnel, and Technology Committees meeting
- Participated via teleconference in Metropolitan’s Board meeting

February 10

- Participated via teleconference with General Manager Hagekhalil to discuss matters of the Board

February 11

- Participated via teleconference in an interview with reporter Danny Bakewell, Jr. with the Los Angeles Sentinel publication

February 14

- Participated via teleconference with General Counsel Scully to discuss matters of the Board
- Participated via teleconference with Assistant General Manager Zinke and staff for a briefing on upcoming BizFed meetings

February 16

- Participated via teleconference and provided remarks at the BizFed Water Committee meeting
- Participated via teleconference with Assistant General Manager Kasaine in Metropolitan’s Diversity, Equity, and Inclusion Council meeting
- Participated via teleconference with Metropolitan’s Employee Resource Groups, Metropolitan’s Bargaining Units, and Assistant General Manager Kasaine at Metropolitan’s Diversity, Equity, and Inclusion Council meeting

February 17

- Participated via teleconference with General Manager Hagekhalil to discuss upcoming matters of the Board

February 21

- Met with Senior Vice President Richard Henning and John Freedman Global Government Affairs of Suez Water to discuss water related issues, El Segundo

February 22

- Participated via teleconference in Metropolitan’s Audit and Ethics Committee meeting
- Participated via teleconference in Metropolitan’s Executive Committee meeting
- Participated via teleconference in Metropolitan’s Special Finance and Insurance Committee Budget Workshop meeting
- Participated via teleconference with Assistant General Manager Zinke and Executive Legislative Representative Viatella for a legislative briefing

February 23

- Participated via teleconference with Senator Bob Hertzberg, General Manager Hagekhalil, Assistant General Manager Zinke, Assistant General Manager Upadhyay, and legislative staff to discuss Metropolitan's legislative priorities
- Participated via teleconference in the California African American Water Education Foundation Special Board meeting
- Participated via teleconference with Assistant General Manager Kasaine to discuss Metropolitan's budget
- Participated via teleconference with Executive Legislative Representative Viatella in the California Legislative Black Caucus meeting and provided comments on Metropolitan priorities
- Attended the Metropolitan Water District of Orange County's Water Policy Forum & Dinner featuring keynote speaker Chair E. Joaquin Esquivel, California State Water Resources Control Board with Directors Ackerman, Dick, Erdman, Tamaribuchi, and Luna, and General Manager Hagekhalil, Costa Mesa

February 24

- Attended the San Diego Chamber of Commerce 151st Anniversary Celebration with General Manager Hagekhalil and Assistant General Manager Zinke, San Diego

February 28

- Participated via teleconference with Ethics Officer Salinas to discuss ethics related issues



General Manager's Monthly Report



March 2022



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Message from the General Manager

Twice this month, dangerous weather conditions prevented me from visiting the “Shutdown” work on the Colorado River Aqueduct. This was disappointing and inconvenient, but I had to practice what I preach: “Safety first.”

Safety must be a top priority. It is why we are working with the National Safety Council (NSC) to undertake an organization-wide assessment to identify improvements that we can make to keep our workforce safe. I am pleased to see how engaged the staff has been in this process, with a 75% response rate to a recent NSC survey.

Further groundwork for improved safety has laid the goals and visions of the Strategic Priorities presented for Board approval this month, which include references to workplace safety and to the growing threats to Metropolitan infrastructure.

Priorities help ground us when we must balance competing interests, weigh costs and benefits, and make tough choices.

At the Municipal Water District of Orange County Water Policy Dinner this month, State Water Resources Control Board Chair E. Joaquin Esquivel, spoke about the Board’s priorities, which overlap in many areas with our own, such as water conservation, water quality protection, equity and climate resiliency.

At this and many other events across our service area, I have continued to express that my priority is our working together. Our success will make Metropolitan a safer, stronger and even more resilient organization.

We are one,

Adel



“Our success will make Metropolitan a safer, stronger and even more resilient organization.”



Executive Summary

This executive summary is added to this report to provide a high-level snapshot of a key accomplishment from each area of the organization. Detailed information is reported in the pages following this summary.

Administrative Services

Midway through the fiscal year, the Administrative Services Section has processed 15,161 mailroom transactions; 2,016 facility related requests; 130 transit reimbursements; 4,207,397 network file migrations; 3,294 contracting transactions; 26,230 warehouse transactions; and 221 imaging services jobs including 455,780 impressions.

Bay-Delta Initiatives

With collaborative funding by Metropolitan, the State Water Contractors, and U.S. Bureau of Reclamation, a scientific paper was published in the Environmental DNA journal titled “The artemis package for environmental DNA analysis in R” (<https://onlinelibrary.wiley.com/doi/10.1002/edn3.277>). The paper reported on results from a study to develop a statistical programming package named artemis to evaluate environmental DNA (eDNA) data from environmental field samples. The eDNA surveys provide an indirect, noninvasive, affordable, and rapid way to detect organisms in the environment. The artemis tool represents the first open source models developed specifically to design eDNA detection surveys and analyze data from eDNA surveys in a tidal system like the San Francisco Bay-Delta Estuary. This publication will support wider acceptance for the use of eDNA monitoring by regulatory agencies. The artemis model is already being applied locally and nationwide for a variety of projects including restoration, invasive species monitoring, and listed species monitoring. Use of eDNA surveys could potentially prove beneficial to improve how water project operations are managed efficiently for both environmental protection and water supply reliability.

Chief Financial Officer

Metropolitan staff completed the aggregation, transfer and verification of Metropolitan’s outstanding debt portfolio into the SymPro Debt Module. The new software platform will include functionality for calculating debt payments and measuring outstanding debt by mode (fixed and variable), and by lien (senior and subordinate).

Colorado River

Following another dry month on the Colorado River, efforts are continuing in California and Arizona to develop new projects that could add water to Lake Mead as part of the 500+ Plan (Plan). The Plan seeks to add 1 million acre-feet of conserved water to Lake Mead by the end of next year to help Lake Mead avoid reaching critically low elevations. Metropolitan is participating in a workgroup with Mexico to explore the potential for new conservation activities in Mexico that could potentially contribute to the Plan.

Engineering Services

The Colorado River Aqueduct (CRA) was shut down for 27 days beginning on February 1, 2022 and ending on February 27, 2022. In partnership with Water System Operations, Engineering Services worked on 300 feet of the Cholla Wash cut-and-cover conduit lining as a pilot project to increase the CRA’s hydraulic capacity; a flowmeter and support equipment were installed at the Mile 12 monitoring station; cracked concrete canal panels were replaced; electrical protection panels were upgraded at Eagle Mountain; station batteries were replaced at Hinds, Gene and Intake pumping plants; pumping plant improvements were installed to enhance pumping plant operation at high flows; and water-bearing facilities were inspected.

Environmental Planning

Environmental Planning staff supported the 2022 CRA shutdown by providing Desert Tortoise and Environmental Awareness Training to over 185 Metropolitan employees and contractors scheduled to work the shutdown. Staff also provided environmental monitoring of all CRA dewatering locations, tunnel cleaning operations, and canal maintenances activities performed by WSO staff, as well as environmental monitoring of the Mile 12 Power and Flow Meter Upgrade, Freda Siphon Barrel #1 Conduit Inspection and Seal Repair, and Cholla Wash Relining projects. Staff also supported the unplanned, emergency repair located at CRA Mile Marker 33.46. All work was performed without incident and no desert tortoise were observed during this year’s shutdown. During the course of the shutdown, staff encountered two grey foxes protecting a prospective fox den and assisted in rescuing a red fox that fell into the canal.

External Affairs

Launched the next phase of the district's water conservation advertising campaign on radio, billboards, bus shelters, digital platforms and social media, including co-branded assets with the San Diego County Water Authority, Calleguas MWD and Las Virgenes MWD.

Human Resources

Human Resources staff are focused on supporting the organization as we start the transition to a hybrid work environment. Webinars and communication will focus on assisting teleworking employees with the transition into the office.

Information Technology

IT Group continued to successfully execute and migrate applications to the cloud. Currently, testing is underway for the migration of WorkTech time keeping system and the Facility Equipment Application (FEA) to the Oracle Cloud Infrastructure (OCI). Once fully migrated, the benefits of having these applications in the cloud include enhanced reliability and resiliency.

Real Property

The Diamond Valley Lake (DVL) Marina hosted a twenty-five-mile segment of the "Gravel and Whine" bicycling event. The event which started at a winery near Lake Skinner incorporated the full length of the DVL Marina's Lakeview Trail. Over three hundred cyclists from many parts of the State participated in this event and served to introduce many Californians to the natural beauty of DVL.

Security Management

Metropolitan's operations went uninterrupted during a surge of catalytic converter thefts among public utilities, due to a swift and effective deployment of mitigation measures by Metropolitan's security.

Water Resource Management

Metropolitan continued its activities to increase conservation within the service area, particularly within the State Water Project dependent areas.

Water System Operations

The 2022 CRA shutdown was completed this month, focused on several key capital projects and critical maintenance of the aqueduct system. Several improvements were also made to optimize maximum 8-pump flow operations that will begin in March, considering the current drought conditions. It took nearly 300 employees and contractors to successfully coordinate and safely complete this critical work that helps keep the over 80-year-old aqueduct system delivering Colorado River supplies reliably for years to come.

Upcoming Board Items

ANTICIPATED KEY ITEMS OF FOCUS – NOT AN EXHAUSTIVE LIST
SCHEDULE SUBJECT TO CHANGE

Month	Key Board Items
April	<ul style="list-style-type: none">• Approve proposed biennial budget for fiscal years 2022/23 and 2023/24• Review and discuss Bay Delta Policies (Workshop #2)• Appropriate funding for Sites Reservoir planning• Report on actions that improve SWP reliant area reliability for long-term• Authorize securing one-year water transfers from North-of-Delta water districts• Report on Colorado River Tribal Partnerships• Update on Status of Recommendations from Independent Review of Workplace Concerns• Update on Antelope Valley-East Kern Water Agency (AVEK) High Desert Groundwater Storage Program• Board Adoption of the 2020 IRP Regional Needs Assessment• Release of State Auditor’s Report
May	<ul style="list-style-type: none">• Report on Bond Financing CY 2022• Presentation by Delta Conveyance Authority Regarding Delta Conveyance EIR Technical Support• Approve the Climate Action Plan
June	<ul style="list-style-type: none">• Approve Bay-Delta Policies• Authorize payment for support of the Colorado River Board and Six-Agency Committee for FY 2022/23• Approve 500+ Plan Implementation Agreements
July	<ul style="list-style-type: none">• Authorize an increase to agreement with Roesling Nakamura Terada Architects for final design and architectural services in support of the District Housing and Property Improvement Program.• Update on Public Draft EIR Release on Delta Conveyance Project (Invited Presenter from California Department of Water Resources)
August	<ul style="list-style-type: none">• Update on Delta Conveyance Public Draft EIR and Comments



“The immense support from all levels of the Organization with more than 100 people involved during the entire project life cycle made it a successful one with a pleasant experience. We Are One.”

*Veena Konanur, IT Program Manager and
Jeany Wong, Senior Engineer*

PROGRAM DESCRIPTION

A major technology upgrade project has been completed to install state-of-the-art audiovisual (AV) technology systems in Metropolitan’s Board and Committee rooms. Engineering Services lead this project as part of the upgraded architectural design remodeling and structural engineering of the board room. Several concurrent construction projects were in progress requiring a high level of coordination with the tasks and schedules, including organizations within Metropolitan as well as outside contractors.

IMPORTANCE TO METROPOLITAN

The Board and Committee rooms at Metropolitan’s Headquarters are used regularly by the Board of Directors, external organizations, and staff. The AV systems in each of these meeting rooms support presentations, voting, recording, broadcasting, and web streaming. This technology upgrade significantly improves the functionality and reliability of Metropolitan’s widely used, publicly faced system.

MEMORABLE MOMENT

Staff worked through pandemic-related challenges and other hurdles through collaboration and communication with stakeholders, while always providing a safe work environment. When obstacles arose, such as delayed materials, limited storage space, structural design issues or technology integration challenges, our engineers, construction management and technical design teams came together to brainstorm and resolve the issues, keeping Metropolitan’s best interests as their goal. The key players on this project were IT, Engineering, Board staff, Facilities, and Security teams within MWD; and external contractors and consultants who helped to deploy this state-of-the-art technology.



Water Resources and Engineering



Water Resource Management

GM Strategic Priority #1: Resiliency

Objective #5 Ensure reliable State Water Project (SWP).

On February 15, 2022, the Sacramento County Superior Court (Court) issued a tentative decision on the Validation Complaint to DWR's [Water Supply Contract Extension Amendments](#) (Contracts Extension Amendments). California Department of Water Resources (DWR) filed an action in the Court to validate the SWP Contracts Extension Amendments following the approval of the [Water Supply Contract Extension Project](#) in December 2018. However, in 2019, lawsuits were filed against DWR on the validation of the Contract Extension Amendments, alleging that DWR violated the California Environmental Quality Act (CEQA). In the February 2022 decision, the Court ruled that the Contracts Extension Amendments are valid and denied the CEQA writ petitions. Although currently labeled as a "tentative" decision, it is unlikely that the Judge will change the substance of the ruling, even if any party objects and seeks corrections. This decision will pave the way for DWR to implement the contract extension amendments to 2085, allowing DWR to again sell bonds with 30-year terms or longer to help finance SWP capital expenditures.

Metropolitan staff attended DWR's Annual Financial Management Conference. DWR's Chief Financial Manager outlined SWP Financial Management Strategies and Priorities, including the following:

- Keeping the overall State Water Project contractors' costs flat for 2022 and 2023
- Providing Cost Allocation and Billing (CAB) Deployment and Training
- Increasing SWP Workforce positions (~150 positions) for the next four fiscal years to help address aging SWP infrastructure

In addition, DWR is currently targeting a billing transition date of January 1, 2024, for the Contracts Extension Amendments. It is anticipated that following the transition date, DWR will be able to issue long-term bonds with maturity beyond 2035 to help finance SWP capital expenditures.

Objective #6 Ensure access to sufficient water supplies to operate a full Colorado River Aqueduct in times of drought.

Staff attended a three-day virtual meeting of the Colorado River Basin Salinity Control Forum Work Group (Work Group). United States Bureau of Reclamation (USBR) staff shared the most recent progress on their seismic risk analysis of the Paradox Valley Unit (PVU), a deep injection well designed to reduce salt flows to the Colorado River by approximately 100,000 tons per year. Metropolitan staff expressed concerns regarding salinity impact to the Colorado River supplies since USBR suspended PVU operations in March 2019 because of detection of increased levels of seismic activities. USBR also shared an update on their latest round of funding for salinity control projects in the Upper Colorado River Basin, and the Work Group discussed potential solutions to address salinity control funding shortfalls now and in the future. Metropolitan staff will follow closely on salinity control issues to ensure adequate Colorado River supplies.

Water Resources and Engineering

(continued)

Staff attended two online 500+ Plan Implementation meetings. Both meetings focused on the development of a framework for implementing water-saving projects that would be funded as a result of the Memorandum of Understanding (MOU) approved by Metropolitan's Board of Directors in December 2021. The MOU laid out the basic funding agreement for the 500+ Plan, according to which Metropolitan will contribute up to 10 percent of the funding to facilitate actions to conserve water across the Lower Colorado River Basin. The 500+ Plan project is aimed at supporting the elevation of Lake Mead from dropping to critically low levels during ongoing dry conditions in the Colorado River Basin.

Staff attended an online N-Drip Pilot project (Pilot) meeting. In the meeting, representatives of N-Drip—an Israeli drip-irrigation technology company—gave updates on the implementation and performance-to-date of the Pilot, which is partially funded by Metropolitan. Thus far, N-drip technology has been implemented on alfalfa and cotton fields in the Harquahala Valley, near Phoenix. Compared with standard flood irrigation practices, N-drip technology has reduced applied water by between 35 percent and 60 percent on these fields. In the next phase of the pilot, N-Drip plans to implement their drip irrigation technology on fields within the Colorado River Indian Reservation. The implementation of the N-Drip technology has the potential to create additional water savings in the Colorado River basin. Staff will continue to follow the pilot project and evaluate the results.

Staff attended multiple online Seven Basin States Modeling Team meetings led by USBR. USBR representatives updated the Modeling Team on their progress to revise aspects of the Colorado River Simulation System (CRSS), the primary model used for long-term water supply planning in the Colorado River Basin. Revisions focused on changes designed to correct the model's systematic underestimation of inflows to Lake Powell. The Modeling Team also began discussing a scope-of-work for the sensitivity analysis of CRSS planned to begin in April 2022. Metropolitan supports the work of the Modeling Team insofar as CRSS is a critical modeling tool that will be used to support the development of the new post-2026 guidelines for managing the Colorado River.

Objective #8 Implement Local Resources Program

Staff attended a groundbreaking ceremony in the City of Santa Monica for the Santa Monica Sustainable Water Supply Project (Project). The Project is a \$72 million improvement project designed to further evaporate the amount of water the city imports by expanding and modernizing the Arcadia Water Treatment Plant. The Project will provide up to 2,300 acre feet per year (AFY) of recovered groundwater for potable use in Santa Monica's service area. The Project is part of Metropolitan's Local Resources Program and helps Metropolitan increase regional water supply reliability and reduce future demands for imported water supplies.



Santa Monica Sustainable Water Supply Project Groundbreaking Ceremony

Staff provided a presentation to the WaterReuse Los Angeles Chapter on recycled water legislation and regulations. The presentation reviewed the legislative calendar, recent water legislation, and updates on regulations affecting water recycling. In addition, information on both state and federal funding opportunities were discussed. Approximately 50 agency representatives and consultants attended the meeting.

GM Strategic Priority #2: Sustainability

Objective #1 Complete the 2020 Integrated Water Resource Plan.

Staff discussed and received additional comments on the revised draft findings of the Phase 1 Regional Needs Assessment at a special Member Agency Managers Meeting and through written comments received in early February. Staff met with member agencies on an individual basis to receive additional feedback and provide clarification. Staff is considering all member agency feedback and will incorporate revisions before submitting the IRP Phase 1: Regional Needs Assessment Findings to the IRP Special Committee for their consideration in March.

Objective #6 Maintain and enhance groundwater production in Metropolitan's service area.

Staff delivered a presentation to the Southern California Water Coalition's Stormwater Taskforce. The presentation detailed the characteristics of stormwater flows to the ocean and challenges in capturing stormwater supplies for groundwater recharge during extreme precipitation events.

Objective #7 Participate in Federal, State and Local Water-Energy Nexus processes to support Metropolitan Energy Sustainability and Climate Action Plans

Staff delivered a presentation on the Water-Energy Nexus to the Southern California chapter of the Association of Energy Engineers (AEE). The presentation featured a discussion of how the link between water and energy is affected by climate change and extreme weather events such as the current drought. Staff also discussed

Metropolitan's sustainability goals in the Integrated Resources Plan, Climate Action Plan, and Energy Sustainability Plan. Over 20 participants attended the presentation, which was requested by the AEE for their monthly luncheon.

Objective #8 Implement Regional Conservation Program.

Metropolitan is one of the first agencies to achieve Exemplary Wholesaler status on the new Alliance for Water Efficiency (AWE) G480-20 Leaderboard. G480-20 is an American Water Works Association (AWWA) Water Conservation and Efficiency Program Operation and Management Standard. The G480-20 standard had previously been designed primarily for retail-level water providers but has recently been expanded to include water wholesalers. The Standard describes critical elements of effective water conservation and efficiency programs and encompasses activities undertaken by a utility to improve water use efficiency. Components include metering and distribution system management and also customer billing, education, and implementation of water use efficiency incentive programs. Recent revisions to the standard include a new requirement for water shortage or drought planning, updated requirements related to metering, rate structures, and billing, and a new section related to landscape transformations. A new section was also added to reflect the integration of water efficiency into land-use planning and clarified that wholesale agency requirements should be appropriate and consistent with governing authorities. Metropolitan has achieved the Exemplary Wholesaler status once before when the standard was expanded to include wholesale agencies.

GM Strategic Priority #3: Innovation

Objective #2 Collaborate with member agencies, water agencies and associations, and provide leadership for policy development, advocacy, outreach and education.

Staff sponsored CalDesal's and the Multi-State Salinity Coalition (MSSC) conferences in February. CalDesal held its annual conference virtually on February 9 and 10 and featured panels on innovation and environmental sustainability for seawater desalination. Jim Wunderman of the Bay Area Council delivered the keynote address. MSSC's annual summit was held in Las Vegas on February 23 to 25. Panels included innovation in salinity management for agriculture, the impact of climate change on salinity, and international desalination projects. Staff presented Metropolitan's long-term sustainability plans in a panel discussion. Metropolitan is a founding member and sits on the boards of both CalDesal and MSSC.

Objective #4 Implement Future Supply Actions Funding Program.

Staff organized a Peer-2-Peer meeting with Singapore PUB on managing reservoir water quality on February 16. The meeting featured presentations from PUB and Metropolitan's Water Quality section on advanced approaches and technologies for monitoring and addressing reservoir water quality challenges. WRM staff also collaborated with External Affairs and LADWP to implement a virtual Canadian Technology Roadshow. The roadshow, held on February 16 and 17, featured presentations from 16 Canadian companies with technologies for asset management, condition assessment, operations, and water quality monitoring. Metropolitan collaborated with LADWP and Consulate General of Canada for the roadshow, which is the third organized by Metropolitan since 2016.

Water Resources and Engineering

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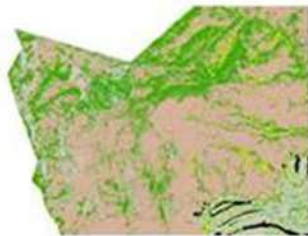
Objective #9 Promote Metropolitan’s technical capabilities and innovation efforts to advance the understanding of water resources management.

The Water Resources Management (WRM) Group has been hosting quarterly research forums as a way for staff to share their work and to identify opportunities for learning and collaboration. At the WRM’s most recent research forum, staff presented current work that looks at innovative ways to estimate water use. One of these projects involves classifying several years of USDA National Agriculture Imagery Program (NAIP) imagery of Metropolitan’s urban service area to understand changing patterns of grass and other land-use types over time. The overall goal is to uncover trends in irrigated areas and resulting outdoor water demands. The second project involves analyzing methods to estimate water savings from fallowing programs in agricultural areas along the Colorado River. This research interprets and aggregates data from many sources, such as historical crop information, crop coefficients, weather station data, and water order data. These research forums help WRM staff build camaraderie and establish synergies across teams.

Examples of Land cover Change 2018 vs. 2020

Example: LA

Classified Image 2018



Classified Image 2020



Machine learning models allow us to decipher land cover types (i.e. bare/undeveloped land, grass, trees/shrubs, artificial turf, impervious, water bodies)



Proposed Methodology

- Use historical crop information, published crop coefficients, and Yuma-specific weather information to estimate water savings.
 - USBR Evapotranspiration and Evaporation Reports
- Use historical farming trends and practices that are specific to each parcel.
- Water savings are not impacted by non-participating parcel farming activities

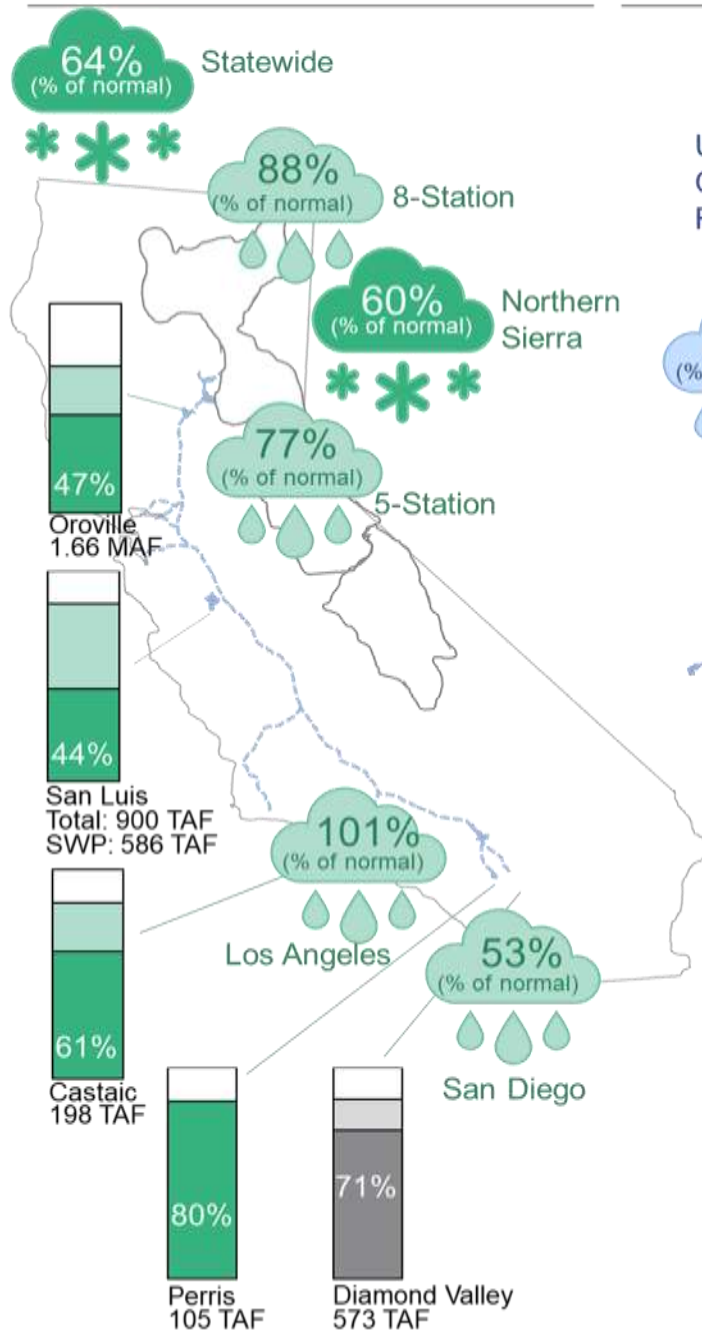
Overview of methodology to estimate savings from agricultural fallowing programs

Water Resources and Engineering

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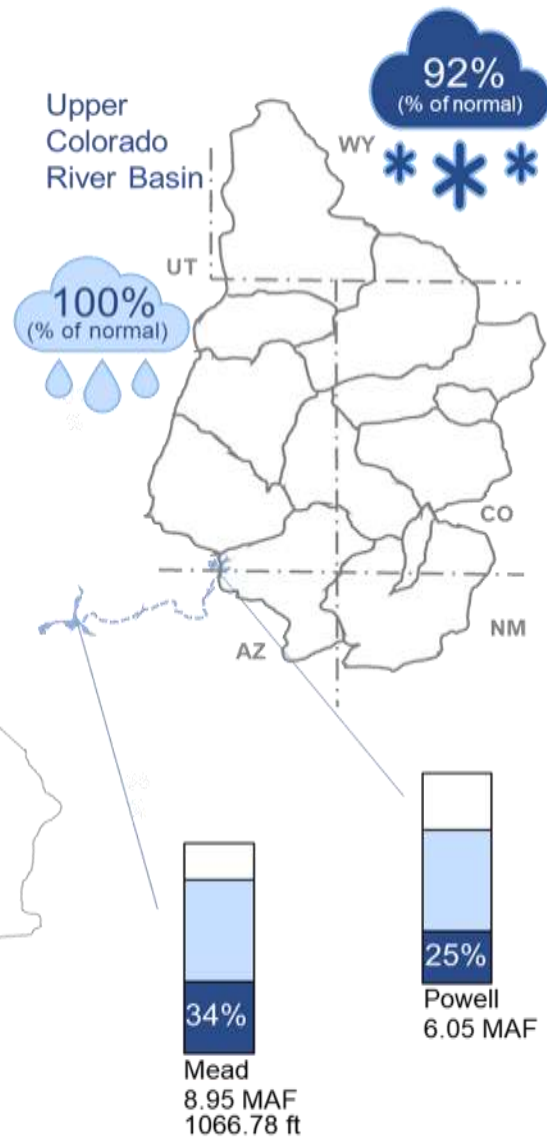
State Water Project Resources

SWP Table A – 15% - 286,725 AF



Colorado River Resources

Projected CRA Diversions – 1,138,000 AF



Extended Report:
<http://mwdh2o.com/WSCR>

As of February 28, 2022

Bay-Delta Initiatives

Resiliency

Staff continued to participate in the collaborative groups called for in the 2019 Biological Opinions for the State Water Project (SWP) and Central Valley Project and in the 2020 Incidental Take Permit (ITP) for Long-Term Operation of the SWP, to address science needs and inform management and operation of the water projects. The Delta Coordination Group is developing science and monitoring plans for planned operations of the water projects and implementation of the summer-fall habitat actions in 2022. The technical workgroup charged with developing a Juvenile Production Estimate (JPE) for Spring-run Chinook salmon, a requirement of the ITP, is currently focused on developing performance metrics to evaluate objectives related to development of a JPE. Development work also continued on a monitoring program for steelhead populations in the San Joaquin River basin, a requirement of the Biological Opinion. The technical workgroup developed specific hypotheses to guide monitoring and submitted a draft outline of the monitoring plan to state and federal agencies for review.

Sustainability

Delta Conveyance

The California Department of Water Resources (DWR) is continuing to develop an Environmental Impact Report (EIR) under the California Environmental Quality Act. The U.S. Army Corps of Engineers (USACE), as part of its permitting review under the Clean Water Act and Rivers and Harbors Act, continues its preparation of an Environmental Impact Statement to comply with the National Environmental Policy Act. DWR and USACE are planning to release draft environmental documents for public review in mid-2022.

In February, DWR posted new planning and outreach materials to its Delta Conveyance Project website. These materials include a Public Outreach and Community Engagement Plan for 2022 that outlines ongoing public outreach and engagement activities ([DCP Public Outreach and Community Engagement Plan for 2022 \(ca.gov\)](#)). Other new materials include digital articles highlighting information from informational webinars on operations, climate change, environmental justice and fisheries held in 2021, and a new Delta Conveyance Deep Dive video on fisheries. These materials can be found on the project website ([Delta Conveyance \(ca.gov\)](#)).

Joint Powers Authorities

During the Delta Conveyance Design and Construction Authority (DCA) Special Board of Director's Meeting on February 17, 2022, the DCA extended a resolution authorizing virtual board and committee meetings pursuant to AB 361.

During the Delta Conveyance Finance Authority (DCFA) regularly scheduled February meeting, the DCFA adopted a resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of the DCFA.

Innovation

Science Activities

In February, a scientific paper published in the Environmental DNA journal titled “The artemis package for environmental DNA analysis in R” (<https://onlinelibrary.wiley.com/doi/10.1002/edn3.277>) reported on results from a study to develop a statistical programming package named artemis to evaluate environmental DNA (eDNA) data from environmental field samples. The eDNA surveys provide an indirect, noninvasive, affordable, and rapid way to detect organisms in the environment. The study was funded through a collaboration of Metropolitan, the State Water Contractors, and U.S. Bureau of Reclamation. The artemis tool represents the first open source models developed specifically to design eDNA detection surveys and analyze data from eDNA surveys in a tidal system like the San Francisco Bay-Delta Estuary. This publication will support wider acceptance for the use of eDNA monitoring by regulatory agencies. The artemis model is already being applied locally and nationwide for a variety of projects including restoration, invasive species monitoring, and listed species monitoring. Use of eDNA surveys could potentially prove beneficial to improve how water project operations are managed efficiently for both environmental protection and water supply reliability.

Staff continued participating in the Collaborative Science and Adaptive Management Program (CSAMP), including participation on the Collaborative Adaptive Management Team (CAMT). In February, activity focused on the two projects addressing improvement of Delta smelt and salmon. The technical working group for the Delta Smelt Structured Decision-Making project is refining portfolios of management actions to benefit Delta smelt and is planning the analysis of the portfolios. The portfolios of management actions will be evaluated using a combination of quantitative life-cycle models and expert judgement to characterize predicted Delta smelt outcomes. The costs and benefits of management approaches will be evaluated as well once the management approaches are refined.

Staff continued collaboration with non-government environmental organizations and public water agencies on the CSAMP Salmon Recovery Initiative. In February, the project team started presentations to stakeholders throughout the Central Valley watershed, including tribes, to make them aware of this effort and ask for their participation in Phase 2 of the process. Phase 2 is focused on engaging with stakeholders to solicit actions planned for salmon recovery, and in phase 3 the actions will be analyzed to help determine which actions may best achieve salmon recovery while meeting other objectives (e.g. cost, water supply, agricultural production, etc.).

Colorado River

Efforts to Increase Conservation Continue to Offset Dry Winter

February was another dry month in the Colorado River Basin, and the water supply outlook continues to decline. Lake Mead, which is already at a record low level of 1,067 feet, is forecast to drop 20 feet in the next six months. As Lake Mead drops, Metropolitan's ability to recover Intentionally Created Surplus (ICS) from Lake Mead is reduced, making it more difficult to fill the Colorado River Aqueduct. If Lake Mead were to fall below 1,025 feet, Metropolitan would not be able to access any of its ICS reserves in Lake Mead. Additionally, power generation from Hoover Dam would be significantly curtailed. Fortunately, however, water agencies can change the modeled projections of Lake Mead. Over the past 10 years, Lower Basin water users, including Metropolitan, have reduced demands for Colorado River water that have added a total 65 feet to Lake Mead's elevation. Last December, those same agencies signed the 500+ Plan, which has the goal of adding 1 million acre-feet (AF) of water to Lake Mead by the end of next year. To date, water conservation activities have added about 175,000 AF to Lake Mead from projects in both California and Arizona. The Central Arizona Project will be taking a suite of new conservation activities to its board for approval in March for conserving about 210,000 AF of water in Arizona in 2022. In California, in addition to the Palo Verde Irrigation District system conservation program, which was approved last year, Metropolitan staff is in discussions with agricultural agencies in California to develop new conservation projects. If successful, new projects would be brought to Metropolitan's Board for approval as early as spring of 2022.

Minute 323 Projects Workgroup Meeting

On September 21, 2017, the U.S. and Mexican Sections of the International Boundary and Water Commission signed Minute No. 323, titled "Extension of Cooperative Measures and Adoption of a Binational Water Scarcity Contingency Plan in the Colorado River Basin". Following Minute No. 323's adoption, a number of workgroups were established to implement the provisions of the minute. Metropolitan staff regularly participate in many of the workgroups, including the Projects Workgroup, which was established to seek opportunities for joint cooperative projects with the potential for increasing delivery or exchange of Colorado River water benefitting both nations. In February, the workgroup reviewed Mexico's progress to develop new efficiency programs, including replacement of existing gate structures on the main canals in the system for better management of water deliveries. Additionally, the Workgroup discussed a New Water Projects Study, which has been finalized by Conagua and is seeking funding to move forward. The Workgroup recommended Mexico conduct a pilot project using a new drip irrigation system in the Mexicali area with additional technical and financial support from the United States. The pilot project could be part of the 500+ effort to add new water to Lake Mead and, if successful, could be a long-term conservation project in Mexico.

Engineering

GM Strategic Priority #1: Resiliency

Objective #1 Manage and execute Board-authorized projects within the Capital Investment Plan (CIP) to ensure the reliable delivery of water to Metropolitan’s member agencies.

Distribution System Reliability Program

This program maintains reliable water deliveries through specific repair and rehabilitation projects on Metropolitan’s pipelines, reservoirs, and control structures. Recent activities include the following:

- **Etiwanda Pipeline Rehabilitation, Stage 3**—This project, which replaces delaminated mortar lining in 5.5 miles of pipeline with polyurethane lining, was conducted in three stages. Stages 1 and 2, which included 3 miles of polyurethane lining are complete. Stage 3 will reline 2.5 miles of pipeline with polyurethane lining and include installation of 1,300 feet of new internal steel pipe in areas with more extensive corrosion. Procurement of internal steel liner pipe was awarded by the Board in November 2021 with expected deliveries by June 2022. Final design of Stage 3 work, which includes installation of the steel liner, is complete and a board action of a construction contract is planned for June 2022.
- **Lake Mathews Wastewater Replacement**—The project consists of installing a wastewater system in place of the existing septic tank system at Lake Mathews. The new wastewater system connects various facilities at Lake Mathews that ultimately connect to the Western Municipal Water District main wastewater line at El Sobrante Ave. The Notice to Proceed was issued to the contractor in January 2022.
- **Right of Way and Infrastructure Protection Improvements, Western San Bernardino County, Stage 1**—The project consists of construction of erosion-control features to protect critical infrastructure that includes concrete culverts, grading to divert stormwater away from pipeline structures, and roadway improvements to facilitate access and protect existing infrastructure. Final design is complete and a board action for award of a construction contract is planned for March 2022.
- **Orange County Feeder Lining Repairs**—This project replaces the deteriorated internal lining along an 11-mile portion of the Orange County Feeder within the cities of Santa Ana, Costa Mesa, and Newport Beach. Rehabilitation is proceeding in three stages. Construction of stages 1 and 2 are complete. Final design for the remaining third stage is complete and a board action for award of construction contract is planned for April 2022.

Colorado River Aqueduct (CRA) Reliability Program

This program maintains the reliability of Metropolitan’s CRA conveyance system. Recent activities include the following:

- **Gene Wash Reservoir Discharge Structure Rehabilitation**—This project replaces the existing deteriorated discharge valve and refurbishes the valve house and discharge structure at the base of the Gene Wash Reservoir dam. If the reservoir needs to be drained rapidly in the event of an emergency, the valve would be opened to safely release the water. The contractor completed the valve house refurbishment and the

sluiceway pipe relining and began installation of the discharge valve and actuator. Construction is 90 percent complete and is scheduled to be complete by April 2022.

- **CRA Storage Buildings at Hinds, Eagle Mountain, and Iron Mountain**—This project furnishes and installs two new storage buildings (six total) and constructs associated site improvements at the Hinds, Eagle Mountain, and Iron Mountain pumping plants. Final design is 97 percent complete and scheduled to be complete by June 2022.



Gene Wash Reservoir Discharge Structure Rehabilitation

Workers completing concrete repairs on the weir wall, catwalk, and platform support piers.

Treatment Plant Reliability Program

This program was initiated to maintain reliability and improve the operating efficiency of Metropolitan's water treatment plants through specific improvement projects. Recent activities include the following:

Jensen Plant

- **Jensen Electrical Upgrades, Stage 2**—This three-stage project upgrades the electrical system with dual power feeds to key process equipment to comply with current codes and industry practice; improves plant reliability; and enhances worker safety. Stage 1 work is complete. Stage 2 improvements will upgrade Unit Power Centers 7 and 9 and their associated motor control centers (MCCs) to support critical process equipment. Cutover work for Building 12 and other MCCs was successfully completed during the January plant shutdown. The contractor completed transferring and commissioning Thickener No. 4 and No. 6 and is continuing work at Thickener No. 5 and other solids-handling facilities. Construction is 96 percent complete and is scheduled to be complete by August 2022.

System Reliability Program

The System Reliability Program consists of projects to improve or modify facilities located throughout Metropolitan's service area to use new processes and/or technologies and to improve facility safety and overall reliability. Recent activities include the following:

- **Headquarters Building Improvements**—This project provides seismic upgrades and other needed improvements to the Metropolitan Headquarters Building. Construction related to the original contract scope and the UVC air disinfection system are substantially complete. The contractor continues installation of additional cooling equipment for electrical and AV/IT rack rooms. Because of the long lead time on equipment, the anticipated contract completion date is being reassessed.
- **Headquarters Physical Security Upgrades**—This project implements comprehensive security upgrades for the Metropolitan Headquarters Building. These upgrades are consistent with federally recommended best practices for government buildings. Stage 1 work enhances security related to perimeter windows and doors. Construction of Stage 1 improvements is complete. Stage 2 improvements will provide security system upgrades inside the building with a focus on the main entry rotunda area, boardroom, executive dining lounge, and security control room. Construction of Stage 2 improvements is 91 percent complete and is scheduled to be substantially complete by the end of March 2022. The contractor completed security equipment installation on all floors, began testing and cutover to the new security system, and is continuing the rotunda equipment installation. Stage 3 improvements will provide security system upgrades around the perimeter of the building. Design of Stage 3 improvements is complete and board award of a construction contract is planned in mid-2022.
- **Headquarters Building Fire Alarm and Smoke Control System Upgrades**—This project upgrades the Metropolitan Headquarters Building fire life safety systems, which includes replacement of the fire detection and alarm system and HVAC system improvements for smoke control. The fire alarm and smoke control systems in the Metropolitan Headquarters Building provide detection, notification, and control of building functions so that occupants and visitors can safely exit in the event of a fire. The contractor completed installation of the risers for the fire alarm distributed antenna system, resumed the fire alarm system cutover on the first floor, and is continuing installation of the electrical closets, Emergency Radio Responder System, and the carbon monoxide controller. Construction is 37 percent complete and the anticipated project completion date is being reassessed.



Headquarters Building Improvements
Installation of new security camera in P1 parking area

Operations

Water System Operations

GM Strategic Priority #1: Resiliency

Objective #1 Provide Reliable Water Deliveries

Metropolitan member agency water deliveries were 106,960 acre-feet (AF) for February with an average of 3,450 AF per day, which was 684 AF per day higher than in January. Treated water deliveries increased by 11,020 AF from January for a total of 55,320 AF, or 52 percent of total deliveries for the month. The Colorado River Aqueduct (CRA) was shut down for the majority of the month to perform critical maintenance and work on capital projects that enhance CRA reliability. State Water Project (SWP) imports averaged 1,050 AF per day, totaling about 32,560 AF for the month, which accounted for about 30 percent of Metropolitan's deliveries. The target SWP blend remained at zero percent for the Weymouth, Diemer, and Skinner plants.

Objective #2 Ensure Water Quality Compliance, Worker Safety, and Environmental Protection.

Metropolitan complied with all water quality regulations and primary drinking water standards during January 2022.

Staff developed new training for raw Colorado River water releases and quagga mussel control associated with dewatering of pipelines for maintenance or capital projects. The purpose of this training is to prevent discharge flows beyond authorized limits, adhere to conditions of the raw water discharge plan and permits, and ensure effective communication across multiple units to improve shutdown coordination. This training is required for all staff involved in CRA raw water dewatering operations and is consistent with Metropolitan's Quagga Mussel Control Plan.



Training for Raw Colorado River Water Releases and Quagga Mussel Control

This month, staff published and posted a variety of Safety Talks on the IntraMet to promote employee safety during on-the-job activities. Topics include Proper Use and Donning of Hearing Protectors; Safe Lifting and Rigging; Working in Cold, Wet and Windy Weather; Welding Safety; Purchasing Genuine Face Coverings and COVID-19 Test Kits; and Crane Use and Travel.





New Safety Talks published and posted to the IntraMet

Staff updated an Environmental Bulletin for Portable Equipment Powered by Diesel-Fueled Engines, adding requirements for the use of stationary emergency engines during Public Safety Power Shutoff (PSPS) events and the use of cleaner tiered portable engines. Staff also published a new Custodian Air Quality Checklist for Shutdown Activities, which serves as a short checklist to help identify air quality compliance requirements before and during shutdown activities.

[illegible]

New Air Quality Checklist for Shutdown Activities

Objective #3 Actively Engage in Capital Project Planning and Execution

Staff wired and tested signal cables at Garvey Reservoir following a contractor's installation of a temporary chemical feed system. This work is part of a larger capital project to rehabilitate Garvey Reservoir. The temporary feed system at Garvey Reservoir will ensure that Metropolitan meets its water quality goals during project construction.



Temporary sodium hypochlorite feed system at Garvey Reservoir

Staff are upgrading Eagle Mountain's transformer protection devices as part of Southern California Edison's 230kV Local Breaker Failure project. Transformer protection devices are fast-acting relays that isolate electrical problems and prevent serious injuries or equipment damage. During construction of this project, many of the plant systems had to be moved to backup power systems in order to de-energize the power system to safely install and commission this critical equipment.



Staff testing a new transformer system at Eagle Mountain pumping plant



Installation of new protection panels for an upgraded transformer bank at Eagle Mountain pumping plant

Objective #4 Optimize Maintenance.

The 2022 CRA shutdown was performed over 27 days throughout the month of February. This annual shutdown allowed contractors and staff to work on several capital projects and staff to complete maintenance, repairs, and inspections along the 242-mile long aqueduct and five desert pump plants. Capital projects included Gene Wash Reservoir discharge valve replacement, CRA flow monitoring upgrades, and the Cholla Wash re-lining project. Operations and maintenance work included performing regulatory-required high-voltage system and transformer maintenance and testing, servicing the 230-kV transmission system, replacing direct current (DC) station battery banks for emergency power and critical equipment, completing coating repairs and inspections, servicing valves and gates, and cleaning canals and tunnels. A custom tunnel cleaning machine, designed and built by Metropolitan staff, travels over 150 miles underground cleaning and smoothing out concrete to maximize CRA flows.

Staff also installed three new recirculation lines at the Eagle Mountain Pumping Plant, with components manufactured at the La Verne Shops. These recirculation lines allow operators to safely and efficiently perform eight-pump flow operations and avoid pinching discharge gates to reduce flow, which can cause wear and tear on CRA equipment. During the shutdown, staff also coordinated an outage of the Lakeview Siphon on the CRA and the interconnected San Diego Canal to perform a minor leak repair and install an enhanced dewatering sump to expedite canal dewatering. During this overall shutdown, it took nearly 300 employees and contractors to safely coordinate and complete the critical work that helps keep the over-80-year-old aqueduct delivering Colorado River water reliably for many years to come.



Staff removing lids at Lakeview Siphon inlet transition to install isolation gate



Staff lifting gate to be installed for safe isolation of the work zone in the Lakeview Siphon



Staff monitoring quagga mussel filters during discharge of raw CRA water ahead of Lakeview Siphon work



Staff prepping Lakeview Siphon repair area for installation of internal rubber seals and metal bands



Staff removing silt and debris from the San Diego Canal



Welded reinforcing beams on San Diego Canal radial gate to reduce vibration



Clean, smooth canal walls after the tunnel cleaning machine passes



Scaffold construction for recirculation pipe assembly installation at Eagle Mountain pumping plant



La Verne Shops staff packaging valve assemblies for delivery to Eagle Mountain pumping plant



Fabrication of re-circulation line components (left and center) and installed tee (right) for Eagle Mountain pumping plant



Staff performing transformer bushing maintenance at Hinds pumping plant



Staff installing new pumping plant station battery banks

Staff completed cleaning of the San Diego Canal from San Jacinto to Lake Skinner. A long-reach excavator was used to clean sand traps, transition structures, and by-passes. The San Diego canal conveys water from San Jacinto towards Diamond Valley Lake and terminates at Lake Skinner.



Staff using a long reach excavator to clean the San Diego Canal

Staff coordinated with a local motor shop and reviewed testing and refurbishment of the armature and exciter assemblies for a unit at the Hinds pumping plant. The armature and exciter assemblies are components of the CRA pump motors and their refurbishment is critical to efficient and reliable operations.



Staff overseeing final electrical testing of a pump unit's armature for Hinds pumping plant

The La Verne Shops fabricated four flow balancing drop gates for the Hinds and Iron Mountain pumping plants. These gates will be used during eight-pump flow operations to balance the aqueduct while reducing wear and tear on the original head gates used for flow control.



Fabrication of gate frame (left) and installed gate skin with square openings (right) for Desert pumping plants

Staff performed repairs at Yorba Linda Hydroelectric Plant to correct bearing lubrication issues and oil leaks. As part of the planned improvements, innovative scale mockups were used for model testing to ensure adequate bearing lubrication, cooling, and sealing for this complex equipment.



Staff performing measurements of the bearing seal (left) and evaluating performance of improvements on a scale model (right) at Yorba Linda HEP

Staff repaired sections of copper pipe used for domestic water at the Skinner plant. Several pipe joints and fittings started to degrade and leak. To complete the repairs, staff removed the degraded copper piping and fittings and replaced the impacted sections. The replaced sections were connected using specialized copper fittings and a crimping tool, which allowed them to be replaced more easily than with a torch soldering method. Unlike soldering, press fitting systems do not require an open flame to fuse pipe joints together. This creates a safer work environment and also saves time by not requiring a hot work permit.



Corroded pipe in hard to reach corner at the Skinner Plant



Staff using copper pipe crimping tool to perform repairs in tunnel at the Skinner plant



Copper piping joints after replacement with crimps at the Skinner plant

Staff have been working on the electrical rehabilitation of the San Gabriel Pressure Control Structure since late 2021. The structure had flooded several years ago, and electrical components of the facility were no longer serviceable or reliable. The work included installation of new motor controls, power panels, lighting, and power and instrumentation conduits and controls. The final phase of this work involves retrofitting the incoming utility electrical service. Staff installed the enclosures, and Southern California Edison will make the final connections and restore normal electrical service to the facility.



Staff setting new utility pull section (left) and completed pull section and 480-volt panel (right) at San Gabriel PCS

Objective #5 Manage the Power System.

Staff reviewed the Resource Adequacy (RA) requirements for CRA pumping operations for April 2022. An RA deficit of 4 MW was identified, because of a projected eight-pump flow and declining Hoover power generation. (Forecasted Hoover power generation for 2022 indicates a decline of about a third of Hoover's maximum generation output.) Staff submitted an RA purchase Request for Offer for the required RA capacity for April to Metropolitan's scheduling coordinator (ACES/AEPCO). A supplier was identified and the purchase completed, ensuring availability of maximum CRA pumping operations amid the current drought. Staff also submitted a revised RA plan for May 2022 reflecting a planned increase in flow from seven pumps to eight pumps.

Staff received a North American Electric Reliability Corporation (NERC) Cybersecurity Alert regarding preparation for potential state-sponsored cyber activity linked to the Russian government on February 15. Staff reviewed the recommendations and acknowledged the NERC alert on February 17.

Objective #6 Improve Emergency Preparedness and Response.

Staff continued to support efforts to develop specific emergency preparedness plans throughout Metropolitan. Plans in development include hazard mitigation planning and dam emergency action planning. The Department of Water Resources is also working with Metropolitan to develop implementation plans to enhance DWR's Emergency Preparedness Program in the future. This continued outreach enhances future coordination during emergencies.

The Super Bowl brought many fans to the downtown Los Angeles area in mid-February who traveled through Union Station adjacent to Metropolitan's headquarters building. Staff participated in pre-game planning with emergency management and security officials from Union Station, LA Metro, City of Los Angeles, and other agencies to be prepared for the big game, as well as the follow-up victory parade. Security and Emergency Management staff monitored the situation and provided additional resources to ensure the safety of staff and Metropolitan property during these events. These planning efforts also helped foster continued collaborative relationships between Metropolitan and our Union Station neighbors.

Objective #7 Optimize Water Treatment and Distribution.

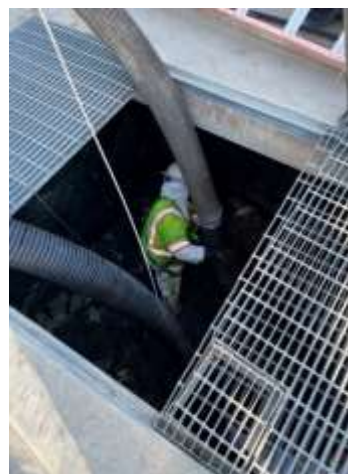
The State Project water (SPW) target blend entering the Weymouth and Diemer plants was zero percent in February 2022. Because of the CRA shutdown, Lake Skinner received SPW from Diamond Valley Lake (DVL) from mid-February to the end of the month.

Flow-weighted running annual averages for total dissolved solids from January 2021 through December 2021 for Metropolitan's treatment plants capable of receiving a blend of SPW and CRA water were 575, 570, and 577 mg/L for the Weymouth, Diemer, and Skinner plants, respectively.

Staff performed maintenance and coal removal at the Diemer Wash Water Reclamation Plant. The plant has had increased material accumulation in the reclamation plant influent channel and basins, leading to failures of the flocculation equipment. Staff removed the accumulated material, performed repairs, and conducted preventative maintenance to maintain reliability of the equipment.



Sludge and coal accumulation in a flocculation basin at the Diemer wastewater reclamation plant



Contractor and staff vacuuming sludge and coal out of the influent channel at the Diemer Wash Water Reclamation Plant



Installation of new flocculator paddles at the Diemer Wash Water Reclamation Plant

Staff began replacing filter media lost during the filter backwash process at the Weymouth plant. The media is added using a hopper-fed eductor system that allows the media to be evenly distributed throughout the filter. Using a mobile crane, staff load an average of 20 one-ton-bags daily. At the completion of this project, the filter media will be at design level, providing maximum filter performance to meet regulatory standards and ensure high quality water produced by the treatment process.



Staff unload a one-ton bag of filter media into a hopper at the Weymouth plant

Staff performed the annual certification of hopper scales at the solids handling facility at the Weymouth plant. To complete this work, certified weights were suspended from the hoppers' framing to calibrate the four scales. Staff verified the output signals to the SCADA system and checked for proper status. One failed load cell was identified and repaired.



Certified weights offloaded at the Weymouth plant



Staff preparing to suspend weights from the solids hopper at the Weymouth plant



Staff verifying signal output for the solids hopper at the Weymouth plant

Objective #8 Manage Water Reserves.

Water reserves continued to be managed according to Water Surplus and Drought Management (WSDM) principles, operational objectives, and the current 15 percent State Water Project (SWP) allocation. Deliveries of SWP supplies were minimized to preserve SWP Carryover and Flexible Storage. Releases from DVL through PC-1 to connections on the Lakeview Pipeline, as well as the DVL to Mills plant operation, continued in February to conserve SWP use in that area. Returns from the Semitropic and Kern Delta SWP Banking Programs also continued in February. Staff continued Greg Avenue pump operations to minimize SWP usage by about 3,300 AF per month. In addition, staff continued coordination with member agencies, shifting their deliveries from SWP connections to Colorado River water connections, when possible. Staff continue to develop additional drought mitigation actions to prepare for the potential of a low SWP allocation in 2022.

Objective #10 Manage Vacancies.

WSO filled 13 vacant positions in January 2022.

Objective #11 Prepare Employees for New Opportunities.

The Water System Operations Apprentice and Technical Training Programs develop and train personnel to become qualified mechanics and electricians responsible for maintaining Metropolitan's water treatment and distribution systems. This month, three electrical apprentices assisted with testing and maintenance at the Whitsett Intake pumping plant during the CRA shutdown. Rotating to different teams and assisting with special projects and shutdowns is an important aspect of on-the-job learning. These rotations broaden the apprentices' experience and knowledge of Metropolitan's systems and contribute to their future success as journey-level employees. In addition, the Class of 2023 mechanical apprentices attended welding and fabrication training during the period.



Class of 2023 electrical apprentice performing routine high-voltage maintenance test at Whitsett pumping plant
(Note: The light is sun's reflection, not electrical arc)



Class of 2023 electrical apprentice performing contact resistance testing at Whitsett pumping plant



Class of 2023 mechanical apprentice participating in weld shop

Objective #13 Ensure Accurate Billing Infrastructure.

Metropolitan's distribution system contains a variety of meters for operational flow monitoring and revenue billing. This month, staff serviced several large venturi meters at a number of service connections. After coordinating with the affected member agencies, short-term outages were scheduled to facilitate maintenance. Part of the work involves opening access ports and inserting a rodding tool to remove mineral and debris deposits that build up in the venturi tubes over time and potentially affect the accuracy of the meters. Occasionally, the venturi access port fittings corrode and need to be replaced as part of the scheduled maintenance. Staff successfully replaced a venturi access port fitting at the FM-01 service connection for Foothill Municipal Water District.



Staff successfully replacing a venturi access port fitting at the FM-01 service connection

Staff prepared to install a new automatic meter reading (AMR) equipment cabinet at the CM-13 service connection for the city of Costa Mesa. Over several years, environmental conditions have damaged the cabinet coatings. The existing cabinet is being replaced with a new cabinet with an enhanced coating material. This advanced epoxy material will provide superior protection of the cabinet and its components from harsh coastal environmental conditions.



Staff inspecting CM-13 service connection equipment cabinet before installation

Staff continued supporting member agencies on service connections and tie-ins. This month's work included a study on a new 4 cubic feet per second (cfs) service connection for Central Basin Municipal Water District on the West Coast Feeder in the city of South Gate, and design of a new 20 cfs service connection for West Basin Municipal Water District on the Sepulveda Feeder that will serve Culver City.

Staff are supporting a new 100 cfs service connection for Eastern Municipal Water District (EMWD) on the Inland Feeder. The design of the new service connection, EM-25, is complete and EMWD's board awarded a construction contract in January 2022. Metropolitan's inspection of this new service connection is scheduled for completion by August 2023.

Staff supported the Los Angeles Department of Water and Power for final design and planning the final tie-in for service connection LA-30 on the Sepulveda Feeder. This service connection was constructed in the early 1990s and was isolated with a bulkhead for a future tie-in to the agency's system.

GM Strategic Priority #2: Sustainability

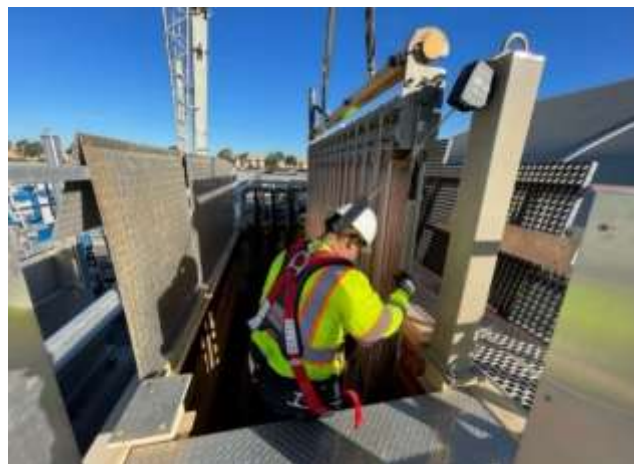
Objective #1 Prepare for Future Legislation and Regulation.

Effective January 26, the Federal Occupational Safety and Health Administration (Fed-OSHA) withdrew its COVID-19 Vaccination and Testing Emergency Temporary Standard (ETS). The federal ETS required large employers with more than 100 employees to develop, implement, and enforce a mandatory COVID-19 vaccination policy or undergo weekly COVID-19 testing. Given this withdrawal, the California Occupational Safety and Health Administration will not require a vaccine mandate in its COVID-19 ETS, which is currently in effect through April 14, 2022. Fed-OSHA is anticipated to reintroduce the proposed standard under regular rulemaking. Staff will continue to monitor for COVID-19 related updates at the federal, state, and local level and assess their impacts to Metropolitan.

On February 7, Metropolitan submitted a comment letter supporting the Environmental Protection Agency and the Army Corps' (collectively, Agencies) proposed Revised Definition of "Waters of the United States." This rulemaking is the first of two parts to revise the definition of "Waters of the United States" (WOTUS). Metropolitan's comments supported the Agencies' proposed rule that reinstates the pre-2015 definition of "WOTUS" reflecting recent Supreme Court decisions and, consistent with previous comment letters, asked that artificial water supply infrastructure be excluded from the definition of WOTUS. Staff will continue to track this regulatory effort, including part two of the rulemaking process.

Objective #3 Support the Regional Recycled Water Program.

During February, staff began operation of the Regional Recycled Water Advanced Purification Center demonstration facility for the secondary membrane bioreactor (MBR) operations, treating primary effluent from the Los Angeles County Sanitation Districts. Staff supported clean water testing and primary effluent functional testing through the demonstration facility and began seeding the bioreactor. Staff also performed onsite maintenance activities to prepare for secondary MBR testing, including critical drain and process pump repairs, piping modifications, SCADA troubleshooting, and various other improvements with the plant operating in a new configuration. Staff also supported snail mitigation activities and inspections to eliminate or reduce the potential for membrane damage.



Inspecting an MBR membrane to ensure the efficacy of snail mitigation measures

On February 25, staff met with the Regional Water Quality Control Boards for the Los Angeles and Santa Ana Regions and the Division of Drinking Water (DDW) to discuss their comments on the secondary MBR testing and monitoring plan. Staff also met with the DDW Direct Potable Reuse (DPR) subgroup on February 11 to discuss potential approaches to implement DPR through raw water augmentation for the Regional Recycled Water Program, based on the state's draft DPR criteria.

A technical paper published in the February issue of the Water Research journal included two Metropolitan staff as co-authors. The paper, titled "Distributions of waterborne pathogens in raw wastewater based on a 14-month, multi-site monitoring campaign", describes high-quality data on pathogen concentrations in wastewater that will be important in determining the amount of treatment needed for direct potable reuse projects. The research was partially funded by Metropolitan through the Future Supply Actions Funding Program under a grant administered by the Water Research Foundation.

Objective #5 Manage Power Resources and Energy Use in a Sustainable Manner.

Metropolitan's hydroelectric plants generated an average of just over 14.5 megawatts, or 10,825 megawatt-hours and approximately \$487,660 in revenue, for the month of January 2022. Metropolitan's solar facilities totaling 5.4 megawatts of capacity generated approximately 566 megawatt-hours in January 2022.

Staff is exploring various options for moving non-CRA electric load to "green" retail electric rates. These rates are offered by such providers as the Los Angeles Department of Water and Power, Southern California Edison, and Community Choice Aggregators such as the Clean Power Alliance. Staff is reviewing options to minimize financial impact and ensure there are no adverse operational implications.

GM Strategic Priority #3: Innovation

Objective #1 Develop New Solutions to Enhance Operational and Business Processes.

Staff engaged with local, national, and international experts to learn more about innovative research, products, and projects that could be used at Metropolitan and by its member agencies to improve processes, manage assets, and optimize conveyance, treatment, and operations. Metropolitan was represented on the judging panel for the 2022 Environmental Engineering and Science Awards presented by the American Academy of Environmental Engineers & Scientists. On February 16, staff participated in a discussion and exchange of best practices on reservoir management with the Public Utilities Board of Singapore, which included a presentation on Metropolitan's source water monitoring and management program. Staff also participated in a two-day "Canadian Water Innovation Roadshow to Southern California" on February 16–17, which covered technologies in asset management, cybersecurity, robotics, wastewater, sensors and analytics, water quality, and infrastructure maintenance.



Staff discussing reservoir management strategies and practices with colleagues from Singapore Public Utilities Board

Objective #2 Support and Engage with Member Agencies on Technical Matters.

On February 17, staff participated in the Association of California Water Agencies Quarterly Committee Forum including presenting an update on microplastics monitoring, methods, and regulatory developments. A variety of regional agencies are collaborating on developing and validating sampling protocols and alternative methods to detect microplastics in drinking water and other matrices, which may affect the state's upcoming microplastics monitoring program.

Operations

(continued)

Monthly Update as of:

2/28/2022

<u>Reservoir</u>	<u>Current Storage</u>	<u>Percent of Capacity</u>
<i>Colorado River Basin</i>		
Lake Powell	6,038,000	25%
Lake Mead	8,938,000	35%
<i>DWR</i>		
Lake Oroville	1,655,179	47%
Shasta Lake	1,689,813	37%
San Luis Total	900,217	44%
San Luis CDWR	586,331	55%
Castaic Lake	197,878	61%
Silverwood Lake	67,125	90%
Lake Perris	105,197	80%
<i>MWD</i>		
DVL	573,537	71%
Lake Mathews	122,802	67%
Lake Skinner	30,310	69%



Information Technology

GM Strategic Priority #1: Resiliency

Objective #1 Strengthen Metropolitan’s cybersecurity capabilities by deploying new and emerging technologies and implementing enhanced security countermeasures.

The Information Technology (IT) Cybersecurity Unit continued on-going initiatives and key cyber projects to improve Metropolitan’s security posture. IT staff works in partnership with the Networking team to provide proactive monitoring of the network and remote connectivity to ensure secure and reliable service for employees’ teleworking and to identify potential vulnerabilities and remediate findings. Maintaining a secure computing infrastructure requires application of on-going cyber countermeasures to protect against new threats that are identified on a continual basis.

During the period, the cybersecurity team continued to work on the Security Operations Center (SOC) and conducted design workshops for the Security Information and Event Management (SIEM) project. Both the SOC and SIEM are a key part of the Information Technology Strategic Plan. Additional project details and updates are provided to executive management and the Board through cybersecurity briefings.



GM Strategic Priority #2: Sustainability

Objective #1 Provide IT Services in support of the Headquarters Improvement Program.

IT Staff continued to make enhancements at Metropolitan Headquarters by deploying technologies that support our customers. During the period, IT worked in collaboration with Facilities to install additional SMART Interactive Whiteboards at Metropolitan’s Headquarters. The new interactive white boards replace existing end-of-life audio visual equipment in conference rooms and will provide staff with current technology once the staff returns to the office.



GM Strategic Priority #2: Sustainability

Objective #2 Manage Information Technology Projects within the Capital Investment Plan to ensure sustainability of IT Systems and Infrastructure.

A significant milestone was achieved during this period as the new Fuel Master system has been installed at a pilot location (Metropolitan's Sunset Garage). The pilot phase allows the project team to gain critical experience with the installation of key components (Proximity Card Reader and Automotive Information Module devices) installed into Fleet vehicles and provide knowledge gains for installation and implementation at the remaining fueling sites. Upgrading our Fuel Management System will enable management controls over fuel inventories, dispensing, and security to ensure operability, vendor support, and system reliability.



GM Strategic Priority #3: Innovation

Objective #6 Enhance workforce productivity by simplifying access to business information and deploy technologies to support our customers in business decisions.

The Information Technology Group continued the Maximo Mobile Computing project to replace existing mobile devices used in Water System Operations (WSO) with the latest tablet technology and deploy additional devices to other business units. This effort will reduce the need for desktop computers at field sites and vastly increase the functionality of the existing Maximo mobile devices.

As part of the Maximo Mobile project, IT recently distributed iPads to WSO's Conveyance & Distribution, and Power & Equipment Reliability Units. In addition, a new mobile security tool was implemented on the iPads as part of an IT pilot and is proceeding according to plan. IT staff is working closely with key stakeholders to monitor performance and usability of the new mobile technology to simplify access to business information in support of WSO operations.



Real Property

GM Strategic Priority #1: Resiliency

Objective #1 Provide right-of-way planning, valuation, and real property acquisition support services for the protection and reliability of existing infrastructure.

A two-year Right of Entry and License agreement was acquired from Eastern Municipal Water District to install a temporary dewatering pipeline and a temporary water treatment plant in support of the Perris Valley Pipeline project. The temporary dewatering line and treatment plant will aide to control construction water at the shaft locations and treat water before release, allowing Metropolitan to tie into the existing pipeline. This project will provide continuous water delivery reliability to Western and Eastern Municipal Water Districts.

A permanent easement was acquired from the County of Orange, through the Right of Way and Infrastructure Protection Program. The easement will provide access to the Allen McColloch Pipeline at Peter's Canyon Regional Park for Metropolitan's monitoring and maintenance purposes.

A fallowing easement for 29 water toll acres was exchanged with a landowner in the Palo Verde region. Metropolitan and the Palo Verde Irrigation District's (PVID) Fallowing Program allows participating landowners the opportunity to exchange their existing lands enrolled in the program, with equitable and eligible property, within the property boundaries. Metropolitan and PVID quitclaimed the easement and received the same number of water toll acres elsewhere on the property.

An access easement was obtained from a private developer to perfect access rights to a portion of Metropolitan's Orange County Feeder Pipeline in the City of Pomona. This easement provides Metropolitan with continuous access rights to the pipeline during and after the private development is completed.

Objective #2 Foster staff training and development.

Staff attended International Right of Way Association-sponsored classes to study various methods to resolve negotiation disputes; and to gain a greater understanding of partial acquisitions and techniques for appraising the partial area of interest.

The Appraisal Institute's 29th annual Los Angeles/Orange County Market Trends Seminar provided Metropolitan's appraisers understanding of specific property type and pricing trends in Metropolitan's service areas for future appraisal report preparation.

GM Strategic Priority #2: Sustainability

Objective #2 Provide right-of-way planning, valuation, and real property acquisition support services for the sustainability and reliability of both imported and regional water supplies, and protection of water rights.

The existing leases with D & L Farms (Bacon Island) and Sierra Cattle (Bouldin Island East) have been amended to extend the term for an additional one-year period. Farmable acres were reduced by 15 percent in the amended lease as a water conservation effort in alignment with the state's voluntary curtailment order.

Core Business: Real Property Acquisition, Management, and Revenue Enhancement

Objective #3 Efficiently maintain and operate assets not related to the treatment and distribution of water.

In coordination with the security upgrade project, the replacement of carpet and paint color in the security control room to meet new building standards was completed.

The DVL Marina hosted a twenty-five-mile segment of the “Gravel and Whine” bicycling event. The event, which started at a winery near Lake Skinner, incorporated the full length of the DVL Marina’s Lakeview Trail. Over three hundred cyclists from many parts of the State participated in this event and served to introduce many Californians to the natural beauty of Diamond Valley Lake.



Objective #4 District Housing Maintenance and Management.

Twenty work orders from the previous reporting period were completed, including seven tenant requests, five preventative maintenance, and eight corrective maintenance efforts. Pre-occupancy preparations on two Metropolitan houses at the Iron and Gene Villages were completed.



House 73 Kitchen (Before)—operable appliances and fixtures. House 73 Kitchen—(After) repairs

To combat the increased domestic water temperatures in the summer months, Staff has implemented various efforts to decrease water temperatures, including insulation of the distribution pipe line, application of a cooling road seal, system flushes, and as a last effort, the installation of a domestic water chiller before the start of the summer season.



Environmental Planning

GM Strategic Priority #1: Resiliency

Objective #1 Provide planning, California Environmental Quality Act (CEQA)/National Environmental Policy Act (NEPA), and regulatory permitting support for programs and projects that focus on infrastructure reliability and redundancy.

Colorado River Aqueduct Projects

- Negotiated and obtained the California Department of Fish and Wildlife (CDFW) Streambed Alteration Agreement (SAA) in support of the CRA Lakeview Siphon shutdown.
- Completed biological resources analysis surveys and initiated surveys for hydrologic analysis in support of the newly installed Gene Wash Discharge Valve testing activities.

Perris Valley Pipeline

- Coordinated final design activities.

GM Strategic Priority #2: Sustainability

Objective #2 Provide planning, CEQA/NEPA, and regulatory permitting support for projects and activities that address the challenges of sustainability, including aging infrastructure, contaminants of concern, and affordability of water supplies.

Lake Perris Seepage Recovery Project

- Coordinated with California Department of Water Resources regarding groundwater modeling, water quality, and geology in support of the Final Environmental Impact Report.

Regional Recycled Water Program (RRWP)

- Coordinated with Metropolitan staff, Los Angeles County Sanitation Districts, and various consultants (Helix Environmental Planning, Stantec, Black & Veatch, Katz Associates) for environmental planning phase activities.

Objective #3 Continue to actively manage Metropolitan's more than 30,000 acres of conservation lands through cooperative relationships with public agencies and non-governmental conservation organizations to promote sustainability of reserve resources.

Lake Mathews Multiple Species Reserve

- Completed seeding of a 1.5-acre area of degraded coastal sage scrub habitat.
- Monitored invasive species and incorporated results of surveys into reserve GIS database.
- Eradicated populations of invasive vegetation (stinknet and mustard).
- Coordinated with Cal Fire regarding a future prescribed burn in spring or summer 2022.

Southwestern Riverside County Multi-Species Reserve

- Continued implementation of riparian restoration project in Tualota Creek.
- Applied for a Cal Fire grant to obtain new equipment for the reserve and fund fuel reduction in the Engelmann Oak grove in the Lopez Canyon section of the reserve.
- Completed annual burrowing owl artificial burrow maintenance; three burrowing owls have been observed regularly on the reserve.
- Coordinated with Cal Fire in preparation for future prescribed burns.

Objective #4 Develop a Climate Action Plan (CAP) and prepare CEQA documentation to be used to offset greenhouse gas (GHG) emissions from future construction projects. Identify new and continuing conservation efforts for the purpose of reducing future GHG reductions, as well as highlighting Metropolitan's effort to achieve those reductions, and develop a tracking methodology to ensure that Metropolitan is meeting its goal.

Climate Action Plan

- Continued to prepare the Final CAP Program Environmental Impact Report (PEIR) (Findings of Fact, Statement of Overriding Considerations, and Responses to Comments) and draft board letter to adopt the CAP and certify the Final PEIR.

GM Strategic Priority #3 Innovation

Objective #3 Partner and collaborate with regulatory and resources agencies, as well as other public agencies and external organizations, to build relationships and expedite/streamline environmental authorizations and clearances for Metropolitan projects.

- Participated in California Council for Environmental and Economic Balance Natural Resources Task Force monthly meeting with guest speakers Katharine Moore and Catherine Baxter, consultants for the Senate Committee on Natural Resources and Water.

Core Business: Regulatory Compliance

Objective #1 Provide timely and professional environmental planning services and CEQA and regulatory permitting support to ESG, WSO, WRM, External Affairs, and Real Property groups.

Engineering Services

- Provided design phase support for the following projects:
 1. Battery Energy Storage Project at the Weymouth Water Treatment Plant
 2. Black Metal Mountain 2.4kV Electrical Rehabilitation
 3. Copper Basin Access Road and Discharge Valve Repair
 4. CRA Delivery Line Rehabilitation
 5. CRA Housing
 6. CRA Pump Plant 2.3 kV and 480V Rehabilitation
 7. Etiwanda Pipeline Relining Stage 3
 8. Garvey Reservoir Rehabilitation Project
 9. Gene Communication Systems Upgrades
 10. La Verne Water Quality Building Improvements

11. Orange County Feeder Relining, Reach 3, 4, and 4A
 12. Perris Valley Pipeline Rehabilitation
 13. Western San Bernardino Right-of-Way and Infrastructure Protection Program Phase 2
 14. Weymouth Administration Building Seismic Upgrades
 15. Weymouth Basins 5–8 Rehabilitation
 16. Weymouth Battery Energy Storage System
- Provided construction phase support for the following projects:
 1. Cholla Wash Conduit Lining
 2. CRA Domestic Water Treatment System Replacement
 3. CRA Mile 12 Flow Monitoring Station Upgrades
 4. CRA Overhead Cranes
 5. Garvey Reservoir Drainage Improvements
 6. Gene Wash Discharge Valve Rehabilitation
 7. Live Oak Reservoir Asphalt Upgrades

Water System Operations

- Completed CEQA analysis and environmental planning support for WSO for the following activities:
 1. Middle Feeder North shutdown
 2. Santiago Lateral shutdown
 3. Inland Feeder Stations 740+00 to 840+00 road grading
 4. Upper Feeder road grading
- Submitted CDFW Notification of Lake or Streambed Alteration to support the Santiago Lateral shutdown.
- Completed Desert Tortoise and Environmental Awareness Training for over 185 staff and contractors in support of the 2022 CRA Shutdown.
- Provided environmental surveys and monitoring support for the 2022 CRA shutdown (see photos).
- Attended meetings and provided environmental planning support regarding an exposure of the Foothill Feeder pipeline.



A ferruginous hawk takes flight from a tree branch along the Colorado River Aqueduct.



Wasp nest identified along Colorado River Aqueduct.



Ocotillo buds observed at Coxcomb Chapel.



Desert lavender identified during dewatering surveys at Iron Mountain Pump Plant.

Bay-Delta Initiatives

- Participated in updates to Bay-Delta policies workshops.

External Affairs

- Finalized curation of archaeological and paleontological exhibits currently located at the DVL Visitor's Center in support of its conversion to the Apprenticeship Program Facility.

External Environmental Document Reviews

- Reviewed four CEQA notices for external projects and prepared comment letters for those that may affect Metropolitan facilities and/or operations.

Legislative Reviews

- Submitted comments to the Environmental Protection Agency and U.S. Army Corps of Engineers on the proposed rulemaking for Revised Definition of "Waters of the U.S."
- Provided legislative analysis on Assembly Bill (AB) 1676 (Greenhouse Gases: carbon capture, utilization, and sequestration); AB 1717 (Public Works: definition; prevailing rate for public works projects); Senate Bill (SB) 852 (Climate Resilience Districts: formation, funding mechanisms), and SB 905 (Natural Resources Agency Natural and Working Lands Climate Smart Strategy).
- Submitted comments on the "Draft Pathways to 30x30: Accelerating Conservation of California's Nature" initiative.

Real Property Support

- Provided CEQA analysis and determinations in support of one real property agreement.

Security

GM Strategic Priority #1: Resiliency

Objective #1 Develop and Refine Security's Strategic Plan

Catalytic converter thefts, which drastically increased across Southern California at the start of the global pandemic, pose a significant operational threat to public agency vehicle fleets. A catalytic converter is an exhaust system device composed of precious metal components (rhodium is about \$14,500 per ounce) that converts environmentally hazardous engine exhaust into less harmful gases.

Large vehicle fleets often experience rampant catalytic converter thefts because of the abundance of high-clearance vehicles in concentrated areas such as maintenance yards. Consequences to removing a catalytic converter are devastating (\$2,500 average replacement cost and one to three months of nonoperation because of current supply chain part shortages). While other local utilities have suffered massive losses, Metropolitan experienced only a few isolated thefts last year and quickly mobilized to counter the threat.

Metropolitan Security special agents worked with the California Metal Theft Investigators Association to research and procure protective theft-deterrent devices. CatClamp kits (around \$200 per kit), which attach directly to vehicle undercarriage frames at multiple points using aircraft-grade wire rope, greatly deter and significantly delay potential converter theft. Jensen Fleet Services staff installed 10 devices on Valley Conveyance and Distribution utility vehicles, and more are scheduled for procurement as crime threats and operational priorities evolve.



Metropolitan Fleet staff installing CatClamp theft deterrent device on Valley C&D utility vehicle

Extra low-cost/no-cost prevention measures (additional motion detectors and LED security lighting, rerouted security patrols inside vehicle lots, securing vehicles inside Fleet bays, using decoy vehicles, etc.) were also implemented at select Metropolitan facilities.

DON'T BE A VICTIM:

1. Park in a garage or a secured parking area.
2. Install a bright, motion sensor light to deter potential thieves.
3. Always lock vehicle and set alarm.
4. Install an anti-theft device.



These security tips can protect your own vehicles at home

Objective #2 Improve Security and Emergency Response

Metropolitan Security staff successfully partnered with Information Technology's Unmanned Aerial Vehicle (UAV) Program to integrate aerial mapping and overhead imagery using drone technology. The UAV Program can integrate precise geodetic information, digital mapping, and virtual flybys to assist Security staff in more accurately conducting security site surveys throughout Metropolitan's service area. Security surveys of high-voltage power line infrastructure were updated.

Organic drone capabilities are advantageous for Security staff to quickly conduct security assessments, particularly over difficult terrain. Additionally, vulnerabilities and potential physical security gaps around critical infrastructure can be rapidly identified and mitigated.



Metropolitan Security and IT UAV Program staff conducting powerline security surveys

Objective #3 Improve Employee Readiness for All Hazards Emergencies

Metropolitan stakeholders from Facility Management, Emergency Management, and Security Management joined a joint, multi-agency, Metro Security and Law Enforcement Planning Committee in preparation for Los Angeles hosting Super Bowl LVI at the SoFi Stadium in Inglewood, California. The weeks leading up to game day involved numerous pre-game events at the Los Angeles Convention Center and other venues throughout downtown Los Angeles. Multiple federal, state, and local law enforcement and public safety agencies meticulously planned security preparations and deployed task forces throughout the greater Los Angeles area.

Precautionary measures at the Metropolitan Headquarters Building included:

- Adding extra perimeter security patrols and law enforcement teams
- Removing potential objects that could be misused by celebratory crowds
- Eliminating flammable materials
- Securing construction materials
- Identifying potential safety hazards to pedestrians

(3) Metro Focused Events - Anticipated Fan Attendance Estimates

	Date	Day	Event Name	Time		Venue	Attendance
				Start	End		
1	5-Feb	Saturday	Super Bowl Experience	12:00 PM	10:00 PM	Los Angeles Convention Center & Xbox Plaza at L.A. Live	20,000
2	6-Feb	Sunday	Super Bowl Experience	10:00 AM	8:00 PM	Los Angeles Convention Center & Xbox Plaza at L.A. Live	20,000
3	9-Feb	Wednesday	Super Bowl Experience	3:00 PM	9:00 PM	Los Angeles Convention Center & Xbox Plaza at L.A. Live	15,000
4	10-Feb	Thursday	Super Bowl Experience	3:00 PM	10:00 PM	Los Angeles Convention Center & Xbox Plaza at L.A. Live	15,000
5	11-Feb	Friday	Bud Light Music Festival	8:00 PM	11:30 PM	Staples Center/ L.A. Live	17,000
6	11-Feb	Friday	SB Music Fest: Blake Shelton & Gwen Stefani	8:00 PM	12:00 AM	Staples Center/ L.A. Live	17,000
7	11-Feb	Friday	Super Bowl Experience	3:00 PM	10:00 PM	Los Angeles Convention Center & Xbox Plaza at L.A. Live	25,000
8	12-Feb	Saturday	Bud Light Music Festival	6:00 PM	12:00 AM	Staples Center/ L.A. Live	17,000
9	12-Feb	Saturday	SB Music Fest: Green Day & Miley Cyrus	8:00 PM	12:00 AM	Staples Center/ L.A. Live	17,000
10	12-Feb	Saturday	Super Bowl Experience	10:00 AM	10:00 PM	Los Angeles Convention Center & Xbox Plaza at L.A. Live	45,000
11	13-Feb	Sunday	GAME DAY	12:01 AM	6:30 PM	SoFi Stadium & Hollywood Park	70,000



Metro

**SYSTEM SECURITY AND
LAW ENFORCEMENT**

Super Bowl LVI crowds around Los Angeles swelled to over 70,000 anticipated attendees on Game Day

Finance and Administration

Finance



CFO Strategic Priority: Maintain Strong Financial Position

Provide timely and discerning financial analyses, planning, and management to ensure that forecasted revenues are sufficient to meet planned expenses and provide a prudent level of reserves consistent with board policy.

Objective #2 Manage risk to protect Metropolitan's assets against exposure to loss.

The Risk Management Unit completed 43 incident reports communicating instances of Metropolitan property damage, liability, workplace injuries, regulatory visits, and spills.

Risk Management completed 57 risk assessments on contracts, including professional service agreements, construction contracts, entry permits, special events, and film permits.

Core Priority: Business Continuity

Facilitate district-wide planning and training to prepare employees and managers to effectively carry out critical roles and recover mission essential functions thus ensuring continuity of operations and resiliency in the event of a disaster.

Objective #1 Manage the Business Continuity Management Program in accordance with Operating Policy A-06.

- Continued participating in Metropolitan's Employee Innovation Council (EIC) meetings.
- Partnered with Information Technology to develop an employee communications plan about the production data center move and business user testing/validation.
- Participated in meetings for the Hazard Mitigation core planning team to develop a Local Hazard Mitigation Plan in accordance with FEMA's grant funding requirements.
- Cybersecurity business continuity exercises were developed and scheduled with the WSO group.
- Participated in a cybersecurity internal audit.

Core Business: Financial Management

Manage Metropolitan's finances in an ethical and transparent manner and provide consistent, clear, and timely financial reporting. Update Metropolitan's capital financing plans and work with rating agencies and investors to communicate Metropolitan's financial needs, strategies, and capabilities, thus ensuring that Metropolitan has cost effective access to capital markets and the ability to finance ongoing future needs. In addition, actively manage Metropolitan's short-term investment portfolio to meet ongoing liquidity needs and changing economic environments.

Objective #1 Record and report the financial activities of Metropolitan in a timely, accurate, and transparent manner to the Board, executive management, member agencies, and the financial community.

- Water Transactions for January 2022 totaled 88.1 thousand acre-feet (TAF), which were 19.7 TAF lower than the budget of 107.8 TAF and translate to \$80.7 million in revenues for January 2022, which were \$19.5 million lower than the \$100.2 million budget.

- Year-to-date water transactions through January 2022 were 1,008.1 TAF, which were 45.6 TAF higher than the budget of 962.5 TAF. Year-to-date water revenues through January 2022 were \$906.6 million, which were \$27.3 million higher than the budget of \$879.3 million.
- In January 2022, Accounts Payable processed approximately 3,000 vendor invoices for payment and took advantage of about \$6,000 in discounts.

Objective #4 Update capital financing plans and work with rating agencies and investors to communicate financial needs and capabilities, ensure cost-effective access to capital markets, and maintain long-term bond ratings of AA or better.

Metropolitan staff completed the aggregation, transfer, and verification of Metropolitan's outstanding debt portfolio into the SymPro Debt Module. The new software platform will include functionality for calculating debt payments and measuring outstanding debt by mode (fixed and variable) and by lien (senior and subordinate).

Objective #5 Prudently manage the investment of Metropolitan's funds in accordance with policy guidelines and liquidity considerations.

As of January 31, 2022, Metropolitan's investment portfolio balance was \$1.36 billion; for the month of January 2022, Metropolitan's portfolio managers executed 26 trades.

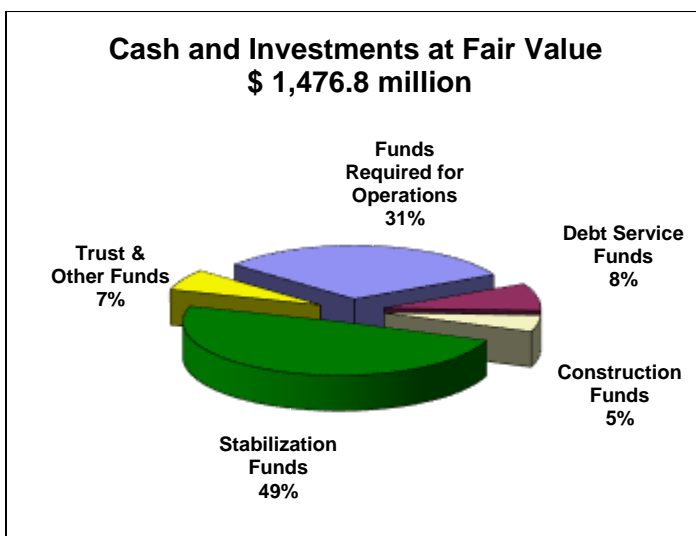
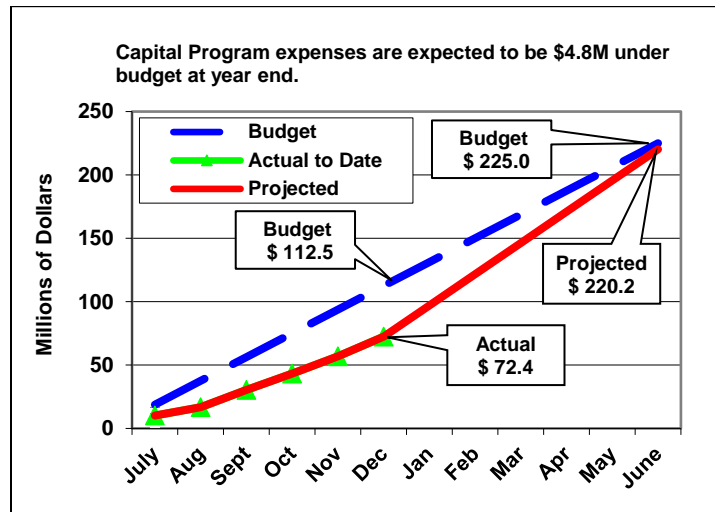
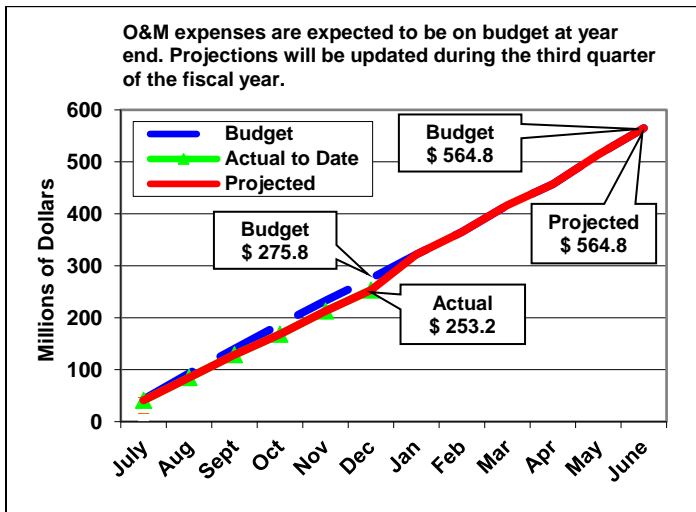
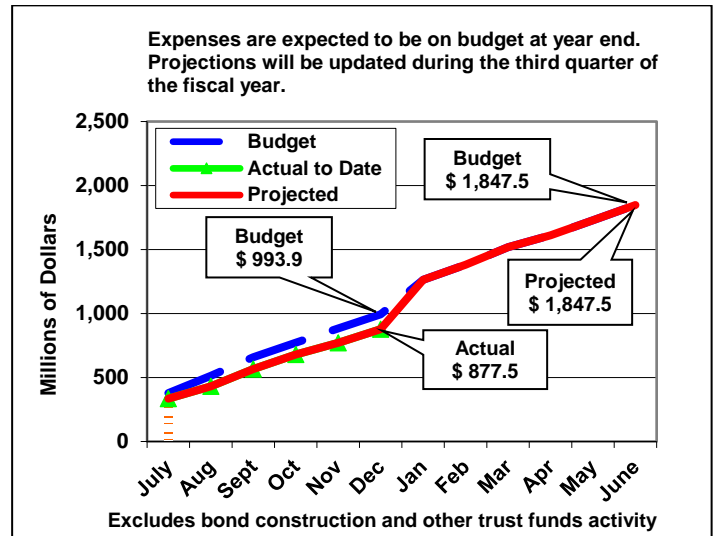
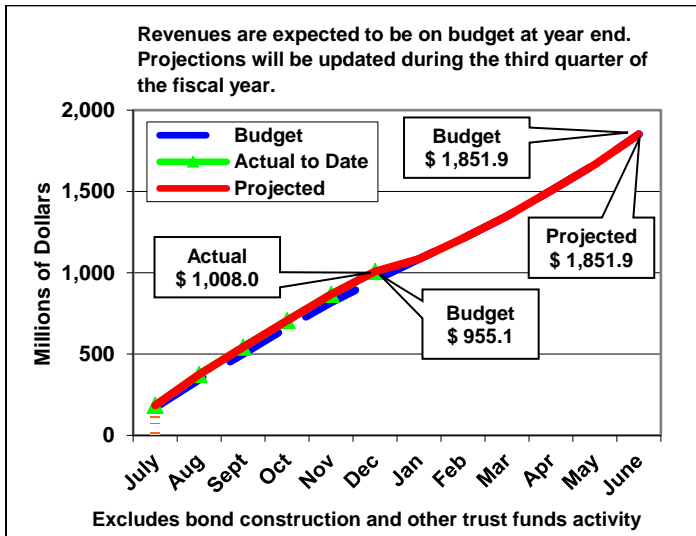
During the month of January 2022, Treasury staff processed 1,023 disbursements by check, 24 disbursements by Automated Clearing House (ACH), and 116 disbursements by wire transfer. Treasury staff also processed 76 receipts by check, 39 receipts by ACH, and 53 receipts by incoming wires and bank transfers.

Financial Summary—Charts & Graphics

Receipts	Expenditures
O&M Expenditures	Construction Costs
Cash and Investments	Summary of Financial Statements

Finance and Administration

(continued)



Summary Financial Statistics

	Target	Year-End Projected
Fixed Charge Coverage	≥ 1.20 x	1.97
Revenue Bond Coverage	> 2.00 x	1.97
Revenue Bond Debt / Equity Ratio	< 100.0%	55.5%

Senior Lien Revenue Bond Credit Ratings

	Target	Current
- Moody's Investors Service	Aa2	Aa1
- Fitch Ratings	AA	AA+
- Standard & Poor's	AA	AAA

Administrative Services

Accomplishments

Administrative Services takes great pride in the variety of support services it provides across the entire district. The table below represents a sample of the Section's efforts midway through the fiscal year.

Administrative Services Section Activity July 1, 2021 through December 31, 2021		
Department Area	Transaction Type	Volume
Mailroom	Postage	13,334
	UPS/FedEx (Incoming/Outgoing)	1,827
Business Resource Center	Facility Related Requests Received:	469
	Furniture, Moves, Lighting	1,547
	Operator Facilitated Calls	
Rideshare	Transit Reimbursements (participants)	130
	Average Electric Vehicle Participants	93
ECM	Network Files Migrated	4,207,397
Procurement	Purchasing Documents Executed (Standard P.O., Blanket, Master, Informal Quotes, Request for Bids & Sole Source)	3,246
Professional Services	Professional Services Agreements Executed (RFP, RFQ, Gov Agency, Sole Source & Small Purchase)	48
Warehouse	Materials Transactions, Incoming & Outgoing	26,230
Reprographics	Imaging Services Jobs:	Total Jobs: 221
	99.6% Average on-time completion	Total Impressions: 455,780

Human Resources

GM Strategic Priority #1: Resiliency

Objective #1: Partner with Metropolitan leadership to support learning, development, and adaptive workforce planning initiatives.

The Organizational Development and Training Unit continued its virtual Management University (a ten-session, bi-monthly program for 25 newly promoted managers). Employee Relations staff attended February's session to provide feedback on group homework projects, which tested how participants would address and handle various employee relations issues.

In February, 598 Metropolitan employees attended other online classes, including Effective Communication Skills, Preventing Workplace Harassment, Excel, and Equipment Budgeting.

LinkedIn Learning, Metropolitan's online, e-learning content platform, was used for classes including topics on Time Management, Boosting Emotional Intelligence & Mindfulness, Planning for Retirement, and Working with Difficult People.

Objective #2 Seek diverse, high-quality talent, and establish partnerships to discover additional outreach opportunities that aid in staffing positions.

The Recruitment Unit successfully filled 9 positions for the month of February. Recruitment received 9 new staffing requisitions, which resulted in 193 positions in recruitment. Recruitment continues to conduct virtual interviews using Zoom.

Interviews for the Chief Sustainability, Resiliency, and Innovation Officer and the EEO Officer occurred with interviews scheduled for the Chief Diversity, Equity, and Inclusion Officer in March. The Hawkins Company is working on the next step in the recruitment process.

Continuing the Expert Training Series at the Diversity, Equity & Inclusion Council, the Civility Project, an organization that focuses on building healthy disagreement and constructive dialogue, attended a meeting in February focused on discussing "How we can work to communicate in ways that respect and help bridge gaps."

GM Strategic Priority #2: Sustainability

Objective #1 Implement employee retention and engagement programs to ensure Metropolitan's investment in employees is supported.

The new MET Rewards system was piloted with the HR staff to ensure that the system is functioning appropriately before rolling it out to the entire organization.

The Human Resources Group Manager COVID-19 pandemic Group Managers bi-weekly check-in meetings have continued. The meetings focus on sharing the latest information on employee illness or potential exposure, issues raised by the bargaining units, and strategies for working through the complexities of COVID protocols, recently revised by the California Department of Public Health. Staff continue work to facilitate the return of employees to their regular work locations, with the return-to-work transition scheduled to begin April 4.

Objective #2 Ensure Metropolitan managers have foundational knowledge, on-going support to effectively manage employees, and the tools to prepare for a changing workforce.

Human Resources staff continued to provide one-on-one coaching and mediation services for managers and employees in the developmental areas of team collaboration, emotional intelligence, delegation, and assertiveness.

GM Strategic Priority #3: Innovation

Objective #1: Continue to upgrade HR's technological capabilities and continue to seek out improved technologies to better serve HR's customers.

HRIS staff continued to configure and test capabilities in the MyHR system to track COVID vaccination status, testing results, and other key COVID metrics. This will support Metropolitan's ability to begin safely transitioning staff back to the workplace who have been working remotely.

Staff evaluated and selected a case management system focused on tracking and managing EEO investigations. The system will be implemented for EEO investigations first and then expanded to include other employee investigations and issues managed by Employee Relations staff.

HR Core Business: Provide Excellent Human Resources Services

Objective #1: Administer all HR services with efficiency and a focus on customer service excellence, consistency, and flexibility.

During February, Employee Relations staff continued negotiations with AFSCME Local 1902 to secure a three-year MOU extension, consistent with parameters approved by the OP&T Committee in November. Negotiations have also begun with the Supervisors Association. A comprehensive update on the status of negotiations will be provided to the OP&T Committee in March.

Employee Relations staff also continued ongoing collaborative discussions with the bargaining units over Metropolitan's response to the COVID pandemic. The focus has been on tracking updated federal, state, and local guidelines, as well as developing "toolkits" to assist managers and employees with the eventual transition back to in-person work.

HR Core Business: Comply with Employment Laws and Regulations

Objective #1: Effectively administer all Human Resources policies, programs, and practices in compliance with applicable federal and state laws and Metropolitan's Administrative Code, Operating Policies, and Memorandum of Understanding.

In February, five new Workers' Compensation claims were received. Four employees remain off work because of an industrial injury or illness. This reflects Metropolitan's effort to accommodate injured workers while enabling them to be productive and on the job.

In addition, staff is collaborating with other Metropolitan stakeholders to implement a new Incident Reporting and Case Management System Designed by Ventiv Technology. Staff continues to work closely with our new Workers' Compensation Third-Party Administrator, TRISTAR Risk Management, during the transition.

Finance and Administration

(continued)

Activities of the Workers' Compensation/Medical Screening Unit are summarized as follows for February:

- Coordinated three medical medvan visits (DMV, respirator exams and hearing tests): one at Mills and two at Skinner
- Arranged 16 medical evaluations (Pre-employment, DMV, medical surveillance)
- Coordinated two random drug tests
- Addressed five accommodation issues

HR Metrics	June 2021	February 2022	Prior Month January 2022
Headcount			
Regular Employees	1,806	1,746	1,781
Temporary Employees	30	36	37
Interns	3	2	3
Recurrents	20	19	19
Annuitants	16	15	15

	February 2022	January 2022
Number of Recruitments in Progress (Includes Temps and Intern positions)	193	193
Number of New Staffing Requisitions	9	28
	February 2022	January 2022
Number of Job Audit Requests in Progress	9	11
Number of Completed/Closed Job Audits	2	0
Number of New Job Audit Requests	0	3

Transactions Current Month and Fiscal YTD (includes current month)			
<u>External Hires</u>	<u>FY 20/21 Totals</u>	<u>February 2022</u>	<u>FISCAL YTD</u>
Regular Employees	74	5	47
Temporary Employees	30	1	23
Interns	3	0	4
Internal Promotions	60	7	47
Management Requested Promotions	149	15	95
Retirements/Separations (regular employees)	78	39	106
Employee-Requested Transfers	20	2	6

Finance and Administration

(continued)

Retirees

ID	Last Name	First Name	Classification	Eff Date	Reason	Group
05188	Yu	Burt	Team Mgr-Program Management	12/28/2021	Retirement - Service	ENGINEERING SERVICES GROUP
06349	Schotborgh	Roy	Sr Resource Specialist	12/29/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
05220	Adolphus	Marilyn	Accounting Tech II	12/30/2021	Retirement - Service	CHIEF FINANCIAL OFFICER
06439	Hall	Dannie	Construction Inspector V	12/30/2021	Retirement - Service	ENGINEERING SERVICES GROUP
04261	Tracey	Michael	Prgrm Mgr-Info Technology	12/30/2021	Retirement - Service	INFORMATION TECHNOLOGY GROUP
05768	Young	Robert	Wtr Trtment Plant Operator II	12/30/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
06243	McLaughlin	Kevin	Pr Public Affairs Rep	12/31/2021	Retirement - Service	EXTERNAL AFFAIRS
10149	Thuer	Mark	Instrumnt&Cntrl Tech III	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
06077	Arita	Arleen	Prgrm Mgr-Dam Safety Initiatvs	12/31/2021	Retirement - Service	ENGINEERING SERVICES GROUP
05669	Bean	Eliot	Pr Info Tech Analyst	12/31/2021	Retirement - Service	INFORMATION TECHNOLOGY GROUP
06372	Bromby	Lori	Admin Assistant III	12/31/2021	Retirement - Service	ENGINEERING SERVICES GROUP
07422	Cherry	Timothy	Pr Resource Specialist	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
05454	Dee	Elson	Sr IT Enterprise App Analyst	12/31/2021	Retirement - Service	INFORMATION TECHNOLOGY GROUP
07784	Hernandez	Jesus	Chief of Party	12/31/2021	Retirement - Service	ENGINEERING SERVICES GROUP
07846	Jankovic	Irwin	Strategic Program Mgr, HR	12/31/2021	Retirement - Service	HUMAN RESOURCES GROUP
08360	Johansen	Kevin	Team Manager IV	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
07699	Kassa	Habte-Wold	Pr Legal Analyst	12/31/2021	Retirement - Service	
05232	Kazalbash	David	Instrumnt&Cntrl Tech Specialst	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
07518	Kim	Jay	Sr IT Infrastructure Adminstr	12/31/2021	Retirement - Service	INFORMATION TECHNOLOGY GROUP
05237	Kwan	Frances	Pr Admin Analyst	12/31/2021	Retirement - Service	WATER RESOURCE MANAGEMENT GRP
05805	Legoski	Frankie	Pr Designer	12/31/2021	Retirement - Service	ENGINEERING SERVICES GROUP
03925	Lieu	Nancy	Team Mgr-Microbiology	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP

Finance and Administration

(continued)

08160	Mabry	Mark	Construction Inspector IV	12/31/2021	Retirement - Service	ENGINEERING SERVICES GROUP
08341	Montejano	Jose	O&M Tech IV	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
06538	Orozco	Leo	Production Planner	12/31/2021	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
07123	Perez	Victoria	Admin Analyst III (C)	12/31/2021	Retirement - Service	CHIEF FINANCIAL OFFICER
07668	Peterson	Thair	Pr Public Affairs Rep	12/31/2021	Retirement - Service	EXTERNAL AFFAIRS
05929	Smith	Tina	Team Mgr-Admin Svcs Bus Mgmt	12/31/2021	Retirement - Service	CHIEF ADMINISTRATIVE OFFICER
05541	Soo	Harry	Prgrm Mgr-Info Technology	12/31/2021	Retirement - Service	INFORMATION TECHNOLOGY GROUP
08575	Vitasovic	Zdenko	Unit Mgr-Application Services	12/31/2021	Retirement - Service	INFORMATION TECHNOLOGY GROUP
05097	Wang	Chuching	Sr Engineer	12/31/2021	Retirement - Service	BAY DELTA INITIATIVES
07009	Whitaker	Fanny	Pr Accountant	12/31/2021	Retirement - Service	CHIEF FINANCIAL OFFICER
08094	de Lamare	R	Prgrm Mgr-Engineering	12/31/2021	Retirement - Service	ENGINEERING SERVICES GROUP
07843	Wray	Michael	Pr Info Tech Analyst	1/1/2022	Retirement - Service	INFORMATION TECHNOLOGY GROUP
10824	Ruballos	Jorge	Asst Engineer I	1/1/2022	Resign - Returned to School	WATER SYSTEM OPERATIONS GROUP
08020	Fuetterer	Dorene	Pr Designer	1/7/2022	Retirement - Service	ENGINEERING SERVICES GROUP
12079	Atwater	Drew	Unit Mgr-Rates,Charges&FinPlan	1/8/2022	Resign-Accepted Other Employ	CHIEF FINANCIAL OFFICER
06274	Salgado	Jerry	Wtr Trtment Plant Operator III	1/21/2022	Retirement - Service	WATER SYSTEM OPERATIONS GROUP
10575	Chandi	Manjit	Admin Assistant II	1/22/2022	Resign-Accepted Other Employ	REAL PROPERTY

External Affairs



GM Hagekhalil spoke to the Beverly Hills Chamber of Commerce, where he shared his One Water vision and thanked city leaders for their work to develop local water supplies and expand conservation. (February 9)

Chairwoman Gray spoke at the BizFed Water Committee and board meetings about current water supply issues and secured the organization's support for Metropolitan's request for state funding to advance work on the Regional Recycled Water Program and drought actions. BizFed also voted to support AB 1845 (D-Calderon) on alternative project delivery methods. (February 15-16)



Beverly Hill Chamber of Commerce Event

GM Hagekhalil and LA Department of Water and Power GM Adams provided welcoming remarks at Metropolitan's virtual "Canadian Water Innovation Roadshow to Southern California" event attended by the Counsel General of Canada and dozens of business leaders and entrepreneurs. (February 16-17)



Rancho Los Cerritos Groundbreaking Event

GM Hagekhalil attended the groundbreaking event for the Rancho Los Cerritos stormwater reclamation project. The project, which received funding from Metropolitan, will capture, store, and reuse 95 percent of on-site rainfall. Also in attendance were representatives from Long Beach Water, the Port of Long Beach, and the San Gabriel and Lower LA Rivers and Mountains Conservancies. (February 16)

Chairwoman Gray, Directors Ackerman, Dick, Erdman, Luna, and Tamaribuchi, and GM Hagekhalil attended and Metropolitan sponsored the MWDOC Water Policy Dinner. State Water Board Chair Esquivel spoke on the board's priority actions and watershed management. (February 23)

Chairwoman Gray, GM Hagekhalil, AGM Zinke and staff attended, and Metropolitan sponsored the San Diego Regional Chamber of Commerce Anniversary Event, which was attended by 600 community leaders and elected officials. (February 24)

Legislative Services

Local

Metropolitan and Los Angeles County Sanitation District staff, with member agency GMs Litchfield (Three Valleys MWD) and Love (Upper San Gabriel MWD) briefed Luis Portillo, the newly-appointed San Gabriel Valley Economic Partnership CEO/President, on the Regional Recycled Water Program. (February 15)

Metropolitan staff participated in the following webinars, virtual meetings, and events on water-specific topics:

- Beverly Hills Chamber of Commerce Government Affairs Committee (February 9)
- Los Angeles County Business Federation virtual Sacramento Day (February 23)

State

Governor Newsom released his \$286.4 billion budget proposal for FY 2022-23, which includes \$750 million for drought response actions. Metropolitan is actively advocating and securing business, labor, water agency, and community support for \$552 million in state funding for the Regional Recycled Water Program and drought mitigation projects.

Staff developed a master list of shovel-ready water infrastructure projects totaling \$14.5 billion, based on information provided by the member agencies and their purveyors. A summary has been sent to the member agencies, ACWA, CMUA and WaterReuse California to support their outreach and advocacy efforts for state funding and investments in water infrastructure.

Metropolitan's sponsored bill, SB 230 by Senator Portantino (D-La Canada-Flintridge) passed out of the Senate unanimously and is in the Assembly. Staff are working with the state, environmental non-governmental organizations (NGOs), and water agencies on amendments. Assembly Member Calderon (D-Whittier) introduced Metropolitan's other sponsored bill, AB 1845, that would authorize Metropolitan to use alternative delivery methods for design and construction of the Regional Recycled Water Program and other drought mitigation projects.

Federal

Lawmakers are closer to reaching a deal on FY 2022 appropriations. A continuing resolution keeping government at FY 2021 levels until March 11 was signed into law to allow more time to finalize the appropriations package. Metropolitan staff continues to advocate for increased funding for water programs.

Congress continues to work on the Water Resources and Development Act of 2022. The House Transportation and Infrastructure Subcommittee on Water Resources and the Environment chaired by Representative Napolitano (D-El Monte) held a hearing to gather stakeholder input. Secretary for Natural Resources Crowfoot testified at the hearing along with other witnesses. Metropolitan staff will be closely tracking the bill as it moves through Congress.

Media and Communications

Media Activities and Interviews

- Coordinated an interview between Reuters reporter Sharon Bernstein, GM Hagekhalil and Water Resource Group Manager Coffey on groundwater storage projects and opportunities across the state.
- Arranged an interview with Sacramento Bee reporter Dale Kasler and Water Resource Program Manager Bodnar regarding Sacramento Valley water transfers this year.
- Set up an interview with Los Angeles Times reporter Ralph Vartabedian and GM Hagekhalil about Measure W and the potential of increased stormwater capture as a local water supply.
- Coordinated an interview with NBC Las Vegas reporter Jeff Gillan and EO/AGM Upadhyay on the Regional Recycled Water Program and partnership with Southern Nevada Water Authority.
- Arranged an interview between Los Angeles Times reporter Ian James and Chairwoman Gray regarding the board vote on Chairwoman's leadership slate.
- Coordinated an interview between Los Angeles Sentinel's Danny Bakewell Jr. and Chairwoman Gray on the Chairwoman's leadership slate as well as efforts to promote greater diversity at Metropolitan and in the water sector.

Press releases

- Opening of Wildflower Trail at Diamond Valley Lake.
- Board actions to address reliability in State Water Project-dependent areas, including infrastructure investments, water transfers and alternate delivery programs.
- Statement from GM Hagekhalil urging conservation following the state's second snowpack survey.



Diamond Valley Lake Wildflower Trail

Creative Design

- Launched the next phase of the district's water conservation advertising campaign on radio, billboards, bus shelters, digital platforms and social media, including co-branded assets with the San Diego County Water Authority, Calleguas MWD, and Las Virgenes MWD.
- Collaborated with Water System Operations to complete the Annual Operating Plan for distribution to member agencies and management.
- Prepared and shared a "sizzle reel" of video footage taken during ongoing facilities shutdown activities during Coffee with the GM town hall and for posting on the IntraMet.

Website

- Logged nearly 94,000 visits to the mwdh2o.com website, with the careers site the most popular page.
- Generated more than 25,000 views on bewaterwise.com, with the turf replacement and rebates pages the most visited.

Social Media

- Celebrated Black History Month with posts that included a quote from Chairwoman Gray, an excerpt from the February board meeting invocation, and a partnership with the Black Employees Association that highlighted Metropolitan-owned art by African American artists.
- Supported Los Angeles Rams heading into the Super Bowl and highlighted SoFi stadium's use of recycled water in social media postings.
- Posted GM Hagekhalil's statements on DWR's second snow survey and SWP allocation, which resulted in some of the highest organic engagement on Twitter.
- Generated more than 41,000 clicks to bewaterwise.com, reaching 2.5 million users with more than 7.6 million impressions as the district continued a strong advertising campaign to support conservation activities.



Black History Month and Super Bowl-themed Social Media Posts

Public Outreach and Member Services

Presentations on the Regional Recycled Water Program were provided to the following organizations:

- South Bay Association Chambers of Commerce (February 1)
- Long Beach Chamber of Commerce (February 10)
- California Water Service (February 11)
- IEUA staff, including a virtual tour of the Advanced Purification Center (February 15)
- San Gabriel Valley Economic Partnership (February 15)
- Green LA (February 24)

Construction Outreach

Distributed 800 flyers to residents and businesses on the Sepulveda Feeder Shutdown. (February 14)

Education and Community Relations

Virtually interacted with 3,325 teachers, students, and parents through online virtual tours, scouting programs, customized Zoom class presentations, and digital outreach through the latest edition of the H2Know newsletter.

Staff presented as part of a webinar for the California Association of Public Information Officials on the importance of diversity, equity, and inclusion as it relates to community outreach and engagement. (February 24)

Launched activities for the online Solar Cup program. Ten member agencies and 18 schools are participating.

Turf Replacement & Assistance for Public Agencies

Staff developed and presented outreach materials for a new Public Agency Turf Replacement Program which provides agencies with incentives and assistance to replace turf on public properties with sustainable landscapes. The program launched February 21.

Metropolitan sponsored the Urban Water Institute 2022 Spring Water Conference. Speakers included Colorado River Resource Manager Hasencamp and CFO Kasaine (February 16-17).



Business Outreach and Innovation

Chief Engineer Bednarski presented at the Construction Network seminar on water districts and Capital programs. (February 3)

Staff attend the Technology Approval Group (TAG) virtual workshop and presented five emerging technologies. (February 9)

Staff attended a webinar for Los Angeles Mayor Garcetti's launch of the Regional Alliance Marketplace for Procurement (RAMP), a one-stop hub for small business to find and pursue business opportunities. (February 11)

Hosted "A New Year and New Ways to Work with Metropolitan" virtual construction event with consultants and contractors. (February 25)



Metropolitan's Mission is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

700 N. Alameda Street, Los Angeles, CA 90012
General Information (213) 217-6000
www.mwdh2o.com www.bewaterwise.com

General Manager: Adel Hagekhail
Office of the GM (213) 217-6139
OfficeoftheGeneralManager@mwdh2o.com



Metropolitan Cases

Joshua Rivers v. Metropolitan, et al. **(Los Angeles County Superior Court)**

On March 17, 2022, former Metropolitan probationary employee Joshua Rivers filed a complaint for damages in Los Angeles County Superior Court against Metropolitan. The complaint alleges whistleblower retaliation in violation of Labor Code section 1102.5(b) and retaliation for complaints of discrimination and harassment in violation of the Fair Employment and Housing Act. Metropolitan accepted service of the summons and complaint on March 30. The Legal Department represents Metropolitan.

Metropolitan v. R. Douglas Collins (Court of Appeal Second Appellate District)

As previously reported, Hearing Officer Doug Collins issued his decision on November 20, 2018, sustaining in part the appeal by AFSCME Local 1902 of a decision to terminate an employee involved in an altercation at the workplace. The hearing officer reduced the disciplinary action to a three-week suspension as he believed the termination was disproportionate to the discipline imposed on the other employee involved in the altercation, and the hearing officer was not convinced the aggravating circumstances cited by Metropolitan warranted an enhancement of the disciplinary action to a discharge. Metropolitan disagreed with Mr. Collins' assessment that there

are no substantial aggravating circumstances present, and on February 12, 2019, Metropolitan filed a petition for writ of administration mandamus seeking to overturn his decision. The petition alleged Mr. Collins' findings are not supported by substantial evidence and that he did not proceed in the manner required by law.

On January 31, 2020, the Honorable Mitchell Beckloff, Judge of the Superior Court, issued a ruling granting Metropolitan's petition in part and remanding the matter for reconsideration by Hearing Officer Collins. On May 7, 2020, Metropolitan appealed Judge Beckloff's ruling on the basis that full consideration was not provided to serious circumstances leading to the discharge decision including the injuries involved, that the hearing officer exceeded his MOU authority by reducing the discharge to a suspension, and that key portions of the hearing officer's decision are not supported by the findings.

On March 23, 2022, the Court of Appeal issued an unpublished decision affirming the trial court's ruling. Accordingly, this matter has been remanded back to the hearing officer for final determination. The Legal Department and Atkinson, Andelson, Loya, Rudd & Romo represents Metropolitan. (See General Counsel's November 2018, February 2019 and February 2020 Activity Reports.)

Matters Impacting Metropolitan

State Water Resources Control Board Proposes New Hexavalent Chromium MCL

On March 22, 2022, the State Water Resources Control Board (State Board) announced it is considering a hexavalent chromium maximum contaminant level (MCL) of 10 micrograms per liter (µg/L) or 0.010 milligrams per liter (mg/L) and an associated detection limit for purposes of reporting (DLR) of 0.05 µg/L or 0.00005 mg/L. DLRs are the designated minimum levels at or above which any analytical finding of a constituent in drinking water resulting from monitoring must be reported to the State Board.

In addition, the State Board proposed the following compliance schedule based on system size:

- Systems with more than 10,000 service connections would be required to comply with the MCL within two years of rule adoption.
- Systems with 1,000 to 10,000 service connections would be required to comply with the MCL within three years of rule adoption.



- Systems with less than 1,000 service connections would be required to comply with the MCL within four years of rule adoption.

The State Board is accepting written comments on the draft hexavalent chromium MCL until April 29.

The proposed hexavalent chromium MCL is an administrative draft, and the formal procedure for adopting regulations under the Administrative Procedure Act has not yet begun. The formal rulemaking process for the hexavalent chromium regulations will begin later this year after receipt and consideration of comments on the administrative draft. Input on the proposed administrative draft of the hexavalent chromium MCL may be used to inform the development of the regulations.

California law requires the State Board to set an MCL at a level as close to the public health goal (PHG) as is technologically and economically feasible. The PHG is the concentration of a constituent in drinking water that is not anticipated to cause or contribute to adverse health effects.

In 2011, the Office of Environmental Health Hazard Assessment (OEHHA) established a PHG for hexavalent chromium of 0.02 µg/L. In 2014, California set an MCL for hexavalent chromium of 10 µg/L.

In 2017, the Sacramento County Superior Court invalidated that MCL and directed the State Board to withdraw the MCL and establish a new MCL. The court found that the State Board failed to consider whether its cost estimates for complying with the MCL of 10 µg/L were economically feasible.

The State Board's draft proposal for the new hexavalent chromium MCL includes tables with cost estimates and occurrence information. To determine the economic feasibility of the proposed MCL, the State Board considered a number of factors, including the affordability of the rates public water systems may need to establish to fund compliance and to meet ongoing operation and maintenance costs. In addition, the State Board took a conservative approach by estimating centralized treatment costs for all public water systems. Metropolitan staff will continue to monitor the development of a new California MCL for hexavalent chromium.

Matters Concluded and/or Terminated

AFSCME Local 1902 v. Metropolitan (Public Employment Relations Board)

On March 27, 2022, AFSCME Local 1902 filed an unfair practice charge with the Public Employment Relations Board (PERB). The charge alleges Metropolitan violated the Meyers-Milias-Brown Act (MMBA) effective November 8, 2021 by implementing a change to the iExpense System without first engaging in the meet and

confer process. The change required employees to enter a map showing starting and ending points for mileage reimbursements over \$25. AFSCME Local 1902 withdrew its charge and PERB closed the matter on March 30, 2022, after the parties reached an informal resolution. Under this resolution, Metropolitan will suspend the mapping requirement until the parties have engaged in the meet and confer process.

Matters Received by the Legal Department

<u>Category</u>	<u>Received</u>	<u>Description</u>
Action in which MWD is a party	1	Complaint for (1) Whistleblower Retaliation (Labor Code § 1102.5(b) and (2) Retaliation for Complaints of Discrimination and Harassment (Gov. Code § 12940(h), filed in Los Angeles County Superior Court, in the case <i>Joshua Rivers v. MWD</i> , Case No.22STCV09741
Government Code Claims	2	Claims relating to: (1) an accident involving an MWD vehicle; and (2) damage to home from pine tree falling onto claimant's property

Date of Report: April 6, 2022



Subpoenas	1	<p>Subpoena to Produce Documents, Information, or Objects or to Permit Inspection of Premises in a Civil Action, served by Defendant in the case <i>Le Petomane XXVII, Inc. v. American Pacific Corporation (AMPAC)</i>, U.S. District Court for the District of Nevada, case no. 2:21-cv-01166-APG-NJK.</p> <p>The subpoena requests copies of MWD's records relating to the Sunrise Mountain Weir and Historic Lateral Weir Project. The plaintiff is the trustee of the Nevada Environmental Response Trust (NERT), which is a trust that was established in 2011 in connection with the confirmation of Tronox Chapter 11 bankruptcy. In 2017, NERT was ordered by the Nevada Division of Environmental Protection to treat perchlorate in the Las Vegas Wash in connection with Southern Nevada Water Authority's (SNWA) construction of two erosion control weirs in the Las Vegas Wash located downgradient of the former AMPAC and Tronox sites (Weir Project). NERT subsequently determined that most of the perchlorate it treated as part of the Weir Project originated from the former AMPAC site. NERT filed the lawsuit against AMPAC seeking to recover over \$36 million NERT spent treating perchlorate in groundwater associated with SNWA's dewatering activities for the Weir Project.</p>																					
Requests Pursuant to the Public Records Act	18	<table><tr><th><u>Requestor</u></th><th><u>Documents Requested</u></th></tr><tr><td>AECOM</td><td>As-built records for the project area in the city of Highland</td></tr><tr><td>Andersen Integrated Services</td><td>Submittals, task orders, and agreements relating to Request for Qualifications for As-Needed Environmental Site Assessment</td></tr><tr><td>Center for Biological Diversity</td><td>2002 Settlement Agreement between MWD, San Bernardino Valley Audubon Society, California Department of Fish and Wildlife, and Riverside County Habitat Conservation Agency</td></tr><tr><td>Coalition for Fair Employment in Construction</td><td>List of all bidders on MWD construction projects during the period January 1, 2012 through March 7, 2022</td></tr><tr><td>Deltek</td><td>Bid tabulation and contract documents for the Jensen Water Treatment Plant Ozone Power Supply Units Replacement</td></tr><tr><td>DRC Engineering</td><td>Record drawing of MWD pipeline in the city of Fontana</td></tr><tr><td>Heron Pacific</td><td>Maps of two MWD parcels located in Riverside County</td></tr><tr><td>Judicial Council of California</td><td>Copies of interior and exterior water audits done on the Torrance Courthouse, Stanley Mosk Courthouse, and Riverside Hall of Justice</td></tr><tr><td>Katzakian Real Estate</td><td>APN numbers for parcels on Bacon Island</td></tr></table>	<u>Requestor</u>	<u>Documents Requested</u>	AECOM	As-built records for the project area in the city of Highland	Andersen Integrated Services	Submittals, task orders, and agreements relating to Request for Qualifications for As-Needed Environmental Site Assessment	Center for Biological Diversity	2002 Settlement Agreement between MWD, San Bernardino Valley Audubon Society, California Department of Fish and Wildlife, and Riverside County Habitat Conservation Agency	Coalition for Fair Employment in Construction	List of all bidders on MWD construction projects during the period January 1, 2012 through March 7, 2022	Deltek	Bid tabulation and contract documents for the Jensen Water Treatment Plant Ozone Power Supply Units Replacement	DRC Engineering	Record drawing of MWD pipeline in the city of Fontana	Heron Pacific	Maps of two MWD parcels located in Riverside County	Judicial Council of California	Copies of interior and exterior water audits done on the Torrance Courthouse, Stanley Mosk Courthouse, and Riverside Hall of Justice	Katzakian Real Estate	APN numbers for parcels on Bacon Island	
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<u>Requestor</u>	<u>Documents Requested</u>
Long Beach Water Department	Drawing for MWD 78" water main
Los Angeles County Public Works	Turf removal rebate data for City of Topanga for the period 2012-2021
Natural Resources Defense Council	Agreement between California Department of Water Resources and MWD regarding Delta Conveyance planning costs
NBC7	Records relating to rebates, including turf and irrigation rebates, issued to Santa Fe Golf Club
Oracle	Contract and proposal documents for EPR/HCM software(financial planning) and implementation partner contract
Private Citizen	Emails between MWD General Manager and Central Basin Municipal Water District General Manager regarding Central Basin's payment for a service connection for Golden State Water
Stantec	Plans of any MWD utilities in the project area in Long Beach
Trace Venture Associates	Contact list for municipal water companies and stormwater agencies by state
With Intelligence	Data on investment pools relating to the performance of all closed-end funds, including private debt, private equity, real estate and real assets that MWD invested in during the fourth quarter 2021



PLEASE NOTE

- ADDITIONS ONLY IN THE FOLLOWING TWO TABLES WILL BE SHOWN IN RED.
- ANY CHANGE TO THE *OUTSIDE COUNSEL AGREEMENTS* TABLE WILL BE SHOWN IN REDLINE FORM (I.E., ADDITIONS, REVISIONS, DELETIONS).



Bay-Delta and SWP Litigation	
Subject	Status
<p>Consolidated DCP Revenue Bond Validation Action and CEQA Case</p> <p><i>Sierra Club, et al. v. California Department of Water Resources</i> (CEQA, designated as lead case)</p> <p><i>DWR v. All Persons Interested</i> (Validation)</p> <p>Sacramento County Superior Ct. (Judge TBD) (Judge Earl has been appointed as a justice at the Third Appellate District of the California Court of Appeal in Sacramento)</p>	<ul style="list-style-type: none"> • Validation Action <ul style="list-style-type: none"> • Metropolitan, Mojave Water Agency, Coachella Valley Water District, and Santa Clarita Valley Water Agency have filed answers in support • Kern County Water Agency, Tulare Lake Basin Water Storage District, Oak Flat Water District, County of Kings, Kern Member Units & Dudley Ridge Water District, and City of Yuba City filed answers in opposition • North Coast Rivers Alliance et al., Howard Jarvis Taxpayers Association, Sierra Club et al., County of Sacramento & Sacramento County Water Agency, CWIN et al., Clarksburg Fire Protection District, Delta Legacy Communities, Inc, and South Delta Water Agency & Central Delta Water Agency have filed answers in opposition • Case ordered consolidated with the DCP Revenue Bond CEQA Case for pre-trial and trial purposes and assigned to Judge Earl for all purposes • DWR's motions for summary judgment re CEQA affirmative defenses granted; cross-motions by opponents denied • CEQA Case <ul style="list-style-type: none"> • Sierra Club, Center for Biological Diversity, Planning and Conservation League, Restore the Delta, and Friends of Stone Lakes National Wildlife Refuge filed a standalone CEQA lawsuit challenging DWR's adoption of the bond resolutions • Alleges DWR violated CEQA by adopting bond resolutions before certifying a Final EIR for the Delta Conveyance Project • Cases ordered consolidated for all purposes • DWR's motion for summary judgment granted; Sierra Club's motion denied



SWP-CVP 2019 BiOp Cases

Pacific Coast Fed'n of Fishermen's Ass'ns, et al. v. Raimondo, et al. (PCFFA)

Calif. Natural Resources Agency, et al. v. Raimondo, et al. (CNRA)

Federal District Court, Eastern Dist. of California,
Fresno Division
(Judge Drozd)

- SWC intervened in both *PCFFA* and *CNRA* cases
- Briefing on federal defendants' motion to dismiss CNRA's California ESA claim is complete; no hearing date set and may be decided on the papers
- Federal defendants circulated administrative records for each of the BiOps
- December 18, 2020 PCFFA and CNRA filed motions to complete the administrative records or to consider extra-record evidence in the alternative
- Federal defendants reinitiated consultation on Oct 1, 2021
- On Nov. 8, 2021, Federal Defendants and PCFFA plaintiffs stipulated to inclusion of certain records in the Administrative Records and to defer further briefing on the matter until July 1, 2022
- On Nov. 12, 2021, SWC filed a motion to amend its pleading to assert cross-claims against the federal defendants for violations of the ESA, NEPA and WIIN Act; Court has yet to set a hearing date
- November 23, 2021, Federal Defendants filed a motion for voluntary remand of the 2019 Biological Opinions and NEPA Record of Decision and requesting that the Court issue an order approving an Interim Operations Plan through September 30, 2022; that the cases be stayed for the same time period; and that the Court retain jurisdiction during the pendency of the remand. State Plaintiffs filed a motion for injunctive relief seeking judicial approval of the Interim Operations Plan
- December 16, 2021 – NGO Plaintiffs filed a motion for preliminary injunction related to interim operations
- Motions fully briefed as of Jan. 24, 2022
- Hearing on motions held Feb. 11, 2022
- District court (1) approved the State and Federal Government's Interim Operations Plan (IOP) through September 30, 2022; (2) approved the federal defendants' request for a stay of the litigation through September 30, 2022; (3) remanded the BiOps without invalidating them for



	<p><u>reinitiated consultation with the 2019 BiOps in place; (4) denied PCFFA's alternative request for injunctive relief; and (5) by ruling on other grounds, denied the state plaintiffs' motion for injunctive relief and the federal defendants' request for equitable relief</u></p>
<p>CESA Incidental Take Permit Cases</p> <p>Coordinated Case Name <i>CDWR Water Operations Cases, JCCP 5117</i> (Coordination Trial Judge Gevercer)</p> <p><i>Metropolitan & Mojave Water Agency v. Calif. Dept. of Fish & Wildlife, et al.</i> (CESA/CEQA/Breach of Contract)</p> <p><i>State Water Contractors & Kern County Water Agency v. Calif. Dept. of Fish & Wildlife, et al.</i> (CESA/CEQA)</p> <p><i>Tehama-Colusa Canal Auth., et al. v. Calif. Dept. of Water Resources</i> (CEQA)</p> <p><i>San Bernardino Valley Municipal Water Dist. v. Calif. Dept. of Water Resources, et al.</i> (CEQA/CESA/ Breach of Contract/Takings)</p> <p><i>Sierra Club, et al. v. Calif. Dept. of Water Resources</i> (CEQA/Delta Reform Act/Public Trust)</p> <p><i>North Coast Rivers Alliance, et al. v. Calif. Dept. of Water Resources</i> (CEQA/Delta Reform Act/Public Trust)</p> <p><i>Central Delta Water Agency, et. al. v. Calif. Dept. of Water Resources</i> (CEQA/Delta Reform Act/Public Trust/ Delta Protection Acts/Area of Origin)</p> <p><i>San Francisco Baykeeper, et al. v. Calif. Dept. of Water Resources, et al.</i> (CEQA/CESA)</p>	<ul style="list-style-type: none"> • All 8 cases ordered coordinated in Sacramento County Superior Court • Stay on discovery issued until coordination trial judge orders otherwise • All four Fresno cases transferred to Sacramento to be heard with the four other coordinated cases • SWC and Metropolitan have submitted Public Records Act requests seeking administrative record materials and other relevant information • Answers filed in the three cases filed by State Water Contractors, including Metropolitan's • Draft administrative records produced on Sept. 16, 2021 • Certified administrative records <u>lodged March 4, 2022</u>



<p>CDWR Environmental Impact Cases Sacramento Superior Ct. Case No. JCCP 4942, 3d DCA Case No. C091771 (20 Coordinated Cases)</p> <p>Validation Action <i>DWR v. All Persons Interested</i></p> <p>CEQA 17 cases</p> <p>CESA/Incidental Take Permit 2 cases</p>	<ul style="list-style-type: none"> • Cases dismissed after DWR rescinded project approval, bond resolutions, decertified the EIR, and CDFW rescinded the CESA incidental take permit • January 10, 2020 – Nine motions for attorneys’ fees and costs denied in their entirety • Parties have appealed attorneys’ fees and costs rulings • Hearing on attorneys’ fee appeals <u>held</u> March 28, 2022 <u>and matter submitted</u>
<p>COA Addendum/ No-Harm Agreement</p> <p><i>North Coast Rivers Alliance v. DWR</i> Sacramento County Superior Ct. (Judge Gevercer)</p>	<ul style="list-style-type: none"> • Plaintiffs allege violations of CEQA, Delta Reform Act & public trust doctrine • USBR Statement of Non-Waiver of Sovereign Immunity filed September 2019 • Westlands Water District and North Delta Water Agency granted leave to intervene • Metropolitan & SWC monitoring • Deadline to prepare administrative record extended to <u>May 20</u>, 2022 • July 22, 2022 hearing on the merits
<p>Delta Plan Amendments and Program EIR 4 Consolidated Cases Sacramento County Superior Ct. (Judge Gevercer)</p> <p><i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council</i> (lead case)</p> <p><i>Central Delta Water Agency, et al. v. Delta Stewardship Council</i></p> <p><i>Friends of the River, et al. v. Delta Stewardship Council</i></p> <p><i>California Water Impact Network, et al. v. Delta Stewardship Council</i></p> <p>Delta Stewardship Council Cases 3 Remaining Cases (CEQA claims challenging original 2013 Delta Plan EIR) (Judge Chang)</p> <p><i>North Coast Rivers Alliance, et al. v. Delta Stewardship Council</i></p> <p><i>Central Delta Water Agency, et al. v. Delta Stewardship Council</i></p> <p><i>California Water Impact Network, et al. v. Delta Stewardship Council</i></p>	<ul style="list-style-type: none"> • Cases challenge, among other things, the Delta Plan Updates recommending dual conveyance as the best means to update the SWP Delta conveyance infrastructure to further the coequal goals • Allegations relating to “Delta pool” water rights theory and public trust doctrine raise concerns for SWP and CVP water supplies • Cases consolidated for pre-trial and trial under <i>North Coast Rivers Alliance v. Delta Stewardship Council</i> • SWC granted leave to intervene • Metropolitan supports SWC • 2013 and 2018 cases to be heard separately due to peremptory challenge • SWC and several individual members, including Metropolitan, SLDMWA and Westlands have dismissed their remaining 2013 CEQA claims but remain intervenor-defendants in the three remaining <i>Delta Stewardship Council Cases</i> <p>2013 Cases</p> <ul style="list-style-type: none"> • After a hearing on Feb. 25, 2022 the court ruled against plaintiffs on the merits of their BDCP-related CEQA claims



	<ul style="list-style-type: none"> Hearing on merits of the remaining CEQA claims in the three remaining 2013 cases re-set for April 22, 2022 <p>2018 Cases</p> <ul style="list-style-type: none"> 2018 Cases fully briefed as of Jan. 24, 2022, hearing on the merits set for July 22, 2022
<p>SWP Contract Extension Validation Action Sacramento County Superior Ct. (Judge Culhane)</p> <p><i>DWR v. All Persons Interested in the Matter, etc.</i></p>	<ul style="list-style-type: none"> DWR seeks a judgment that the Contract Extension amendments to the State Water Contracts are lawful Metropolitan and 7 other SWCs filed answers in support of validity to become parties Jan. 5-7, 2022 Hearing on the merits held with CEQA cases, below <u>Final statement of decision in DWR's favor filed March 9, 2022</u> <u>Final judgment pending</u>
<p>SWP Contract Extension CEQA Cases Sacramento County Superior Ct. (Judge Culhane)</p> <p><i>North Coast Rivers Alliance, et al. v. DWR</i> <i>Planning & Conservation League, et al. v. DWR</i></p>	<ul style="list-style-type: none"> Petitions for writ of mandate alleging CEQA and Delta Reform Act violations filed on January 8 & 10, 2019 Deemed related to DWR's Contract Extension Validation Action and assigned to Judge Culhane Administrative Record completed DWR filed its answers on September 28, 2020 Metropolitan, Kern County Water Agency and Coachella Valley Water District have intervened and filed answers in the two CEQA cases <u>Final statement of decision in DWR's favor denying the writs of mandate filed March 9, 2022</u> <u>Final judgments pending</u>



Delta Conveyance Project Soil Exploration Case

Central Delta Water Agency, et al. v. DWR
Sacramento County Superior Ct.
(Judge Chang)

- Filed August 10, 2020
- Plaintiffs Central Delta Water Agency, South Delta Water Agency and Local Agencies of the North Delta
- One cause of action alleging that DWR's adoption of an Initial Study/Mitigated Negative Declaration (IS/MND) for soil explorations needed for the Delta Conveyance Project violates CEQA
- March 24, 2021 Second Amended Petition filed to add allegation that DWR's addendum re changes in locations and depths of certain borings violates CEQA
- Deadline to prepare the administrative record extended to [April 22, 2022](#)
- DWR's petition to add the 2020 CEQA case to the *Department of Water Resources Cases*, JCCP 4594, San Joaquin County Superior Court denied

Water Management Tools Contract Amendment

California Water Impact Network et al. v. DWR
Sacramento County Superior Ct.
(Judge [Eurie](#))

North Coast Rivers Alliance, et al. v. DWR
Sacramento County Super. Ct.
(Judge [Eurie](#))

- Filed September 28, 2020
- CWIN and Aqualliance allege one cause of action for violation of CEQA
- NCRA et al. allege four causes of action for violations of CEQA, the Delta Reform Act, Public Trust Doctrine and seeking declaratory relief
- Parties have stipulated to production of a draft administrative record by April 1, 2022 and to a timeline to attempt to resolve any disputes over the contents
- CWIN case reassigned to Judge Earl so both cases will be heard together
- SWC motion to intervene in both cases granted



San Diego County Water Authority v. Metropolitan, et al.		
Cases	Date	Status
2010, 2012	Aug. 13-14, 2020	Final judgment and writ issued. Transmitted to the Board on August 17.
	Aug. 28, Sept. 1	SDCWA and Metropolitan filed memoranda of costs.
	Sept. 11	Metropolitan filed notice of appeal of judgment and writ.
	Sept. 14, 16	Metropolitan filed motion to strike SDCWA's costs memorandum, and SDCWA filed motion to strike or tax Metropolitan's costs memorandum.
	Jan. 13, 2021	Court issued order finding SDCWA is the prevailing party on the Exchange Agreement, entitled to attorneys' fees and costs under the contract.
	Feb. 10	Court issued order awarding SDCWA statutory costs, granting SDCWA's and denying Metropolitan's related motions.
	Feb. 16	Per SDCWA's request, Metropolitan paid contract damages in 2010-2012 cases judgment and interest. Metropolitan made same payment in Feb. 2019, which SDCWA rejected.
	Feb. 25	Metropolitan filed notice of appeal of Jan. 13 (prevailing party on Exchange Agreement) and Feb. 10 (statutory costs) orders.
	Sept. 21	Court of Appeal issued opinion on Metropolitan's appeal regarding final judgment and writ, holding: (1) the court's 2017 decision invalidating allocation of Water Stewardship Rate costs to transportation in the Exchange Agreement price and wheeling rate applied not only to 2011-2014, but also 2015 forward; (2) no relief is required to cure the judgment's omission of the court's 2017 decision that allocation of State Water Project costs to transportation is lawful; and (3) the writ is proper and applies to 2015 forward.
	<u>Mar. 17, 2022</u>	<u>Court of Appeal unpublished decision affirming orders determining SDCWA is the prevailing party in the Exchange Agreement and statutory costs.</u>
	<u>Mar. 21</u>	<u>Metropolitan paid SDCWA \$14,296,864.99 for attorneys' fees and \$352,247.79 for costs, including interest.</u>
2014, 2016	Aug. 28, 2020	SDCWA served first amended (2014) and second amended (2016) petitions/complaints.
	Sept. 28	Metropolitan filed demurrers and motions to strike portions of the amended petitions/complaints.



Cases	Date	Status
	Sept. 28-29	Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed joinders to the demurrers and motions to strike.
	Feb. 16, 2021	Court issued order denying Metropolitan's demurrers and motions to strike, allowing SDCWA to retain contested allegations in amended petitions/complaints.
	March 22	Metropolitan filed answers to the amended petitions/complaints and cross-complaints against SDCWA for declaratory relief and reformation, in the 2014, 2016 cases.
	March 22-23	Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed answers to the amended petitions/complaints in the 2014, 2016 cases.
	April 23	SDCWA filed answers to Metropolitan's cross-complaints.
	Sept. 30	Based on the Court of Appeal's Sept. 21 opinion (described above), and the Board's Sept. 28 authorization, Metropolitan paid \$35,871,153.70 to SDCWA for 2015-2017 Water Stewardship Rate charges under the Exchange Agreement and statutory interest.
2017	July 23, 2020	Dismissal without prejudice entered.
2018	July 28, 2020	Parties filed a stipulation and application to designate the case complex and related to the 2010-2017 cases, and to assign the case to Judge Massullo's court.
	Nov. 13	Court ordered case complex and assigned to Judge Massullo's court.
	April 21, 2021	SDCWA filed second amended petition/complaint.
	May 25	Metropolitan filed motion to strike portions of the second amended petition/complaint.
	May 25-26	Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed joinders to the motion to strike.
	July 19	Court issued order denying Metropolitan's motion to strike portions of the second amended petition/complaint.



Cases	Date	Status
2018 (cont.)	July 29	Metropolitan filed answer to the second amended petition/complaint and cross-complaint against SDCWA for declaratory relief and reformation.
	July 29	Member agencies City of Torrance, Eastern Municipal Water District, Foothill Municipal Water District, Las Virgenes Municipal Water District, Three Valleys Municipal Water District, Municipal Water District of Orange County, West Basin Municipal Water District, and Western Municipal Water District filed answers to the second amended petition/complaint.
	Aug. 31	SDCWA filed answer to Metropolitan's cross-complaint.
2014, 2016, 2018	June 11, 2021	Metropolitan lodged administrative records.
	June 11, 21	Deposition of non-party witness.
	Aug. 25	Hearing on Metropolitan's motion for further protective order regarding deposition of non-party witness.
	Aug. 25	Court issued order consolidating the 2014, 2016, and 2018 cases for all purposes, including trial.
	Aug. 30	Court issued order granting Metropolitan's motion for a further protective order regarding deposition of non-party witness.
	Aug. 31	SDCWA filed consolidated answer to Metropolitan's cross-complaints in the 2014, 2016, and 2018 cases.
	Oct. 27	Parties submitted to the court a joint stipulation and proposed order staying discovery through Dec. 8 and resetting pre-trial deadlines.
	Oct. 29	Court issued order staying discovery through Dec. 8 and resetting pre-trial deadlines, while the parties discuss the prospect of settling some or all remaining claims and crossclaims.
	Jan. 12, 2022	Case Management Conference. Court ordered a 35-day case stay to allow the parties to focus on settlement negotiations, with weekly written check-ins with the court; and directed the parties to meet and confer regarding discovery and deadlines.
	<u>Feb. 22</u>	<u>Court issued order resetting pre-trial deadlines as proposed by the parties.</u>
	Feb. 22	Metropolitan and SDCWA each filed motions for summary adjudication.
	<u>April 13</u>	<u>Hearing on Metropolitan's and SDCWA's motions for summary adjudication.</u>



Cases	Date	Status
2014, 2016, 2018 (cont.)	<u>May 16-27, 2022</u>	<u>Trial.</u>
All Cases	April 15, 2021	Case Management Conference on 2010-2018 cases. Court set trial in 2014, 2016, and 2018 cases on May 16-27, 2022.
	April 27	SDCWA served notice of deposition of non-party witness.
	May 13-14	Metropolitan filed motions to quash and for protective order regarding deposition of non-party witness.
	June 4	Ruling on motions to quash and for protective order.



Outside Counsel Agreements				
Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Andrade Gonzalez LLP	MWD v. DWR, CDFW and CDNR Incidental Take Permit (ITP) CESA/CEQA/Contract Litigation	185894	07/20	\$250,000
Aleshire & Wynder	Oil, Mineral and Gas Leasing	174613	08/18	\$50,000
Atkinson Andelson Loya Ruud & Romo	Employee Relations	59302	04/04	\$1,214,517
	MWD v. Collins	185892	06/20	\$100,000
	Delta Conveyance Project Bond Validation-CEQA Litigation	185899	09/21	\$100,000
	MWD Drone and Airspace Issues	193452	08/20	\$50,000
	Equal Employee Opportunity Commission Charge	200462	03/21	\$20,000
	Public Employment Relations Board Charge No. LA-CE-1441-M	200467	03/21	\$30,000
	Representation re the Shaw Law Group's Investigations	200485	05/20/21	\$50,000
	DFEH Charge- (DFEH Number 202102-12621316)	201882	07/01/21	\$25,000
	AFSCME Local 1902 in Grievance No. 1906G020 (CSU Meal Period)	201883	07/12/21	\$30,000
	AFSCME Local 1902 v. MWD, PERB Case No. LA-CE-1438-M	201889	09/15/21	\$20,000
	MWD MOU Negotiations**	201893	10/05/21	\$100,000
	DFEH Charge- (DFEH Number 202106-13819209)	203439	12/14/21	\$15,000
Best, Best & Krieger	Navajo Nation v. U.S. Department of the Interior, et al.	54332	05/03	\$185,000
	Bay-Delta Conservation Plan/Delta Conveyance Project (with SWCs)	170697	08/17	\$500,000
	Environmental Compliance Issues	185888	05/20	\$50,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Blooston, Mordkofsky, Dickens, Duffy & Prendergast, LLP	FCC and Communications Matters	110227	11/10	\$100,000
Buchalter, a Professional Corp.	Union Pacific Industry Track Agreement	193464	12/07/20	\$50,000
Burke, Williams & Sorensen, LLP	Real Property - General	180192	01/19	\$100,000
	Labor and Employment Matters	180207	04/19	\$50,000
	General Real Estate Matters	180209	08/19	\$100,000
Law Office of Alexis S.M. Chiu*	Bond Counsel	200468	07/21	N/A
Cislo & Thomas LLP	Intellectual Property	170703	08/17	\$75,000
Curls Bartling P.C.*	Bond Counsel	174596	07/18	N/A
	Bond Counsel	200470	07/21	N/A
Duane Morris LLP	SWRCB Curtailment Process	138005	09/14	\$615,422
Duncan, Weinberg, Genzer & Pembroke PC	Power Issues	6255	09/95	\$3,175,000
Ellison, Schneider, Harris & Donlan	Colorado River Issues	69374	09/05	\$175,000
	Issues re SWRCB	84457	06/07	\$200,000
Haden Law Office	Real Property Matters re Agricultural Land	180194	01/19	\$50,000
Hanson Bridgett LLP	SDCWA v. MWD	124103	03/12	\$1,100,000
	Finance Advice	158024	12/16	\$100,000
	Deferred Compensation/HR	170706	10/17	\$ 400,000
	Tax Issues	180200	04/19	\$50,000
Hausman & Sosa, LLP	MOU Hearing Officer Appeal	201892	09/21	\$25,000
Hawkins Delafield & Wood LLP*	Bond Counsel	193469	07/21	N/A



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Horvitz & Levy	SDCWA v. MWD	124100	02/12	\$900,000
	General Appellate Advice	146616	12/15	\$100,000
	MWD v. Collins	203449	01/03/22	\$20,000
Hunt Ortmann Palffy Nieves Darling & Mah, Inc.	Construction Contracts/COVID-19 Emergency	185883	03/20	\$40,000
Internet Law Center	HR Matter	174603	05/18	\$60,000
	Cybersecurity and Privacy Advice and Representation	200478	04/13/21	\$100,000
	Systems Integrated, LLC v. MWD	201875	05/17/21	\$40,000
Amira Jackmon, Attorney at Law*	Bond Counsel	200464	07/21	N/A
Jackson Lewis P.C.	Employment: Department of Labor Office of Contract Compliance (OFCCP)	137992	02/14	\$45,000
Jones Hall, A Professional Law Corporation*	Bond Counsel	200465	07/21	N/A
Kegel, Tobin & Truce	Workers' Compensation	180206	06/19	\$250,000
Lesnick Prince & Pappas LLP	Topock/PG&E's Bankruptcy	185859	10/19	\$30,000
Liebert Cassidy Whitmore	Labor and Employment	158032	02/17	\$201,444
	EEO Investigations	180193	01/19	\$100,000
	FLSA Audit	180199	02/19	\$50,000
LiMandri & Jonna LLP	Bacon Island Subrogation	200457	03/21	\$50,000
Manatt, Phelps & Phillips	In Re Tronox Incorporated	103827	08/09	\$540,000
	SDCWA v. MWD rate litigation	146627	06/16	\$2,900,000
Meyers Nave Riback Silver & Wilson	OCWD v. Northrop Corporation	118445	07/11	\$2,300,000
	IID v. MWD (Contract Litigation)	193472	02/21	\$100,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Miller Barondess, LLP	SDCWA v. MWD	138006	12/14	\$600,000
Morgan, Lewis & Bockius	SDCWA v. MWD	110226	07/10	\$8,750,000
	Project Labor Agreements	200476	04/21	\$100,000
Musick, Peeler & Garrett LLP	Colorado River Aqueduct Electric Cables Repair/Contractor Claims	193461	11/20	\$300,000
	Arvin-Edison v. Dow Chemical	203452	01/22	\$50,000
Nixon Peabody LLP*	Bond Counsel	193473	07/21	N/A
Norton Rose Fulbright US LLP*	Bond Counsel	200466	07/21	N/A
Olson Remcho LLP	Government Law	131968	07/14	\$200,000
	Ethics Office	170714	01/18	\$350,000
Ryan & Associates	Leasing Issues	43714	06/01	\$200,000
Seyfarth Shaw LLP	HR Litigation	185863	12/19	\$250,000
	Claim (Contract #201897)	201897	11/04/21	\$100,000
	Claim (Contract #203436)	203436	11/15/21	\$100,000
	Claim (Contract #203454)	203454	01/22	\$100,000
	Claim (Contract #203455)	203455	10/21	\$100,000
Stradling Yocca Carlson & Rauth*	Bond Counsel	200471	07/21	N/A
Theodora Oringher PC	OHL USA, Inc. v. MWD	185854	09/19	\$1,100,000
	Construction Contracts - General Conditions Update	185896	07/20	\$100,000
Thomas Law Group	MWD v. DWR, CDFW, CDNR – Incidental Take Permit (ITP) CESA/CEQA/Contract Litigation	185891	05/20	\$250,000
	Iron Mountain SMARA (Surface Mining and Reclamation Act)	203435	12/03/21	\$100,000



Firm Name	Matter Name	Agreement No.	Effective Date	Contract Maximum
Thompson Coburn LLP	FERC Representation re Colorado River Aqueduct Electrical Transmission System	122465	12/11	\$100,000
	NERC Energy Reliability Standards	193451	08/20	\$100,000
Van Ness Feldman, LLP	General Litigation	170704	07/18	\$50,000
	Colorado River MSHCP	180191	01/19	\$50,000
	Bay-Delta and State Water Project Environmental Compliance	193457	10/15/20	\$50,000
Western Water and Energy	California Independent System Operator Related Matters	193463	11/20/20	\$100,000

*Expenditures paid by Bond Proceeds/Finance

**Expenditures paid by another group



Response to Public Statements Regarding Legal's Alleged Involvement in Shaw Law Group Investigations

General Counsel Report
Board Meeting
March 8, 2022

Allegations in Public Statements

- *Legal has relentlessly interfered in the Shaw Law Group investigations*
- *Legal has obstructed and delayed the release of investigation results to the Board and the public*
- *Legal's actions "border on/are criminal"*
- *Legal has brought back SLG to rewrite investigation results*
- *Memos were sent that had "language that was changed" [from the SLG reports]*
- *There has been an attempt to cut off SLG's funding*

These statements are false.

Legal's Response

- In Nov. 2020, the Board authorized the Ethics Officer to contract with outside counsel [Shaw Law Group] to address EEO concerns.
 - The Board directed the Ethics Officer to direct the work without involvement of management or Office of the General Counsel personnel.
 - The Ethics Officer and SLG entered into a contract; Ethics oversaw the work.
 - Resulted in July 2021 climate assessment report.
 - Legal did not oversee the work and was not involved in the report.
- In March and Aug. 2021, the Board authorized the Ethics Officer's request for funds for SLG to conduct EEO investigations.
 - The Ethics Officer and SLG entered into task orders; Ethics oversaw the work.
 - Resulted in Aug. 2021 fact reports and Sept. 2021 policy/recommendation reports.
 - Ethics arranged for privileged reports, not subject to public release.
 - Legal did not oversee the work and was not involved in the reports.

Legal's Response

- In Jan. 2022, the Ethics Officer reported at OP&T Committee:
 - **The Ethics Office ensured these investigations were conducted independently, in an objective and fair manner.**
 - The role of the Ethics Office in coordinating the investigations ended when the completed reports were provided for final resolution on Sept. 24th [2021] to an Assistant General Manager overseeing EEO.
 - The AGM raised some questions, but reports remained the same and the AGM sent notification of the outcome to those involved.
- The full SLG investigation reports could have been provided to the Board confidentially in Aug. 2021 and Sept. 2021 when completed.
 - Legal has never stated otherwise.
 - The timing of providing reports to the Board was others' decision.
- Ethics approved payment of SLG invoices and made the decision to end the contract.

Legal's Response

- SLG has never reported to or received direction from Legal.
- Legal has not interfered in the investigations.
- Legal has not changed SLG's reports or results.
- Legal has not sent memos changing language in SLG's reports.
- Legal has never prevented the Board's receipt of SLG's reports.
- Legal is not the decision-maker as to public release of the privileged investigation reports.





Internal Audit Report for February 2022

Summary

One report was issued during the month:

Water Storage Programs Audit Report

Discussion Section

This report highlights the significant activities of the Internal Audit Department during February 2022. In addition to presenting background information and the opinion expressed in the audit report, a discussion of findings noted during the examination is also provided.

Water Storage Programs

The Audit Department has completed a review of the accounting and administrative controls over Water Storage Programs as of October 31, 2021.

Scope

Our review evaluated the accounting and administrative controls over the Water Supply Programs – Semitropic, Arvin Edison, and Kern Valley Water Banking and Exchange Programs.

Background

Water Resource Management Group protects and optimally manages imported water quantity and quality; advances water-use efficiency; provides supply and demand forecasts that are the foundation for resource planning; and develops and implements timely resource planning, programs, and projects.

The strategies necessary to achieve these objectives have been particularly crucial over the past decade as California has experienced extreme hydrology resulting in seven dry and three wet years. Regional storage programs have been a central feature for maintaining water supply reliability in the face of supply volatility. Accordingly, Metropolitan developed water supply programs to supplement its State Water Project and Colorado River water supplies. These programs allow Metropolitan to store water during wet years and retrieve it through pump backs and exchanges during dry years. Metropolitan administers three of these programs through agreements with Semitropic Water Storage District (Semitropic), Arvin-Edison Water Storage District (Arvin-Edison), and Kern Delta Storage District (Kern Delta).

Semitropic

In December 1994, Metropolitan entered into a groundwater storage agreement with Semitropic that allows for the storage of up to 350,000 acre-feet of water. The contract, which expires in 2035, allows stored water to be retrieved by direct pump back to the California Aqueduct or through State Water Project entitlement exchange. Recovering water through an exchange is reduced or eliminated when the State Water Project Allocation is low. Metropolitan currently has a minimum annual take capacity of 38,200 acre-feet per year. Metropolitan also has rights to the unused capacity of other banking partners. With a 100% State Water Project allocation and usage of other banking partner's rights, Metropolitan estimates the maximum potential return at 229,700 acre-feet per year. For the audit period of July 2019 through October 2021, Metropolitan paid \$8.9 million to Semitropic, stored 45,180 acre-feet, and withdrew 32,644 acre-feet of water. As of October 2021, Semitropic had 233,051 acre-feet of Metropolitan water in storage.

Kern Delta

In November 2002, Metropolitan's Board authorized a groundwater storage agreement with Kern Delta that allows for the storage of 250,000 acre-feet of water. The contract, which expires in 2029, allows stored water to be retrieved mainly by State Water Project entitlement exchange and by direct pump back to the California Aqueduct. Furthermore, at Metropolitan's call, Kern Delta will return a minimum of 50,000 acre-feet of water annually. For the audit period of July 2019 through October 2021, Metropolitan paid Kern Delta \$11.6 million, stored 34,202 acre-feet, and withdrew 36,668 acre-feet of water. As of October 2021, Kern Delta has 157,719 acre-feet of Metropolitan water in storage.

Arvin-Edison

In 1997, Metropolitan agreed with Arvin-Edison Water Storage District to increase the water supply available to both entities. According to the terms of the deal, Metropolitan can store up to 350,000 acre-feet of water in groundwater basins in wet years. During dry years, Metropolitan can withdraw up to 75,000 acre-feet of water annually. Arvin-Edison delivers this water through either the Intertie Pipeline or through an exchange of water with other Kern County water districts. This agreement is effective through November 2035.

It should be noted that in late 2017, the California State Water Resources Control Board set the maximum acceptable level of trichloropropane (TCP) at five parts per trillion. As a result, Metropolitan has not banked water with or accepted groundwater from Arvin-Edison's program. However, Metropolitan has worked with Arvin-Edison to recover stored water by exchanging Metropolitan's water with surface water supplies that satisfy the Department of Water Resources pump-in policy. As of October 2021, Arvin-Edison had 138,039 acre-feet of Metropolitan water in storage.

Opinion

In our opinion, the accounting and administrative procedures over Storage Programs include those practices usually necessary to provide for a satisfactory internal control structure. The compliance with such policies and procedures offered effective control from July 2019 to October 2021.

Comments and Recommendations

None.



Ethics Office Monthly Report

February 2022

COMPLIANCE

Assisted Board members and employees with Assuming Office and Leaving Office Form 700 filings. Assistance included troubleshooting the electronic filing system and notifications of deadlines.

Monitored the status of past due Assuming Office and Leaving Office Form 700 filings; obtained compliance from five current and five former employees and sent filing notices to 20 former employees.

ADVICE

Addressed five advice matters involving: conflicts of interest, financial disclosure, and other ethics-related topics.

INVESTIGATIONS

Received complaints alleging that: 1) A supervisor threatened to retaliate against an employee to prevent reporting a workplace violation; 2) A Metropolitan official made discriminatory comments in the course of their duties; 3) An employee retaliated against another employee for reporting a workplace violation; and 4) A manager's mismanagement of staff and favoritism of some employees has led to negative impacts on staff productivity and career development opportunities.

ADMINISTRATION

Presented a proposal to the Audit & Ethics and Finance & Insurance committees to increase Ethics Office staff by four positions.

ADVICE AND INVESTIGATIVE DATA

Advice Matters	5
Compliance Assistance	67
Complaints Received	4
Investigations Opened	0
Pending Investigations	4

MINUTES
REGULAR MEETING OF THE
BOARD OF DIRECTORS
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
February 8, 2022

52684 The Board of Directors of The Metropolitan Water District of Southern California met in regular session on Tuesday, February 08, 2022.

Chairwoman Gray called the teleconference meeting to order at 1:16 PM.

52685 The meeting was opened with an invocation by Kevin Mapp, Videographer II, External Affairs Group.

52686 The Pledge of Allegiance was given by Steve Blois, Calleguas MWD.

Chairwoman Gray acknowledged Black History Month as well as addressing the rejected slate of chairs and vice chairs of committees.

The following Directors asked questions or made comments:

	Directors	Comments/Questions
1.	Peterson	Commented.
2.	Record	Commented.
3.	Pressman	Commented.
4.	Fellow	Commented.
5.	Ramos	Commented.

52687 Board Secretary Abdo administered the roll call. Those responding present were: Directors Abdo, Ackerman, Apodaca, Atwater, Blois, Camacho, Cordero, De Jesus, Dennstedt, Dick, Erdman, Faessel, Fellow, Fong-Sakai, Goldberg, Gray, Hawkins, Jung, Kurtz, Lefevre, McCoy, Miller, Morris, Ortega, Peterson, Quinn, Ramos, Record, Smith, Sutley, Tamaribuchi, and Williams.

Director Pressman entered the meeting after roll call

Those not responding were: Directors Kassakhian, Luna, Petersen, Phan, and Repenning.

Board Secretary Abdo declared a quorum present.

52688 Chairwoman Gray invited members of the public to address the Board on matters within the Board's jurisdiction.

	Name	Affiliation	Item
1.	Dr. Janet Clark	NAACP Santa Monica/Venice Branch	Board matters
2.	Darrel Goode	President, NAACP Santa Monica/Venice Branch	Board matters
3.	Latricia Mitchell	President, NAACP LA Branch	Board matters
4.	Scott Svonkin	NAACP Beverly Hills/Hollywood Branch	Board matters
5.	Dr. James Thomas	President, NAACP San Fernando Valley Branch	Board matters
6.	Rev. Fred Shaw	NAACP Inglewood/South Bay Branch	Board matters
7.	Alan Shanahan	President, AFSCME Local 1902	Personnel matters
8.	Ellen Mackey	Chair of AFSCME Women's Caucus	Personnel matters
9.	Olivia Verrett	NAACP CA Hawaii State Conference	Board matters
10.	Ellen Mackey	Chair of AFSCME Women's Caucus	Personnel matters

The following Director asked questions or made comments:

	Director	Comments/Questions
1.	Ortega	Commented.

52689 Chairwoman asked Director Harold Williams to introduce Interim General Manager E.J. Caldwell, West Basin Municipal Water District, to provide a Member Agency Overview.

West Basin MWD Interim General Manager Caldwell gave a PowerPoint presentation providing an overview of West Basin Municipal Water District member agency.

Chairwoman Gray addressed the following: Other Matters and Reports.

52690 Chairwoman Gray asked if there were any changes to the report of events attended by Directors at Metropolitan's expense during the month of January as previously posted and distributed to the Board. No amendments were made.

52691 Chairwoman Gray referred to her monthly report, which was previously posted and distributed to the Board. Chairwoman stated she had nothing to add to her report.

52692 Regarding matters relating to Metropolitan's operations and activities, General Manager Hagekhalil reported on the following:

1. Acknowledged Black History Month; and Metropolitan's Black Employee Association and their members that help to honor Black History Month each year.
2. Reported on the action under emergency authority provided to the General Manager in response to severe drought. Two agreements, one with Arvin Edison Water Storage; and the other with MWDOC and Irvine Ranch Water

District to provide 24,000-acre feed of additional supply this year to these State Water Project dependent areas.

3. Announced the General Manager monthly report has new format that includes a six-month look-ahead of key board items.
4. Met with Environmental Protection Agency Assistant Administrator Radhika Fox and her staff to discuss efforts of Metropolitan on the Leaky Pipes Program.
5. Announced that the Colorado River Aqueduct shutdown began this month; and expressed his gratitude to the many staff that are involved.

Additional information on the General Manager's activities may be found in his written monthly report.

Director Pressman entered the meeting.

52693 General Counsel Scully stated she had nothing to add to her report.

52694 General Auditor Riss reported that the quarterly consultant and service contracts review taken over the previous quarter and found everything to be in complete compliance.

52695 Ethics Officer Salinas stated he had nothing to add to his report.

Chairwoman Gray addressed the Consent Calendar Items for February 2022.

52696 Chairwoman Gray asked Directors if there were any comments or discussion on the approval of the Minutes of the Regular Meeting for January 11, 2022; and the Special Board Meeting for January 25, 2022 (Agenda Item 6A). No comments or requests were made.

52697 Adopt resolution to continue remote teleconference meetings pursuant to the Brown Act Section 54953(e) for meetings of Metropolitan's legislative bodies for a period of 30 days (Agenda Item 6B).

The following Directors asked questions or made comments:

	Directors	Comments/Questions
1.	Peterson	Commented.
2.	Ortega	Commented on Public Comments.

52698 Approval of Committee Assignments (Agenda Item 6C). There were no committee assignments.

52699 Chairwoman Gray addressed the Consent Calendar Items – Action for February 2022.

Chairwoman Gray called on the Committee Chairs to give a report of the Consent Calendar Action Items as discussed at their Committees.

52700 Set a combined public hearing on March 8, 2022, regarding: (1) the proposed water rates and charges for calendar years 2023 and 2024 necessary to meet the revenue requirements for fiscal years 2022/23 and 2023/24; and (2) review of the applicability of the MWD Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26, as set forth in Agenda Item 7-1 board letter.

A letter from the San Diego County Water Authority General Counsel Mark Hattam dated February 3, 2022 addressed to General Counsel Scully will be added to the record. (The letter received via email on 2/19/22 at 5:25pm.)

The following Directors asked questions or made comments:

	Directors	Comments/Questions
1.	Fong-Sakai	Asked a question.
2.	Blois	Commented; he will vote No on Item 6B.

Staff responded to Director's questions.

52701 Authorize an agreement with Parsons Transportation Group, Inc. for a not-to-exceed amount of \$2,650,000 for design to replace the utilities at Iron Mountain and Gene pumping plants; authorize an agreement with Jacobs Engineering Group, Inc. for a not-to-exceed amount of \$650,000 for preliminary design to improve physical security at the CRA pumping plants; and authorize an agreement with Tetra Tech, Inc. in an amount not to exceed \$650,000 for preliminary design to rehabilitate the station power and lighting switchrack at the Iron Mountain pumping plant, as set forth in Agenda Item 7-2 board letter.

52702 Authorize an agreement with La Cañada Design Group, Inc. for a not-to-exceed amount of \$4,400,000 to provide preliminary design to upgrade the functional capabilities of Metropolitan's Water Quality Laboratory at the La Verne site; and authorize an agreement with Rincon Consultants, Inc. for a not-to-exceed amount of \$550,000 to provide environmental support services for the planned facility upgrades at the La Verne site, as set forth in Agenda Item 7-3 board letter.

52703 Amend the current CIP to include planning and implementation of infrastructure projects to improve water supply reliability for the western service area; and authorize a new agreement with Carollo Engineers, Inc. in an amount not to exceed \$300,000 for technical investigations, as set forth in Agenda Item 7-4 board letter.

52704 Review and consider Addendum No. 4 to the 2017 Programmatic Environmental Impact Report; and Award \$4,759,000 contract to Facility Builders & Erectors, Inc. for construction of the PCCP Rehabilitation Valve and Equipment Storage Building, as set forth in Agenda Item 7-5 board letter.

52705 Approve Metropolitan's annual membership in the National Water Research Institute and authorize annual dues of \$50,000, and approve Metropolitan's annual membership in CCEEB's Air Project and Climate Change Project and authorize annual

dues payments of \$30,500 and \$34,000, respectively, as set forth in Agenda Item 7-6 board letter.

Agenda Item 7-7 was deferred with no action taken.

52706 Authorize the General Manager to enter into an agreement with the State Water Contractors, Inc. to pursue 2022 Sacramento Valley water transfer supplies, in a form approved by the General Counsel; and authorize making a \$5 per acre-foot initial administrative deposit and disbursements from that deposit consistent with the agreement not-to-exceed \$500,000, as set forth in Agenda Item 7-8 board letter.

52707 Authorize the General Manager to enter into reverse-cyclic agreements with participating agencies to preserve the availability of State Water Project supplies to Metropolitan consistent with the terms in Attachment 1, as set forth in Agenda Item 7-9 board letter.

The following Directors asked questions or made comments:

	Directors	Comments/Questions
1.	Morris	Moved Consent Calendar Items.
2.	Peterson	Seconded Morris' motion.

Chairwoman Gray called for a vote to approve the Consent Calendar Items 6A, 6B, and 7-1 through 7-6, 7-8 through 7-9 (**M.I. 52696 through 52707**).

Director Morris moved, seconded by Director Peterson that the Board approve the Consent Calendar Other Items for Action 6A, 6B, and 7-1 through 7-6, 7-8 through 7-9 as follows:

The following is a record of the vote:

Record of Vote on Consent Item(s):		6A, 6B, 7-1 through 7-6 and 7-8 through 7-9							
Member Agency	Total Votes	Director	Present	Yes	Yes Vote	No	No Vote	Abstain	Abstain Vote
Anaheim	5277	Faessel	x	x	5277				
Beverly Hills	4056	Pressman	x	x	4056				
Burbank	2666	Ramos	x	x	2666				
Calleguas Municipal Water District	11552	Blois	x	x	11552				
Central Basin Municipal Water District	17051	Apodaca	x	x	8526				
		Hawkins	x	x	8526				
			Subtotal:		17051				
Compton	553	McCoy	x	x	553				
Eastern Municipal Water District	9492	Record	x	x	9492				
Foothill Municipal Water District	2131	Atwater	x	x	2131				
Fullerton	2255	Jung	x	x	2255				
Glendale	3622	Kassakhian							
Inland Empire Utilities Agency	13433	Camacho							
Las Virgenes	2741	Peterson	x	x	2741				
Long Beach	5772	Cordero	x	x	5772				
Los Angeles	70689	Sutley	x	x	70689				
		Petersen							
		Quinn							
		Luna							
		Repenning							
			Subtotal:		70689				
Municipal Water Dist. of Orange County	57264	Ackerman	x	x	14316				
		Tamaribuchi	x	x	14316				
		Dick	x	x	14316				
		Erdman	x	x	14316				
			Subtotal:		57264				
Pasadena	3522	Kurtz							
San Diego County Water Authority	58302	Fong-Sakai	x	x	14576				
		Goldberg	x	x	14576				
		Miller	x	x	14576				
		Smith	x	x	14576				
			Subtotal:		58302				
San Fernando	224	Ortega	x	x	224				
San Marino	730	Morris	x	x	730				
Santa Ana	3035	Phan							
Santa Monica	4352	Abdo	x	x	4352				
Three Valleys Municipal Water District	7753	De Jesus	x	x	7753				
Torrance	3237	Lefevre	x	x	3237				
Upper San Gabriel Valley Mun. Wat. Dist.	11942	Fellow	x	x	11942				
West Basin Municipal Water District	23608	Williams	x	x	11804				
		Gray	x	x	11804				
			Subtotal:		23608				
Western Municipal Water District	12466	Dennstedt	x	x	12466				
Total	337725				314113				
Present and not voting									
Absent	23612								

The motion to approve the Consent Calendar Items 6A, 6B, and 7-1 through 7-6, 7-8 through 7-9 (**M.I. 52696 through 52707**), passed by a vote 314,113 ayes; 0 noes; 0 abstain; 0 not voting; and 23,612 absent.

***Note: Individual vote tally for Item 6B**

Director Blois voted No on Item 6B. The motion to approve the Consent Calendar Item passed by a vote of 302,561 ayes; 11,552 noes; 0 abstain; 0 not voting; and 23,612 absent.

52708 Chairwoman Gray stated there were no Other Items - Action.

52709 Chairwoman Gray asked if there were questions or need for discussion for Board Information Item 9-1. No requests were made.

52710 Chairwoman Gray asked if there were questions or need for discussion for Board Information Item 9-2. No requests were made.

52711 Chairwoman Gray asked if there were any Follow-up Items. No requests were made.

The following Directors asked questions or made comments:

	Directors	Comments/Questions
1.	Record	Asked a question.

Staff responded to Director's question.

52712 Chairwoman Gray asked if there were any future agenda items. No requests were made.

Chairwoman Gray made a statement in response to Director Ortega's statement he read under this meeting's committee assignment agenda item .

52713 There being no objection, at 2:55 PM, Chairwoman Gray adjourned the Meeting.

JUDY ABDO
SECRETARY

GLORIA D. GRAY
CHAIRWOMAN

THE METROPOLITAN WATER DISTRICT
OF SOUTHERN CALIFORNIA

RESOLUTION NO. XXXX

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
RELYING ON GOVERNOR NEWSOM’S MARCH 4, 2020 PROCLAMATION OF A
STATE OF EMERGENCY
AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE
LEGISLATIVE BODIES OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA FOR THE PERIOD OF 30 DAYS FROM
MARCH 8, 2022 TO APRIL 7, 2022 PURSUANT TO BROWN ACT PROVISIONS**

WHEREAS, The Metropolitan Water District of Southern California (“Metropolitan”) is committed to preserving and nurturing public access and participation in meetings of its legislative bodies; and

WHEREAS, all meetings of Metropolitan’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov’t Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch the Metropolitan’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within Metropolitan’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution Number 9285 on September 28, 2021, finding that the requisite conditions exist for the legislative bodies of Metropolitan to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency, and the Board of Directors has done so in subsequent Resolutions Numbered 9287, 9288, 9291, 9292, 9295, and 9296 on October 12, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 11, 2022, and February 8, 2022, respectively; and

WHEREAS, such conditions now persist at Metropolitan, specifically, Governor Newsom's March 4, 2020 Proclamation of A State of Emergency caused by the COVID-19 pandemic; and

WHEREAS, state or local officials continue to impose or recommend measures to promote social distancing, including County of Los Angeles Department of Public Health Order issued on February 23, 2022 effective February 25, 2022, providing guidance for indoor masking and implementation of policies and practices that support physical distancing where possible; and

WHEREAS, as a consequence of the state of emergency, the Board of Directors does hereby find that the legislative bodies of Metropolitan shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, Metropolitan is providing call-in telephonic access for the public to make comment and to listen; and providing livestreaming of the meetings over the internet to ensure access for the public.

NOW, THEREFORE, the Metropolitan Board of Directors does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

Section 2. Reconsider the Circumstances of the State of Emergency Persists. The Board of Directors hereby reconsiders the conditions of the state of emergency and the Board of Directors hereby continues to rely on the Governor of the State of California's Proclamation of State of Emergency, effective as of its issuance date of March 4, 2020.

Section 3. State or Local Officials Continue to Impose or Recommend Measures to Promote Social Distancing. The Board of Directors hereby acknowledges that state or local officials continue to impose or recommend measures to promote social distancing, including County of Los Angeles Department of Public Health Order issued on February 23, 2022 effective February 25, 2022, providing guidance for indoor masking and implementation of policies and practices that support physical distancing where possible.

Section 4. Remote Teleconference Meetings. The General Manager and legislative bodies of Metropolitan are hereby authorized and directed to take all actions necessary to carry out the intent and purpose of this Resolution, including conducting open and public meetings in

accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

Section 5. Effective Date of Resolution. This Resolution shall take effect immediately upon its adoption and shall be effective until the earlier of (i) April 7, 2022, or such time the Board of Directors adopts a subsequent resolution in accordance with Government Code Section 54953(e)(3) to extend the time during which the legislative bodies of Metropolitan may continue to teleconference without compliance with paragraph (3) of subdivision (b) of Section 54953.

I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held on March 8, 2022.

Secretary of the Board of Directors of
The Metropolitan Water District
of Southern California

**THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA**

RESOLUTION NO. 9297

**RESOLUTION OF THE BOARD OF DIRECTORS OF
THE METROPOLITAN WATER DISTRICT OF SOUTHERN CALIFORNIA
RELYING ON GOVERNOR NEWSOM’S MARCH 4, 2020 PROCLAMATION OF A
STATE OF EMERGENCY
AND RE-AUTHORIZING REMOTE TELECONFERENCE MEETINGS OF THE
LEGISLATIVE BODIES OF THE METROPOLITAN WATER DISTRICT OF
SOUTHERN CALIFORNIA FOR THE PERIOD OF 30 DAYS FROM
MARCH 8, 2022 TO APRIL 7, 2022 PURSUANT TO BROWN ACT PROVISIONS**

WHEREAS, The Metropolitan Water District of Southern California (“Metropolitan”) is committed to preserving and nurturing public access and participation in meetings of its legislative bodies; and

WHEREAS, all meetings of Metropolitan’s legislative bodies are open and public, as required by the Ralph M. Brown Act (Cal. Gov’t Code Sections 54950 – 54963), so that any member of the public may attend, participate, and watch the Metropolitan’s legislative bodies conduct their business; and

WHEREAS, the Brown Act, Government Code Section 54953(e), makes provisions for remote teleconferencing participation in meetings by members of a legislative body, without compliance with the requirements of Government Code Section 54953(b)(3), subject to the existence of certain conditions; and

WHEREAS, a required condition is that a state of emergency is declared by the Governor pursuant to Government Code Section 8625, proclaiming the existence of conditions of disaster or of extreme peril to the safety of persons and property within the state caused by conditions as described in Government Code Section 8558; and

WHEREAS, a proclamation is made when there is an actual incident, threat of disaster, or extreme peril to the safety of persons and property within the jurisdictions that are within Metropolitan’s boundaries, caused by natural, technological, or human-caused disasters; and

WHEREAS, it is further required that state or local officials have imposed or recommended measures to promote social distancing, or, the legislative body meeting in person would present imminent risks to the health and safety of attendees; and

WHEREAS, the Board of Directors previously adopted Resolution Number 9285 on September 28, 2021, finding that the requisite conditions exist for the legislative bodies of Metropolitan to conduct remote teleconference meetings without compliance with paragraph (3) of subdivision (b) of Section 54953; and

WHEREAS, as a condition of extending the use of the provisions found in Section 54953(e), the Board of Directors must reconsider the circumstances of the state of emergency, and the Board of Directors has done so in subsequent Resolutions Numbered 9287, 9288, 9291, 9292, 9295, and 9296 on October 12, 2021, November 9, 2021, November 23, 2021, December 14, 2021, January 11, 2022, and February 8, 2022, respectively; and

WHEREAS, such conditions now persist at Metropolitan, specifically, Governor Newsom's March 4, 2020 Proclamation of A State of Emergency caused by the COVID-19 pandemic; and

WHEREAS, state or local officials continue to impose or recommend measures to promote social distancing, including County of Los Angeles Department of Public Health Order issued on February 23, 2022 effective February 25, 2022, providing guidance for indoor masking and implementation of policies and practices that support physical distancing where possible; and

WHEREAS, as a consequence of the state of emergency, the Board of Directors does hereby find that the legislative bodies of Metropolitan shall conduct their meetings without compliance with paragraph (3) of subdivision (b) of Government Code Section 54953, as authorized by subdivision (e) of Section 54953, and that such legislative bodies shall continue to comply with the requirements to provide the public with access to the meetings as prescribed in paragraph (2) of subdivision (e) of Section 54953; and

WHEREAS, Metropolitan is providing call-in telephonic access for the public to make comment and to listen; and providing livestreaming of the meetings over the internet to ensure access for the public.

NOW, THEREFORE, the Metropolitan Board of Directors does hereby resolve as follows:

Section 1. Recitals. The Recitals set forth above are true and correct and are incorporated into this Resolution by this reference.

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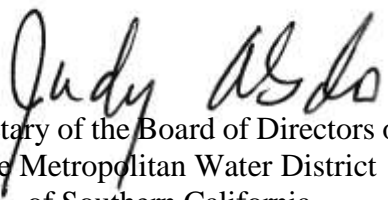
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accordance with Government Code Section 54953(e) and other applicable provisions of the Brown Act.

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I HEREBY CERTIFY that the foregoing is a full, true, and correct copy of a resolution adopted by the Board of Directors of The Metropolitan Water District of Southern California at its meeting held on March 8, 2022.


Secretary of the Board of Directors of
The Metropolitan Water District
of Southern California



- **Board of Directors**
Engineering and Operations Committee

3/8/2022 Board Meeting

7-1

Subject

Authorize the General Manager to negotiate a Project Labor Agreement for application on construction contracts with a value of \$5 million or greater within Metropolitan's Capital Investment Plan; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

A Project Labor Agreement (PLA) is a collective bargaining agreement between a construction contractor and local trade unions. It may serve many purposes, including prevention of work stoppages throughout the construction period, ensuring the supply of highly trained craft workers to the project, enforcement of prevailing wage requirements, requiring participants to engage in a dispute resolution process, supporting the development of crafts through apprenticeship programs, encouraging participation by minorities, women, and other underrepresented demographics, and facilitating the hiring of workers from local labor pools. This cooperative approach provided labor stability on previous Metropolitan projects, including the Diamond Valley Lake, Inland Feeder, and Skinner improvement programs. This action authorizes the General Manager to negotiate a PLA that would cover construction contracts with a value of \$5 million or greater within Metropolitan's Capital Investment Plan (CIP). Specific terms and conditions of the PLA would be brought back to the Board for approval once negotiated.

Details

Background

A PLA is a contract between a contractor and a set of labor unions. PLAs maintain project continuity by preventing employee strikes and employer lockouts. They also include a process for dispute resolution to ensure all partners can address concerns in a uniform manner. Under a typical PLA, unions agree to provide qualified and trained craft labor to projects covered by a PLA. PLAs typically include wage and benefit requirements, development and enforcement of apprenticeship programs, and local workforce hiring provisions. PLAs are open to both union and non-union contractors and support existing anti-discrimination and harassment contract provisions and existing contractor safety programs.

Metropolitan has prior experience with PLAs. Project-specific PLAs were successfully utilized for the Diamond Valley Lake, Inland Feeder, and Skinner improvements programs in the late-1990s and early 2000s. This cooperative approach between the contractor, labor, and the owner or owner's PLA administrator proved successful in contributing to the stability and positive work environment on these projects. Metropolitan is not currently utilizing PLAs. However, the Board asked staff to explore the use of PLAs for current projects to determine if they would be beneficial to Metropolitan. Staff made two presentations to the Board as outlined herein. The feedback from the Board guided staff in developing the recommendation proposed in this board letter.

Metropolitan currently constructs CIP projects utilizing the traditional design-bid-build delivery approach. Contracts are awarded to the lowest responsive and responsible bidder, and the work is performed by a mix of union and non-union contractors. All contractors on Metropolitan projects are required to comply with the California Labor Code, which includes payment of prevailing wages and employment of apprentices.

Since 2001, Metropolitan has established and maintained a highly successful Small Business Enterprise (SBE) Program that works in conjunction with these construction projects.

In April and October 2021, staff presented informational items on PLAs to the Engineering and Operations (E&O) Committee. These items provided a broad overview of PLAs, including potential benefits to Metropolitan, approaches to identifying projects to be covered by a PLA, a list of other comparable agencies that are utilizing PLAs, and a discussion of how PLAs would coexist with Metropolitan's SBE program. Potential benefits of PLAs to Metropolitan include avoidance of work stoppages and labor disputes, greater assurances of a consistent supply of skilled labor, consistent work schedules among trades, and an efficient labor dispute resolution process. Staff also described how the implementation of PLAs could potentially provide a pathway for Metropolitan to hire from pre-apprenticeship programs. In these informational board items, staff also addressed how Metropolitan's SBE program would be enhanced to ensure that small contractors are informed on how to conduct business under PLA contracts. Finally, staff discussed several potential approaches on how Metropolitan could identify suitable projects for PLA coverage, while continuing to meet the goals of Metropolitan's successful SBE Program.

Following both presentations, staff addressed questions and provided additional information to the Committee members. Based on the materials and information provided, as well as the feedback received from the E&O Committee members, staff recommends the use of a PLA for construction contracts with a value of \$5 million or greater within Metropolitan's CIP.

Recommended Approach

Staff recommends that the Board authorize the General Manager to negotiate a PLA that would cover construction contracts with a value of \$5 million or greater within Metropolitan's CIP. Once negotiated, the specific PLA terms and conditions would be brought to the Board for approval. Following board approval of PLA terms and conditions, the PLA would become a condition precedent for bidding on contracts for covered projects. The PLA would initially be in effect for a three-year period of time to allow for an assessment of its impact on project costs as well as Metropolitan's SBE program.

Staff has examined the planned and upcoming capital projects with construction values of \$5 million or greater. These projects constitute approximately 90 percent of the estimated CIP construction contract expenditures over the upcoming two-year budget cycle. This trend is expected to continue into future budget cycles. This level of capital expenditures covered by the PLA strikes a balance between covering a substantial portion of Metropolitan's CIP construction contracts with a PLA, while providing contracting opportunities outside of a PLA for small contractors that typically bid on lower value construction contracts. Analysis of SBE contract data shows that most contracts with SBEs fall below the \$5 million contract value.

If the Board approves the terms and conditions of the PLA, it would be possible for the General Manager to determine that a specific project with a contract value above the \$5 million threshold may not be conducive to work under the PLA. In this case, the General Manager would need to bring a request for an exemption for the specific project to the Board for approval. The request would need to include the criteria the General Manager used to support this request, including factors such as the amount of the construction contract, construction duration, complexity of construction, project urgency and potential project risks, number of subcontractors and number of trades on a project, as well as opportunities for apprenticeship and workforce development during the life of the contract.

PLA implementation is a multi-step process. Staff has already issued a Request for Proposals for consultant services related to the negotiation of a PLA template. This template will be used as the basis for project-specific PLAs. Once negotiations of this PLA template are complete, the specific PLA terms and conditions will be brought to the Board for approval. Staff is also in the process of selecting a qualified consultant to serve as PLA administrator. The PLA administrator will serve a key role in working directly with the contractors and labor unions to ensure that the terms of PLAs are achieved for each project. That consultant will also be responsible for preparing regular reports that document results, outcomes, and findings of a Metropolitan PLA for each project. Staff recommends this approach initially due to the specialized knowledge required to perform the needed functions, knowledge which is not currently available from in-house staff. Approval of a contract with a PLA administrator will be brought back to the Board for approval. Future planned actions in the summer of 2022 include board approval of PLA terms and conditions, board approval of the imposition of a PLA as a bid

condition on future covered contracts, and approval of a new professional services agreement to administer a PLA.

With assistance from the PLA administrator, staff plans on providing enhanced training and education to SBE contractors so that they can successfully work in a PLA environment. Additionally, staff will return to the Board on an annual basis to report on PLA implementation and accomplishments, addressing achievements related to goals and objectives of a PLA over the previous 12 months (e.g., results of contracts covered by PLA projects, apprenticeship involvement, local/regional worker involvement).

Staff recommends the Board authorize moving forward with PLA negotiations at this time.

Project Milestones

Summer 2022 – Board action to approve PLA terms and conditions and approve professional services agreement for PLA administration

Fall 2022 – PLA included in bid documents for covered construction contracts

Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Metropolitan Water District Administrative Code Section 8140: Competitive Procurement

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378) because the proposed action will not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not defined as a project under CEQA because it involves the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize the General Manager to negotiate a Project Labor Agreement for application on construction contracts with a value of \$5 million or greater within Metropolitan's Capital Investment Plan

Fiscal Impact: Incidental costs will be incurred to develop, administer, and maintain a PLA when compared to current practices

Business Analysis: This option would provide significant construction-related benefits for construction contracts covered by a PLA. This action would also benefit the regional workforce through use of union-related apprenticeship programs and associated hiring of a locally diverse and transitional workforce.

Option #2

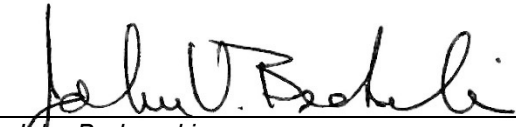
Do not authorize the General Manager to negotiate a Project Labor Agreement at this time.

Fiscal Impact: None

Business Analysis: This option would prevent or delay development of a PLA, foregoing opportunities to provide significant construction contract-related benefits, such as ensuring avoidance of work stoppages and/or labor disputes, ensuring consistent use of skilled labor, enforcement of comprehensive labor compliance, and facilitating contractor/union dispute resolution.

Staff Recommendation

Option # 1



John Bednarski
Manager/Chief Engineer
Engineering Services

2/24/2022
Date



Adel Hagekhalil
General Manager

2/24/2022
Date

Ref# es03152022



Authorize Negotiation of PLA for Contracts \$5M and Greater

Engineering & Operations Committee

Item 7-1

March 7, 2022

April & October 2021 E&O Presentations

- Overview of PLAs
- Potential Benefits, Costs, and Challenges
- Answered questions and provided additional information
- Staff committed to return to the Board to recommend options for PLA implementation

Overview of PLAs

- Special union collective bargaining agreement between unions and contractors, and approved by owner
 - Includes wage and benefit requirements
 - Provides for labor harmony (no strikes or craft disputes)
 - Includes diversity, equity, and inclusion provisions
 - Open to both union and non-union contractors
 - Supports existing anti-discrimination and harassment contract provisions
 - Unions agree to provide qualified and trained craft labor
 - Efficient contract dispute resolution procedures
 - Complements safety programs and drug/alcohol testing policies

PLA Benefits and Challenges

● Benefits

- Use of union apprenticeship programs
- Utilization of a more diverse workforce and emphasis on local hiring
- Reliable supply of skilled labor
- Avoidance of work stoppages and labor disputes and efficient labor dispute resolution process

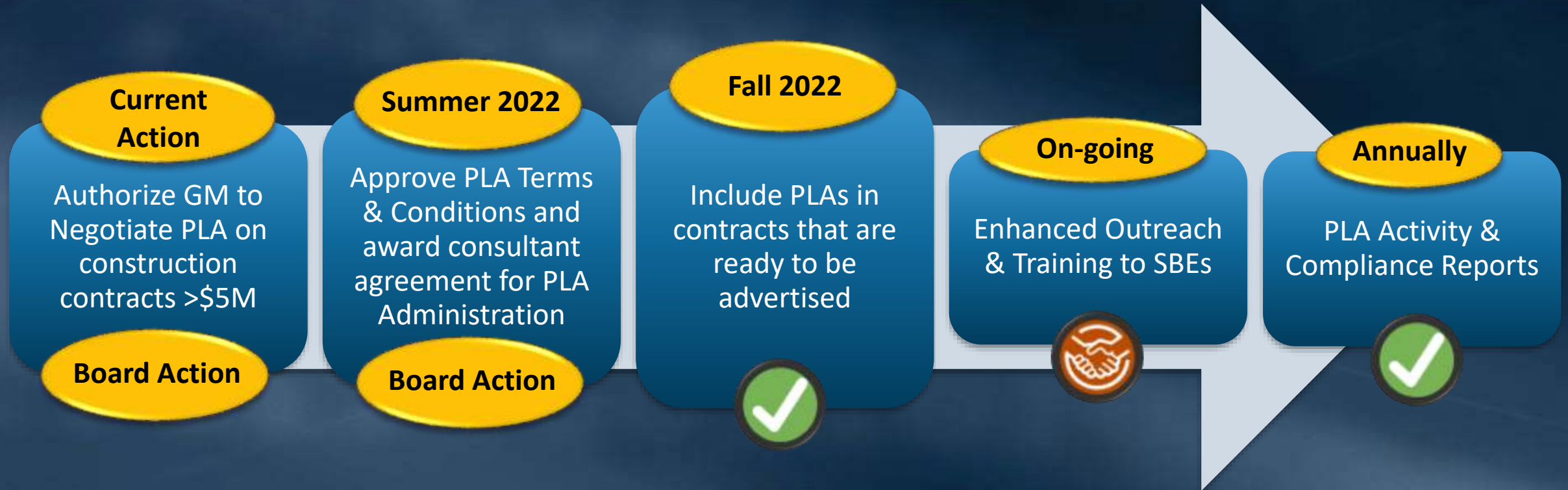
● Challenges

- Multi-county agreement with labor unions
- Added cost to administer PLA
- Potential challenge to educate SBE and non-union contractors to bid PLA contracts
- Additional Metropolitan staff for oversight, outreach and SBE education

Key Questions

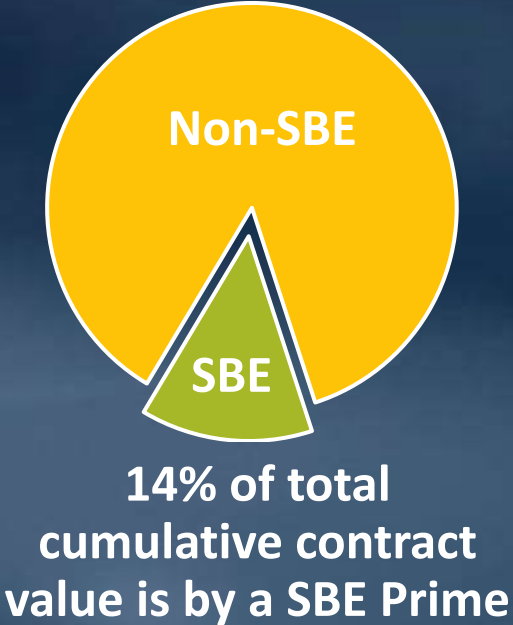
- What is the potential impact(s) of PLAs on Metropolitan's existing SBE Program?
- What is the most appropriate approach to implement a PLA?
 - Dollar threshold subject to exceptions with board approval
- How will program be administered?
 - Staff and consultant efforts
- What are Metropolitan's anticipated costs to utilize PLAs?
- What is the recommended process leading to Board approval and utilization of PLAs?

Proposed Timeline for PLA Implementation



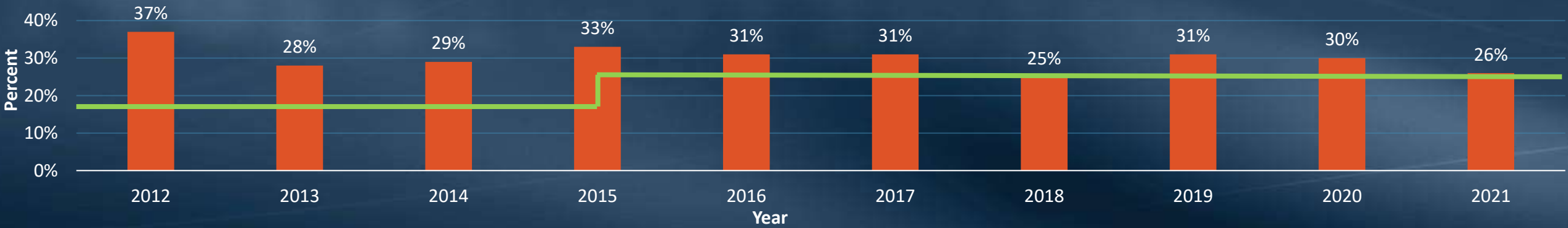
SBE Participation Trends

By Dollar Value



- SBEs are awarded a significant number of construction contracts and 14% of construction funds are expended by contracts with SBE primes.
- SBE Subcontractor Participation is above 25% consistently

SBE Utilization of Prime and Subcontractors



Continued Focus on the SBE Program

- Staff commitment to work to maintain successful SBE program
- Staff and PLA administrator will conduct outreach and training
 - Ensure SBE firms can successfully participate in PLA projects
- Regular assessments and reporting on SBE participation
 - PLA projects
 - Non-PLA projects

Examples of Potential Expanded Outreach Opportunities

- MetWorks quarterly meetings
- Business Outreach seminars
- Informational documents
- Virtual bid-phase presentations
- “Doing Business with Metropolitan” website enhancements regarding PLA

Potential Cost Impacts of PLAs

- Internal administrative costs: approximately 1 FTE
- PLA administrator: approximately 1% of contract value
- Cost impacts to construction contracts highly debated:
 - Various studies over last 25 years are contradictory on cost impacts
 - Discussions with prime contractors and public agencies: little or no financial impact

Administration of the PLA(s)

- RFP currently being advertised for PLA negotiator
 - Agreement value anticipated within GM authority
 - Will negotiate template PLA with labor
- Developing RFP for PLA administrator
 - Summer 2022 board authorization of agreement
 - Will administer PLA & work directly with labor and contractors
- Staff will provide:
 - Oversight and administration of consultant agreement
 - Internal coordination efforts between staff and PLA administrator

Recommended Approach for PLA Implementation

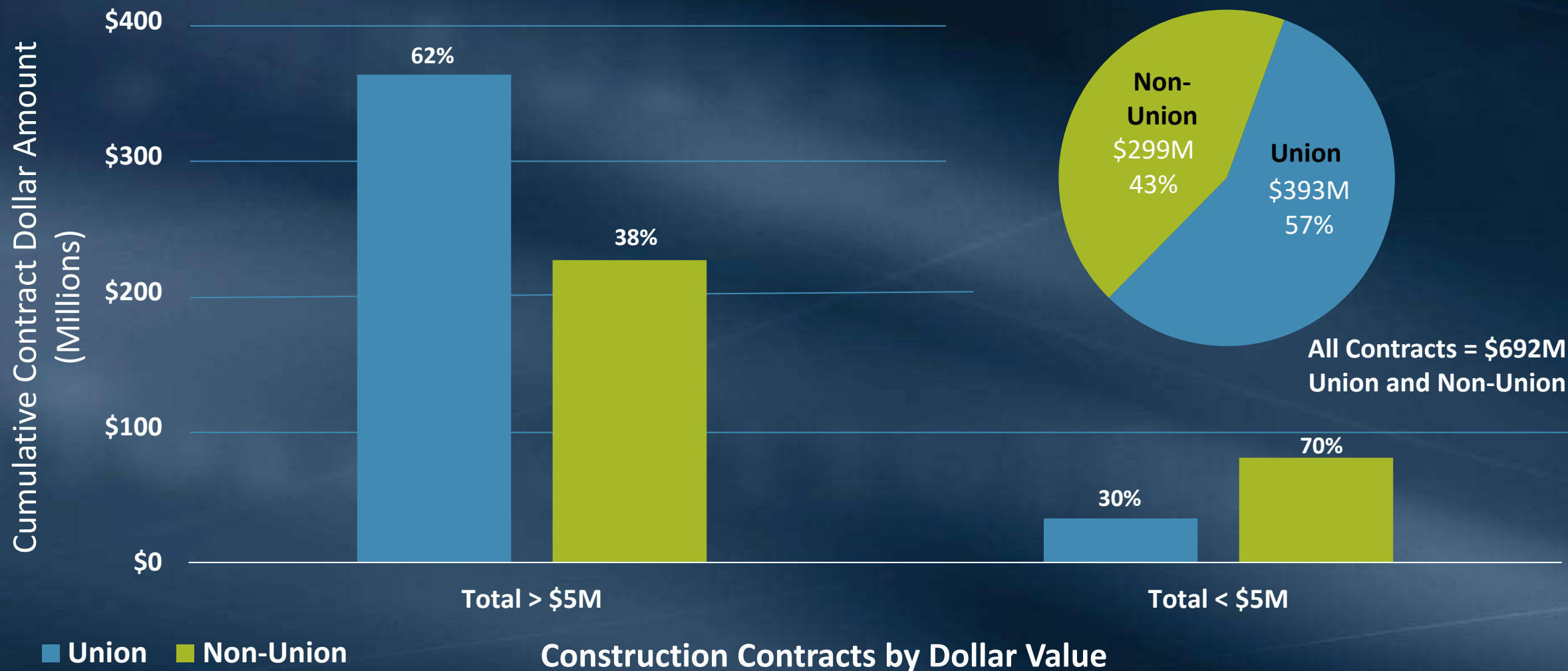
- March 2022 Board Action
 - Authorize the GM to negotiate a PLA
 - PLA applies to contracts \$5M and greater
- Summer 2022 Board Action
 - Approve implementation of PLA template on construction contracts
- Utilize PLAs for an initial 3-year duration with option to add additional time
- Assess progress and make needed adjustments for success
- Regular reporting to Board

Background for the \$5M Contract Threshold

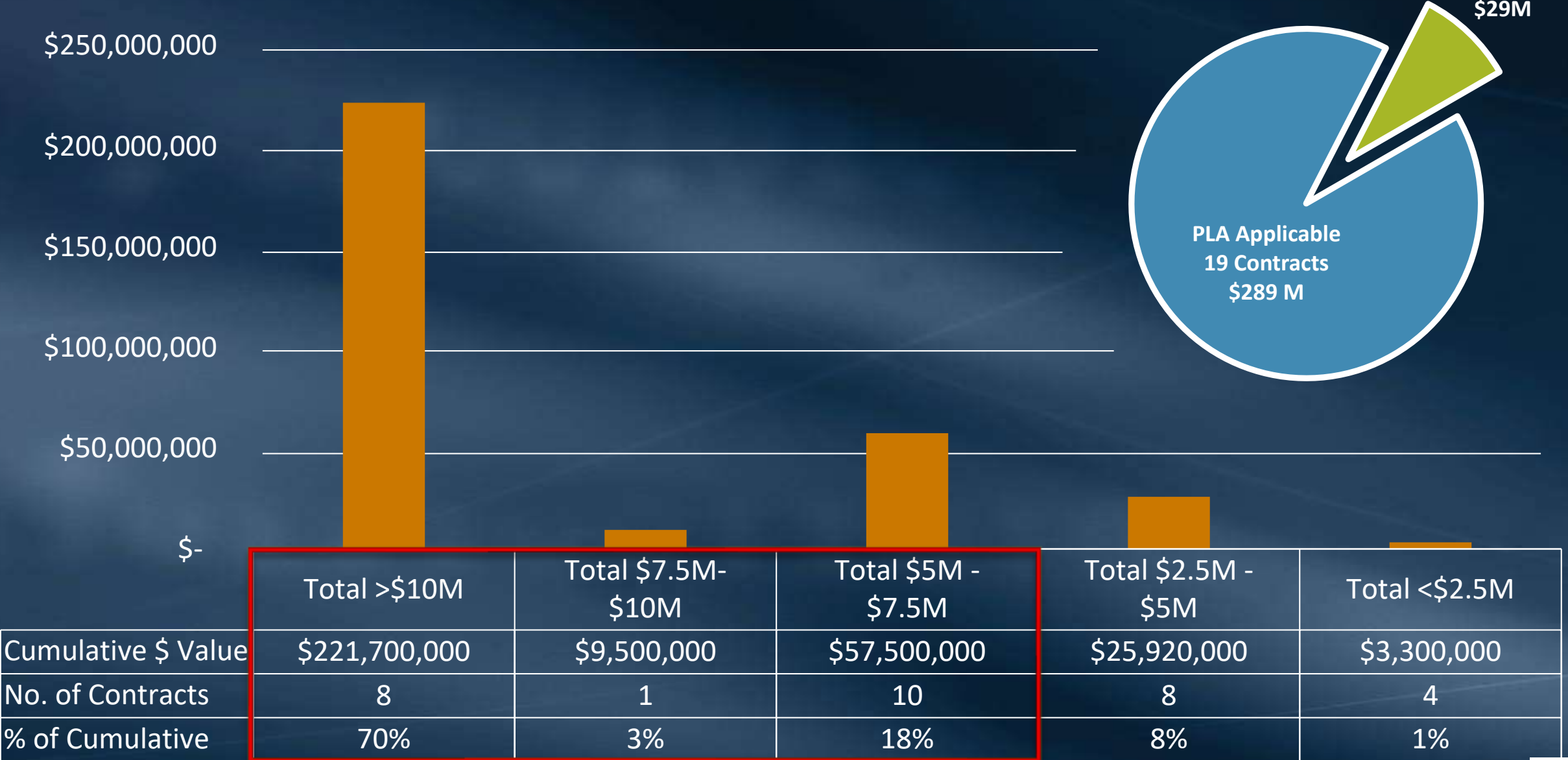
- Analysis of construction contracts awarded from 2015 to 2021 found majority of contracts below \$5M awarded to a mix of SBE and non-union contractors
- \$5 million threshold minimizes initial impacts on SBE contractors and subcontractors
- This approach is expected to get us to 90% of construction contract expenditures

Union vs. Non-Union Participation in Construction Contracts

Analysis of Construction Contracts (2015-2021)



90% of Future Construction Expenditures Covered by PLA



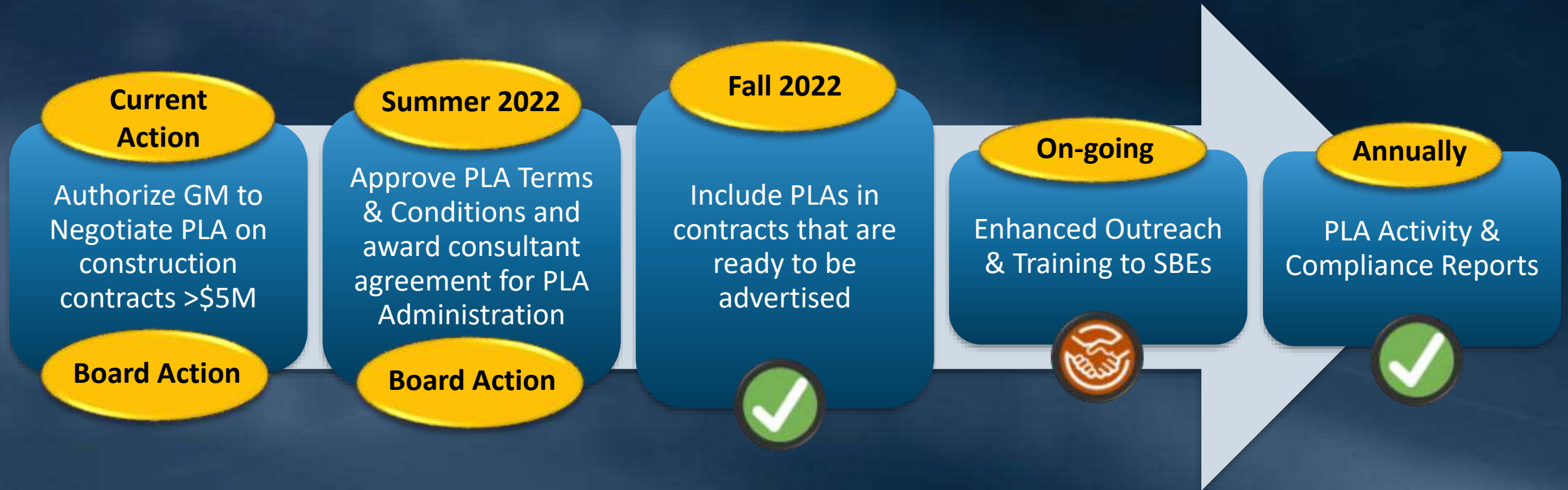
Cities/Agencies with PLA Thresholds*

- City of Long Beach (\$750k, but street/ROW projects \$1M)
- San Diego County Water Authority (\$1M)
- City of San Francisco (\$1M-\$5M depending on funding source)
- Santa Clara Valley Water (\$2M)
- Los Angeles County Metro (\$2.5M)
- City of San Jose (\$3M)

- Many agencies apply a PLA to specific projects in lieu of a threshold

*Not intended as an exhaustive list

Proposed PLA Implementation Timeline



Board Options

- Option #1
 - Authorize the General Manager to negotiate a Project Labor Agreement for application on construction contracts with a value of \$5 million or greater within Metropolitan's Capital Investment Plan
- Option #2
 - Do not authorize the General Manager to negotiate a Project Labor Agreement at this time.

Staff Recommendation

- Option #1





● **Board of Directors**
Engineering and Operations Committee

3/8/2022 Board Meeting

7-2

Subject

Authorize two professional services agreements to support radial gates replacement projects: (1) an agreement with Hazen and Sawyer in an amount not to exceed \$890,000; and (2) an agreement with LEE + RO, Inc. in an amount not to exceed \$904,000; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Radial gates are used to control flows along the Colorado River Aqueduct (CRA) and the San Diego Canal. Professional services agreements are recommended for two projects, which have been established to replace aging radial gates.

- Project No. 1 – Cabazon Radial Gate Facility Upgrades – This project replaces two radial gates and makes security, access, and instrumentation upgrades to the Cabazon Radial Gate Facility along the CRA. This action authorizes an agreement with Hazen and Sawyer for design activities to make improvements to the Cabazon Radial Gate Facility.
- Project No. 2 – San Diego Canal Radial Gates Replacement – This project replaces radial gates at the inlets to Lake Skinner and the San Diego Canal. This action authorizes an agreement with LEE + RO, Inc. for design activities to replace the radial gates along the San Diego Canal.

These projects will ensure continued water supply delivery reliability for the member agencies.

Details

Background

The Cabazon Radial Gate Facility is located on the CRA in the city of Cabazon within Riverside County and is approximately one mile upstream of the San Jacinto Tunnel. This facility was constructed in 1936 and consists of two radial gates: one gate in-line with the flow of the aqueduct; and one gate perpendicular to the water flow. Due to the infrequent need to operate these two gates, routine maintenance has extended their useful life to more than 80 years. However, staff is now recommending replacement of these gates for the reasons stated below. The gates have a width of 17 feet and a height of 16 feet and are designed to isolate and divert flow on an as-needed basis.

The San Diego Canal is used to supply raw water to Lake Skinner and the San Diego County Water Authority. Radial gates, V-06 and V-08, are a key part of the San Diego Canal system and are used to regulate flows into downstream components of the conveyance and distribution system. Gate V-06 controls flow from the San Diego Canal into Lake Skinner and has been in continuous service since its original installation more than 45 years ago. During that time, the gate has received routine maintenance. Gate V-08 is the turnout radial gate that conveys Colorado River water from the Casa Loma Canal to the San Diego Canal. This gate was originally installed 45 years ago and was completely replaced during the San Diego Canal Enlargement Project in the early 1990s. However, due to its continuous operation over the last 30 years, replacement of the gate is recommended. Gate V-06 has a width of 30 feet and a height of 15 feet, while gate V-08 has a width of 15 feet and a height of 15 feet.

The radial gates that are the subject of this letter are used to shut down, isolate, and divert flows along the aqueduct and canal. Each gate is constructed of a steel framework that resembles a slice of pie, with a curved

plate that rotates to block flow when the gate is in the closed position. An electric motor actuator is used to pivot the gate upward from the closed to the open position. The electric motor, hoisting mechanism, and radial gate are mounted on a concrete structure.

Recent inspections have identified that the four gates are corroded and require replacement. Protective coatings on various components of the gates have begun to fail. Several of the gates have a fiberglass laminate applied to the face of the curved plate that is in contact with water. This laminate is deteriorating and has pulled away from the curved plate in several instances. Significant metal loss has occurred on portions of the steelwork and mounting brackets. The existing motor actuators, which are used to open and close the gates, have also deteriorated.

Inspections have also identified additional upgrades that are needed at the Cabazon Radial Gate Facility. Required upgrades include: (1) replacement of outdated monitoring equipment including three entry alarms, as well as water level, turbidity, and pH meters; (2) installation of a standby generator to allow operation of the facility in the event of power loss; (3) upgrades to the radial gate structure including replacement of the metal roof covers and new handrails; and (4) installation of additional security cameras.

Two professional service agreements are recommended at this time to design the four new radial gates, as described below. These projects will protect Metropolitan's assets, enhance operational reliability, and reduce the risk of costly emergency repairs.

In accordance with the April 2020 action on the biennial budget for Fiscal Years 2020/21 and 2021/22, the General Manager will authorize staff to proceed with the actions described herein, pending board authorization of the design services agreement described below. Based on the current Capital Investment Plan (CIP) expenditure forecast, funds for the work to be performed pursuant to this action during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2020/21 and 2021/22 (Appropriation No. 15517). Funds required for work performed after fiscal year 2021/2022 will be appropriated after adoption of the next biennial budget. This project has been reviewed in accordance with Metropolitan's CIP prioritization criteria and was approved by Metropolitan's CIP Evaluation Team to be included in the Conveyance and Distribution System Rehabilitation and Colorado River Aqueduct Reliability Programs.

Project No. 1 - Cabazon Radial Gate Facility Upgrades – Preliminary and Final Design

Planned upgrades involve the replacement of two radial gates located in the Cabazon Radial Gate Facility, including motor actuators and the gates' electrical and control equipment. Additional upgrades include new sensors to monitor water levels and water quality, new metal roof covers with a locking mechanism, a new standby generator, and upgrades to the site's security system. Design activities will be conducted with a hybrid effort of consultant and Metropolitan staff as described below. Metropolitan staff will perform design of the instrumentation and control system, consultant oversight, overall project management, advertisement, and receipt of competitive bids.

A total of \$1.74 million is required for this work. Allocated funds include \$890,000 for design activities, which includes \$340,000 for preliminary investigation, technical assessments, and analyses, and \$550,000 for final design activities, by Hazen and Sawyer, under a new agreement, as described below; and a total of \$45,000 for a constructability workshop. The constructability workshop will be performed by a specialty firm under a contract planned to be executed under the General Manager's Administrative Code authority to award contracts of \$250,000 or less. Allocated funds for Metropolitan staff activities include \$399,000 for design, technical oversight, and review of consultant's work; \$247,000 for surveying, project management, and project controls; and \$159,000 for remaining budget.

As described above, final design will be performed by Hazen and Sawyer and Metropolitan staff. Engineering Services' performance metric target range for final design with construction greater than \$3 million is 9 to 12 percent. For this project, the performance metric goal for final design is 11.8 percent of the total construction costs. The estimated cost of final design is \$710,000, which includes \$550,000 for Hazen and Sawyer and \$160,000 for Metropolitan staff. The estimated cost of construction for this project is anticipated to range from \$6 million to \$6.5 million.

Engineering Services (Hazen and Sawyer) – New Agreement

Hazen and Sawyer is recommended to provide engineering services for the design of the Cabazon Radial Gate Facility Upgrades. Hazen and Sawyer was prequalified to provide design services via Request for Qualifications No. 1215 and was selected for this project based on the firm's technical approach and its experience with similar projects. In addition, Hazen and Sawyer performed the study phase of the project and has in-depth familiarity with project requirements. Due to the straightforward nature of the design work, staff recommends moving forward with both preliminary and final design at this time.

The planned activities for Hazen and Sawyer include: (1) detailed design; (2) preparation of drawings and specifications; (3) development of construction cost estimates; and (4) technical support during the bidding period.

This action authorizes an agreement with Hazen and Sawyer for a not-to-exceed amount of \$890,000 to provide engineering design services for the Cabazon Radial Gate Facility. For this agreement, Metropolitan has established a Small Business Enterprise (SBE) participation level of 25 percent. Hazen and Sawyer has agreed to meet this level of participation. The planned subconsultant for this work is The Terrazas Group LLC.

Project No. 2- San Diego Canal Radial Gate Replacement – Preliminary and Final Design

Planned upgrades involve replacement of two radial gates located along the San Diego Canal. The motor actuators and electrical and control equipment for each gate will also be replaced. Design activities will be conducted with a hybrid effort of consultant and Metropolitan staff as described below. Metropolitan staff will perform design of the instrumentation and control systems for both sites, consultant oversight, overall project management, and advertisement and receipt of competitive bids.

A total of \$1.96 million is required for this work. Allocated funds include \$904,000 for design activities (includes \$319,000 for preliminary investigations, technical assessments, and hydraulic analysis, and \$585,000 for final design activities) by LEE + RO, Inc., under a new agreement, as described below, and a total of \$100,000 for value engineering and constructability review workshops. The workshops will be performed by a specialty firm under a contract planned to be executed under the General Manager's Administrative Code authority to award contracts of \$250,000 or less. Allocated funds for Metropolitan staff activities include \$460,000 for design, technical oversight and review of consultant's work; \$291,000 for surveying and site investigations, project management, and project controls; and \$205,000 for remaining budget.

As described above, final design will be performed by LEE + RO, Inc. and Metropolitan staff. Engineering Services' performance metric target range for final design with construction greater than \$3 million is 9 to 12 percent. For this project, the performance metric goal for final design is 9.8 percent of the total construction costs. The estimated cost of final design is \$835,000, which includes \$585,000 for LEE + RO, Inc. and \$250,000 for Metropolitan staff. The estimated cost of construction for this project is anticipated to range from \$8.5 million to 9 million.

Engineering Services (LEE + RO, Inc.) – New Agreement

LEE + RO, Inc. is recommended to provide engineering services for design of the San Diego Canal Radial Gates Replacement. LEE + RO, Inc. was prequalified via Request for Qualifications No. 1215. LEE + RO, Inc. was selected for this project based on the firm's technical approach, and experience with similar projects. LEE + RO, Inc. previously performed design for the CRA Radial Gate Replacement project; construction for this project was completed in 2021. Due to the straightforward nature of the design work, staff recommends moving forward with preliminary and final design at this time.

The planned activities for LEE + RO, Inc. include: (1) development of design criteria; (2) detailed design, preparation of plans, and specifications; (3) preparation of a fluid-structure interaction evaluation; (4) development of construction cost estimates; and (5) technical support during the bidding period.

This action authorizes an agreement with LEE + RO, Inc. for a not-to-exceed amount of \$904,000 to provide engineering design services for the San Diego Canal Radial Gate Replacement. For this agreement, Metropolitan has established an SBE participation level of 25 percent. LEE + RO, Inc. is an SBE firm and thus achieves 100 percent SBE participation. The planned subconsultant for this work is Flow Science, Inc.

Alternatives Considered

Alternatives considered for completing design activities for the Cabazon Radial Gate Facility Upgrades and the San Diego Canal Radial Gate Replacement included utilizing in-house Metropolitan staff to conduct this work. Metropolitan's staffing strategy for utilizing consultants and in-house Metropolitan staff has been: (1) to assess current work assignments for in-house staff to determine the potential availability of staff to conduct this work; and (2) to use project-specific professional services agreements when resource needs exceed available in-house staffing or require specialized technical expertise in order to provide a concentrated engineering effort over an extended duration.

This strategy relies on the assumption that in-house engineering staff will handle the baseload of work on capital projects, while professional services agreements are selectively utilized to handle projects above this baseload or where specialized needs are required. This strategy allows Metropolitan's staff to be strategically utilized on projects to best maintain key engineering competencies and to address projects with special needs or issues. After assessing the current workload for in-house staff, and the relative priority of this project, staff recommends utilizing a hybrid effort of consultant and Metropolitan staff for performance of this work. Metropolitan staff will perform design for the instrumentation and controls, while professional services agreements will be used for the remaining design efforts, such as mechanical, civil, and structural design. This approach will allow for completion of not only this project, but also other budgeted capital projects within their current schedules and ensure that the work is conducted in the most efficient manner possible.

Summary

This action authorizes agreements with: (1) Hazen and Sawyer for a not-to-exceed amount of \$890,000 to provide design services to improve the Cabazon Radial Gate Facility; and (2) LEE + RO, Inc. for a not-to-exceed amount of \$904,000 to provide design services to replace two radial gates along the San Diego Canal.

These projects have been evaluated and recommended by Metropolitan's CIP Evaluation Team, and funds are available within the fiscal year 2020/21 capital expenditure plan. See **Attachment 1** for the Allocation of Funds and **Attachment 2** for the Location Map.

Project Milestones

December 2023 – Completion of final design of the San Diego Canal Radial Gate replacements

August 2023 – Completion of final design of the Cabazon Radial Gate Facility upgrades

Policy

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 43053, dated July 14, 1998 the Board appropriated a total of \$456,000 for design services to add a weir structure to the Cabazon Radial Gate Structure.

By Minute Item 51963, dated April 14, 2020 the Board appropriated a total of \$500 million for projects identified in the Capital Investment Plan for Fiscal Years 2020/21 and 2021/22.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves only feasibility or planning studies for possible future actions which the Board has not approved, adopted or funded (Section 15262 of the State CEQA Guidelines). In addition, the proposed action is categorically exempt under the provisions of CEQA and the State CEQA Guidelines because the proposed action involves basic data collection and research activities which do not result in a serious or major disturbance to an environmental resource, which may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded (Class 6, Section 15306 of the State CEQA Guidelines).

CEQA determination for Option #2:

None required

Board Options

Option #1

- a. Authorize an agreement with Hazen and Sawyer for a not-to-exceed amount of \$890,000 for design to upgrade the Cabazon Radial Gate Facility.
- b. Authorize an agreement with LEE + RO, Inc. for a not-to-exceed amount of \$904,000 for design to replace radial gates along the San Diego Canal.

Fiscal Impact: \$3,700,000 in capital funds for design. Approximately \$300,000 in capital funds will be incurred in the current biennium and have been previously authorized. The remaining capital expenditures will be funded from future CIP budgets following board approval of those budgets.

Business Analysis: This option will allow for completion of not only this project, but also other budgeted capital projects within their current schedules.

Option #2

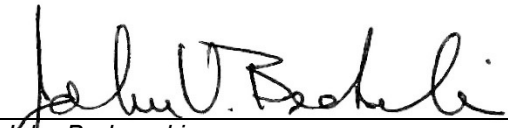

Do not proceed with the agreements at this time.

Fiscal Impact: None

Business Analysis: This option may delay the completion of design for the radial gates replacement projects. Further deterioration of any of the gates could lead to excessive leakage, more extensive repairs, and increased costs.

Staff Recommendation

Option #1

	2/14/2022
John Bednarski	Date
Manager/Chief Engineer	
Engineering Services	
	2/17/2022
Adel Hagekhalil	Date
General Manager	

Attachment 1 – Allocation of Funds**Attachment 2 – Location Map**

Ref# es12680423

Allocation of Funds for Cabazon Radial Gate Facility Upgrades

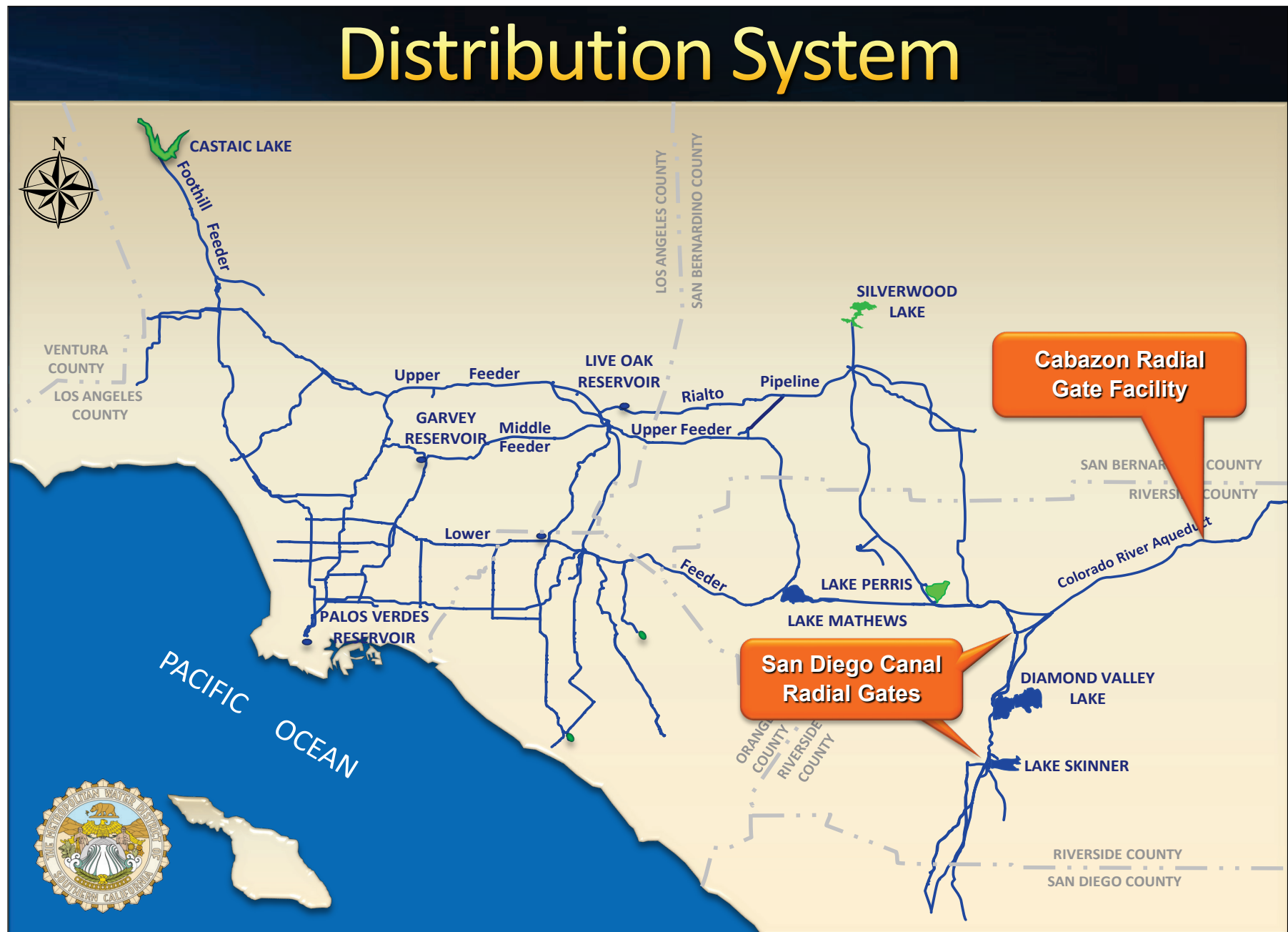
	Current Board Action (Mar. 2022)
Labor	
Studies & Investigations	\$ 239,000
Final Design	160,000
Owner Costs (Program mgmt., envir. planning)	237,000
Submittals Review & Record Drwgs.	-
Construction Inspection & Support	-
Metropolitan Force Construction	-
Materials & Supplies	-
Incidental Expenses	10,000
Professional/Technical Services	-
Hazen and Sawyer	890,000
Constructability Review Consultant	45,000
Right-of-Way	-
Equipment Use	-
Contracts	-
Remaining Budget	159,000
Total	\$ 1,740,000

The total amount expended to date to improve the Cabazon Radial Gate Structure is approximately \$651,000. The future construction contract is estimated to range from \$6 million to \$6.5 million.

Allocation of Funds for San Diego Canal Radial Gates Replacement

	Current Board Action (Mar. 2022)
Labor	
Studies & Investigations	\$ 210,000
Final Design	250,000
Owner Costs (Program mgmt., envir. planning)	281,000
Submittals Review & Record Drwgs.	-
Construction Inspection & Support	-
Metropolitan Force Construction	-
Materials & Supplies	-
Incidental Expenses	10,000
Professional/Technical Services	-
Lee & Ro, Inc.	904,000
Value Engineering Consultant	60,000
Constructability Review Consultant	40,000
Right-of-Way	-
Equipment Use	-
Contracts	-
Remaining Budget	205,000
Total	\$ 1,960,000

The total amount expended to date replace the San Diego Canal radial gates is approximately \$572,000. The future construction contract is estimated to range from \$8.5 million to \$9 million.





Radial Gate Replacements

Engineering and Operations Committee
Item 7-2
March 7, 2022

Current Action

- Authorize two professional services agreements for design activities to support radial gates replacement projects
 - Hazen and Sawyer in an amount not to exceed \$890,000 for design to upgrade the Cabazon Radial Gate Facility (Project 1)
 - LEE + RO, Inc. in an amount not to exceed \$904,000 to replace radial gates along the San Diego Canal (Project 2)

Distribution System

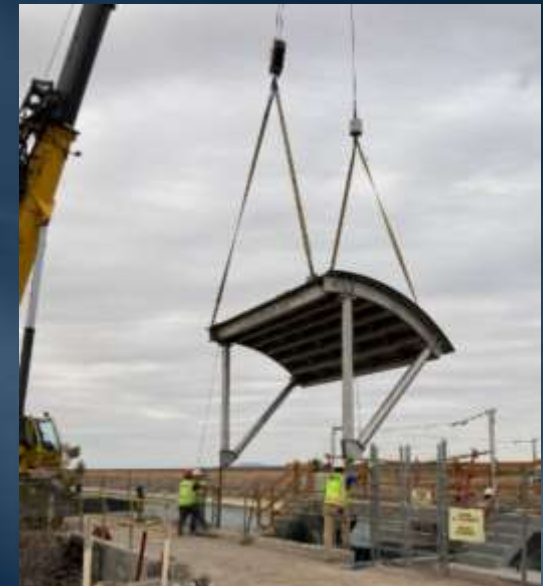


Background

- Radial gates used to shut down, isolate & divert flows along the aqueduct and canal
- Electric motor actuator used to open & close the gate
- Recent inspections identified
 - Corroded gates
 - Failed protective coatings
 - Material loss in steel framework
 - Deteriorated actuators



Radial gate example



Installation of new radial gate on CRA in 2020

1. Cabazon Radial Gate Facility Upgrades

- Constructed in 1936
 - Original CRA equipment
- Consists of two radial gates
 - 17 feet wide by 16 feet high
- Additional upgrades needed
 - Gate sealed to prevent leaks
 - Crane needed to open the gate



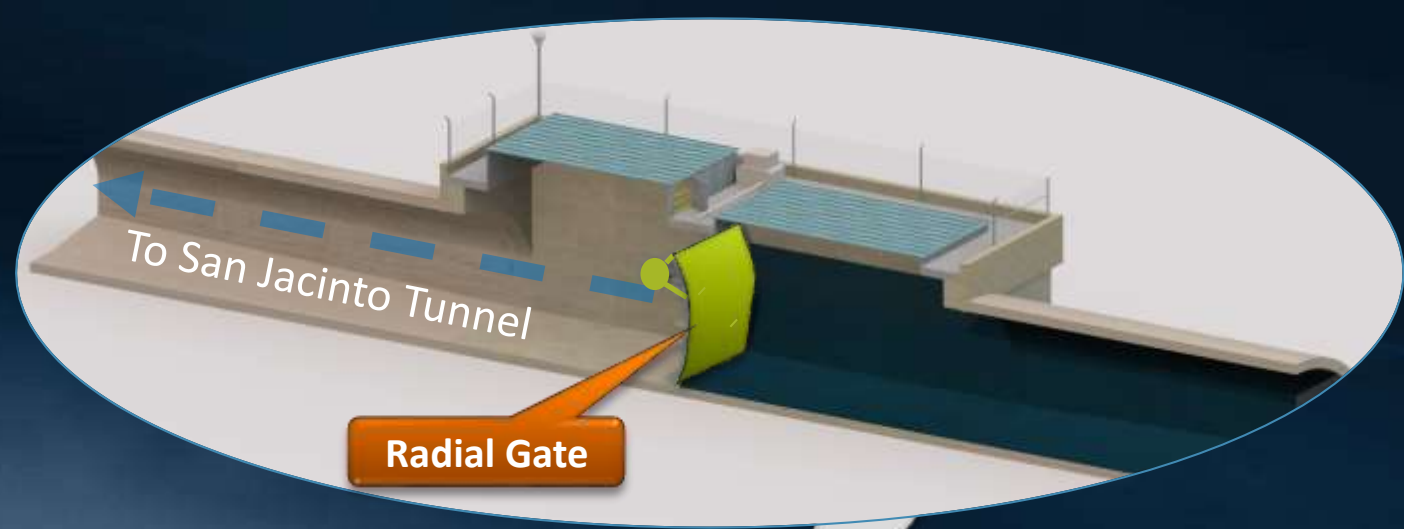
Cabazon Radial Gate Facility



Corroded Radial Gate

1. Planned Work

- Replace two radial gates, motor actuators, electrical & control equipment
- Install new sensors to monitor water levels & water quality
- Install new metal roof covers with locking mechanism & standby generator
- Upgrade site's security system



Cabazon Radial Gate Facility planned upgrades

1. New Agreement - Hazen and Sawyer

- Prequalified under RFQ 1215
- Scope of work
 - Preliminary investigations
 - Technical assessments & analyses
 - Detailed design
 - Preparation of drawings & specifications
 - Development of construction cost estimates
 - Technical support during bidding period
- SBE participation level: 25%
- NTE amount: \$890,000

1. Metropolitan Scope

- Design instrumentation & controls
- Conduct field & geotechnical investigations
- Provide technical oversight
- Perform project controls & project management
- Advertise & receive competitive bids

2. San Diego Canal Gate Replacements

- Radial gates V-06 and V-08 are part of San Diego Canal system
 - V-06: 30 feet wide by 15 feet high
 - Isolates Lake Skinner & used for flow modulation
 - V-08: 15 feet wide by 15 feet high
 - Isolates the San Diego Canal & used for flow modulation
- In service for 45 years



V-08 radial gate partially submerged in water

2. Planned Work

- Replace
 - Two radial gates & motor actuators
 - Gate seal plates
 - Electrical & control equipment



Corrosion on the V-06 radial gate



2. New Agreement – LEE + RO, INC.

- Prequalified under RFQ 1215
- Scope of work
 - Preliminary investigations
 - Technical assessments & analyses
 - Detailed design
 - Preparation of drawings & specifications
 - Development of construction cost estimates
 - Technical support during bidding period
- SBE participation level: 100%
- NTE amount: \$904,000

2. Metropolitan Scope

- Design instrumentation & controls
- Conduct field & geotechnical investigations
- Provide technical oversight
- Perform project controls & project management
- Advertise & receive competitive bids

Alternatives Considered

- Utilize Metropolitan staff for design
 - With current workload, staff not immediately available
- Selected option
 - Professional services agreement for the subject projects
 - Consultant & staff work as a hybrid team

Allocation of Budgeted Funds

	1. Cabazon Radial Gate Facility Upgrades	2. San Diego Canal Radial Gate Replacement
Metropolitan Labor		
Preliminary Investigations	\$ 239,000	\$ 210,000
Final Design	160,000	250,000
Owner Costs	247,000	291,000
Professional/Technical Services		
Hazen and Sawyer	890,000	-
LEE + RO, Inc.	-	904,000
CR Consultant	45,000	40,000
VE Consultant	-	60,000
Remaining Budget	159,000	205,000
	Total	
	\$1,740,000	\$1,960,000

Total amount: \$3,700,000

Project Schedules



Board Options

- Option #1
 - a. Authorize an agreement with Hazen and Sawyer for a not-to-exceed amount of \$890,000 for design to upgrade the Cabazon Radial Gate Facility.
 - b. Authorize an agreement with LEE + RO, Inc. for a not-to-exceed amount of \$904,000 for design to replace radial gates along the San Diego Canal.
- Option #2
 - Do not proceed with the agreements at this time.

Staff Recommendation

- Option #1





- **Board of Directors**
Engineering and Operations Committee

3/8/2022 Board Meeting

7-3

Subject

Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program Environmental Impact Report and related CEQA actions; and award \$677,898 contract to Jeremy Harris Construction, Inc. to construct erosion control improvements for three sites in the Western San Bernardino County region

Executive Summary

Many of Metropolitan's distribution system facilities are located in undeveloped areas and are only accessible via unpaved patrol roads that are subject to erosion. Patrol roads damaged by erosion hinder access for inspection and make maintenance of pipelines and equipment difficult. Erosion damage can also expose pipelines, undermine Metropolitan structures, and potentially result in an unplanned shutdown to perform pipeline repairs. Construction of erosion-control improvements reduces the risk of progressive damage over multiple winter seasons, and reduces the need for staff to conduct unplanned repairs following storm events. This action awards a contract for construction of erosion-control features at three sites within the Western San Bernardino County region of Metropolitan's distribution system.

Details

Background

Metropolitan's distribution system consists of more than 830 miles of large-diameter pipelines and over 5,400 individual structures. Many of the pipelines and structures are located in remote or undeveloped areas and are only accessible by unimproved dirt patrol roads. These roads are susceptible to erosion from uncontrolled stormwater runoff. In addition, some of the structures are located in areas of dense vegetation, where obtaining permits to perform routine vegetation clearing can be overly burdensome. In other areas, development has surrounded the facilities and created barriers to access Metropolitan's right of way. The Right-of-Way and Infrastructure Protection Program (RWIPP) was created to address these situations.

The objectives of RWIPP are to: (1) identify and address right-of-way issues and areas that are susceptible to surface erosion; (2) prepare environmental documentation and acquire regional programmatic environmental permits to enable rehabilitation and maintenance activities to proceed without delay; (3) obtain additional right-of-way as needed; and (4) execute the needed rehabilitation activities.

During the initial assessment stage of the RWIPP, staff identified approximately 924 locations requiring surface improvements and approximately 420 areas with right-of-way or access issues. Major rehabilitation and acquisition of right of way under RWIPP will move forward as capital projects within Metropolitan's Capital Investment Plan (CIP), while minor repairs will be handled as operations and maintenance activities.

Implementation of projects under RWIPP has been grouped by operating region: Orange County, Western San Bernardino County, Los Angeles County, and Riverside/San Diego County. Final design of infrastructure improvements is underway for all four operating regions. The Colorado River Aqueduct operating region will be addressed separately in the future. The program's first construction contract was located in the Orange County region and was completed in 2021.

Construction of improvements under RWIPP will also be completed in stages. Staff has grouped and prioritized sites and staged construction projects depending on the project requirements. Final design of improvements for three sites in the Western San Bernardino County region has been completed, and staff recommends proceeding with construction at this time. The remaining project sites will be advertised under future contracts. Staff will return to the Board to award these contracts at a later date.

In accordance with the April 2020 action on the biennial budget for Fiscal Years 2020/21 and 2021/22, the General Manager will authorize staff to proceed with infrastructure protection improvements, pending board award of the contract described below. Based on the current CIP expenditure forecast, funds for the work to be performed pursuant to this action during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2020/21 and 2021/22 (Appropriation No. 15517). Funds required for work to be performed pursuant to the subject contract after fiscal year 2021/22 will be budgeted within the Capital Investment Plan Appropriation for Fiscal Years 2022/23 and 2023/24. This project has been reviewed in accordance with Metropolitan's CIP prioritization criteria and was approved by Metropolitan's CIP Evaluation Team to be included in the Distribution System Reliability Program.

Western San Bernardino Operating Region Stage 1 – Construction

The scope of the construction contract includes rehabilitation of erosion-related damage to access roads and other surface facilities and improvements to prevent further erosion at three sites within the Western San Bernardino County region. The work consists of construction of erosion-control features to protect critical infrastructure that includes concrete culverts, grading to divert stormwater away from pipeline structures, and roadway improvements to facilitate access and protect existing infrastructure. These construction sites are all located along the Inland Feeder with two in the Highland area and one near Redlands.

A total of \$990,000 is required for this work. In addition to the amount of the contract described below, other funds to be allocated include \$99,000 for construction inspection; \$98,000 for submittal review, technical support during construction, responding to requests for information, and preparation of record drawings; \$88,000 for contract administration, environmental monitoring, and project management; and \$27,102 for remaining budget.

Attachment 1 provides the allocation of the required funds. The total estimated cost to complete the Right-of-Way and Infrastructure Protection Program – Western San Bernardino Region Stage 1 improvements, including the amount allocated to date and funds allocated for the work described in this action, is approximately \$1.365 million. Approximately \$375,000 has been expended on this project to date.

Award of Construction Contract (Jeremy Harris Construction, Inc.)

Specification No. 1822 for the Right-of-Way and Infrastructure Protection Program – Western San Bernardino Region Stage 1 improvements was advertised for bids on December 16, 2021. As shown in **Attachment 2**, four bids were received and opened on February 1, 2022. The low bid from Jeremy Harris Construction, Inc. in the amount of \$677,898 complies with the requirements of the specifications. The other bids ranged from \$678,398 to \$995,971, while the engineer's estimate for this project was \$793,440. For this contract, Metropolitan established a Small Business Enterprise participation level of at least 25 percent of the bid amount. Jeremy Harris Construction, Inc. is a Small Business Enterprise firm, and thus achieves 100 percent participation. The subcontractors for this contract are listed in **Attachment 3**.

Metropolitan staff will perform construction management and inspection. Engineering Services' performance metric target range for inspection of projects with construction less than \$3 million is 12 to 15 percent. For this project, the performance metric goal for inspection is 14.6 percent of the total construction cost.

Alternatives Considered

Staff initially considered individually designing, permitting, and constructing each project site. This approach was determined to be very time-consuming and would lead to increased costs as there would be limited opportunities for efficiencies attributed to increased project sizing. Adopting a comprehensive staged approach for the needed improvements will consolidate design and permitting efforts and will allow staff to more efficiently execute the overall program. This comprehensive approach will also enable programmatic EIRs and regional permit applications to be prepared, an approach that will also enhance the efficient implementation of the program. It is anticipated that this approach will produce significant cost savings versus an alternative approach

based on handling each project on an individual basis. The results of these analyses comprise the recommended approach, as described in this board letter.

Summary

This action awards a \$677,898 construction contract to Jeremy Harris Construction, Inc. for Right-of-Way and Infrastructure Protection Program – Western San Bernardino Region Stage 1 improvements. This project has been evaluated and recommended by Metropolitan’s CIP Evaluation Team, and funds are available within the fiscal year 2020/21 capital expenditure plan. See **Attachment 1** for the Allocation of Funds, **Attachment 2** for the Abstract of Bids, **Attachment 3** for the listing of Subcontractors for Low Bidder, and **Attachment 4** for the Location Map.

Project Milestone

December 2022 – Completion of construction of the Western San Bernardino Region Stage 1 improvements

Policy

Metropolitan Water District Administrative Code Section 5108: Appropriations

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

By Minute Item 49475, dated July 09, 2013, the Board authorized final design for right-of-way planning for access improvements and pipeline protection with western San Bernardino County operating region.

By Minute Item 51963, dated April 14, 2020, the Board appropriated a total of \$500 million for projects identified in the Capital Investment Plan for Fiscal Years 2020/21 and 2021/22.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The environmental effects from the design, construction, and operation of the RWIPP within the Western San Bernardino Operating Region were evaluated in the Final Program Environmental Impact Report (EIR) for the Western San Bernardino Distribution System Infrastructure Protection Program, SCH #2014111071, which was certified by the Board on October 13, 2020. The Board also approved the Findings of Fact (Findings), the Mitigation Monitoring and Reporting Program, and the Program itself. This action is in support of Stage 1 improvements within the Western San Bernardino Operating Region and not on any changes to the approved Program itself. Hence, the previous environmental documentation acted on by the Board in conjunction with the proposed action fully complies with CEQA and the State CEQA Guidelines. Accordingly, no further CEQA documentation is necessary for the Board to act on the proposed action.

CEQA determination for Option #2:

None required

Board Options

Option #1

- a. Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program EIR and related CEQA actions, and
- b. Award \$677,898 contract to Jeremy Harris Construction, Inc. for Stage 1 Right-of-Way and Infrastructure Protection improvements in Western San Bernardino region of Metropolitan’s distribution system.

Fiscal Impact: Expenditure of \$990,00 in capital funds. Approximately \$150,000 will be incurred in the current biennium and has been previously authorized. The remaining capital expenditures will be funded from future CIP budgets following board approval of those budgets

Business Analysis: This project will enable Metropolitan to maintain and protect existing surface and underground infrastructure, patrol roads, and right of way, thereby enhancing reliability of the distribution system.

Option #2

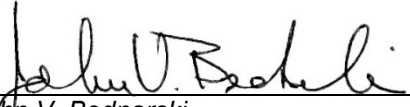

Do not proceed with the project at this time.

Fiscal Impact: None

Business Analysis: This option would forgo an opportunity to reduce the risk of costly unplanned repairs. Under this option, Metropolitan would continue to address these issues on an individual, case-by-case basis and would incur additional costs.

Staff Recommendation

Option 1

 _____ John V. Bednarski Manager/Chief Engineer Engineering Services	2/14/2022 _____ Date
 _____ Adel Hagekhalil General Manager	2/17/2022 _____ Date

Attachment 1 – Allocation of Funds

Attachment 2 – Abstract of Bids

Attachment 3 – List of Subcontractors for Low Bidder

Attachment 4 – Location Map

Ref# es12688569

Allocation of Funds for the Right-of-Way Infrastructure Protection Program – Western San Bernardino – Stage 1 Improvements

	Current Board Action (Mar. 2022)
Labor	
Studies & Investigations	\$ -
Final Design	-
Owner Costs (Program mgmt., envir. monitoring)	88,000
Submittals Review & Record Drwgs.	98,000
Construction Inspection & Support	99,000
Metropolitan Force Construction	-
Materials & Supplies	-
Incidental Expenses	-
Professional/Technical Services	-
Right-of-Way	-
Equipment Use	-
Contracts	-
Jeremy Harris Construction, Inc.	677,898
Remaining Budget	27,102
Total	\$ 990,000

The total amount expended to date is approximately \$375,000. The total estimated cost to complete this project, including the amount appropriated to date and funds allocated for the work described in this action, is \$1.365 million.

The Metropolitan Water District of Southern California

Abstract of Bids Received on February 1, 2022, at 2:00 P.M.

Specifications No. 1822

Right-of-Way Infrastructure Protection Program – Western San Bernardino Region Stage 1

The project consists of removing and installing fencing and gates; placing fill material and site grading; constructing access improvements, curbs and gutters, concrete ditch, splash walls, rip-rap ditches, and concrete cut-off walls; relocating manhole vents and air release valves; and hydroseeding to establish vegetation.

Engineer's estimate: \$793,440

Bidder and Location	Total	SBE \$	SBE %	Met SBE ¹
Jeremy Harris Construction, Inc. Riverside, CA	\$677,898	\$677,898	100%	Yes
Atom Engineering Construction, Inc. Hemet, CA	\$678,398	-	-	-
Three Peaks Corporation Calimesa, CA	\$873,137	-	-	-
Houalla Enterprises, Ltd. Dba Metro Builders & Engineers Group, Ltd., Metro Builders & Engineers Group, Ltd. Newport Beach, CA	\$995,971	-	-	-

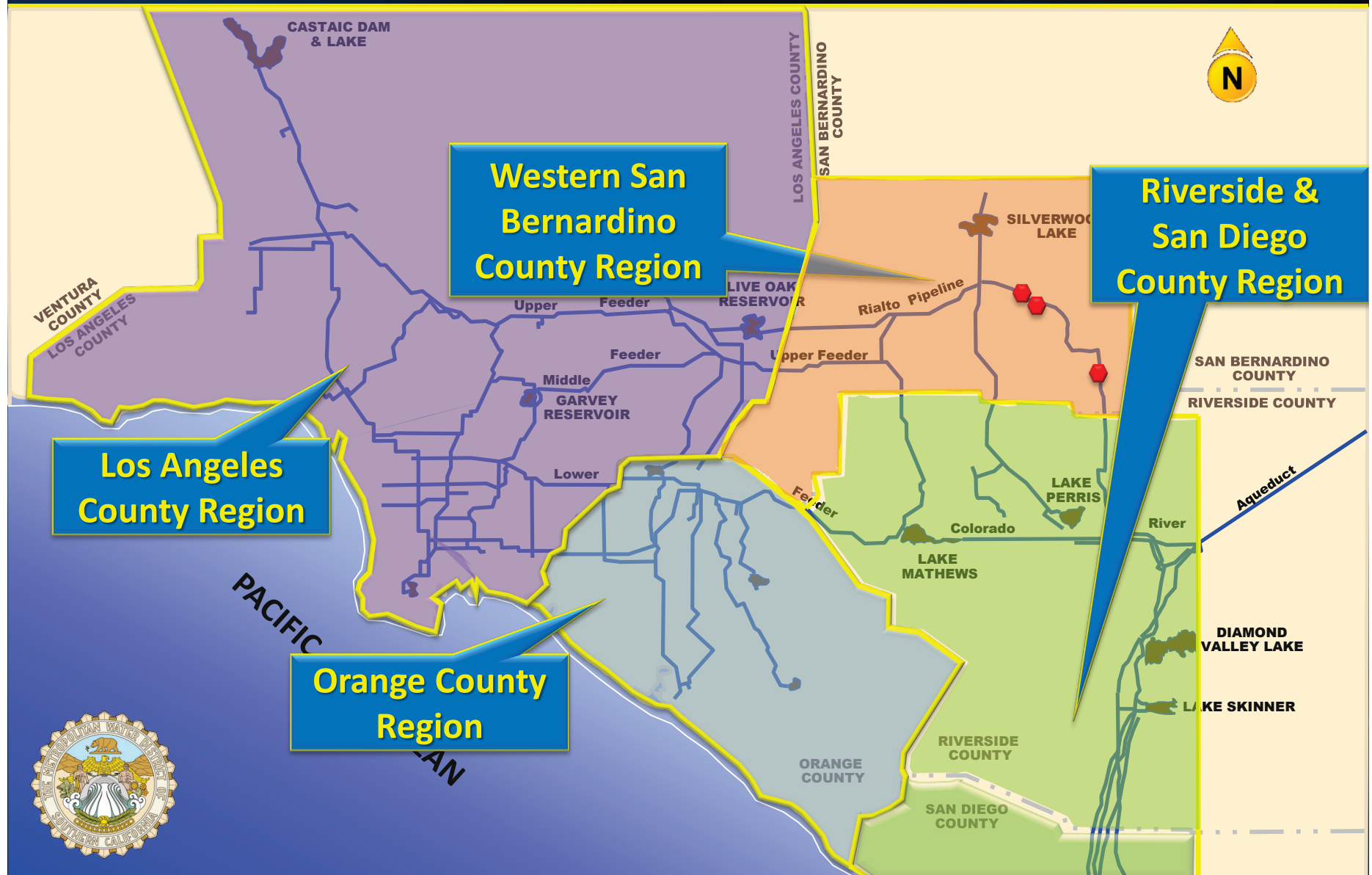
¹ Small Business Enterprise (SBE) participation level established at 25% for this contract.

The Metropolitan Water District of Southern California**Subcontractors for Low Bidder****Specifications No. 1822****Right-of-Way Infrastructure Protection Program – Western San Bernardino Region Stage 1**

Low bidder: Jeremy Harris Construction, Inc.

Subcontractor and Location
Incompli Orange, CA
Hemet Fence Homeland, CA
Canyon Hydroseeding Beaumont, CA
Borden Excavating, Inc. Calimesa, CA
Lopez Construction Corona, CA

Distribution System





Right-of-Way Infrastructure Protection Program Western San Bernardino Operation Region – Stage 1

Engineering and Operations Committee

Item 7-3

March 7, 2022

Current Action

- Award \$677,898 contract to Jeremy Harris Construction, Inc. for Stage 1 Right-of-Way and Infrastructure Protection improvements in Western San Bernardino region of Metropolitan's distribution system

Distribution System



Background

- Uncontrolled runoff causes erosion in undeveloped areas
- Development has restricted access to facilities
- Individual permits overly burdensome
- RWIPP Program Objectives
 - Rehabilitate surface erosion issues
 - Address right-of-way & access issues
 - Increase security
 - Prepare environ. documentation & acquire regional environ. permits

Existing Condition



Eroded Access Road



Erosion Adjacent to Accessway



Fence repair

Alternatives Considered

- Address each project site individually
 - More costly & time consuming
 - Greater cost for environmental permitting
- Conduct a comprehensive programmatic & staged approach
 - Allows consideration of broader policy alternatives
 - Program-wide environmental mitigation measures
 - Efficient & economical for both permitting & contracting
 - Environmental permitting costs reduced by more than \$10 million over 10-15 years

Western San Bernardino Operating Region

- Total of 30 sites
 - Erosion issues that impede access/maintenance
 - Security issues
 - Property rights or access related issues
 - Permits & clearances for multi-jurisdictional & environmentally sensitive areas
- Expedite completion of sites by grouping & staging projects
 - Proceed with three sites that do not require acquisition of right-of-way or environmental permits

Scope of Work

- Contractor

- Construct new v-ditches & concrete pads around the accessways
- Grade to divert storm water
- Improve roadways including aggregate base
- Raise air-release valve
- Install security fence

- Metropolitan

- Construction Inspection
- Project mgmt. & environmental monitoring
- Submittal review & record drawings

Bid Results

Specifications No. 1822

Bids Received	February 1, 2022
No. of Bidders	4
Low Bidder	Jeremy Harris Construction, Inc.
Low Bid	\$677,898
Range of Higher Bids	\$678,398 to \$995,971
Engineer's estimate	\$793,440
SBE Participation*	100%

*SBE (Small Business Enterprise) participation level set at 25%

Allocation of Budgeted Funds

Contract

Jeremy Harris Construction, Inc.	\$677,898
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Metropolitan Labor

Construction Inspection	99,000
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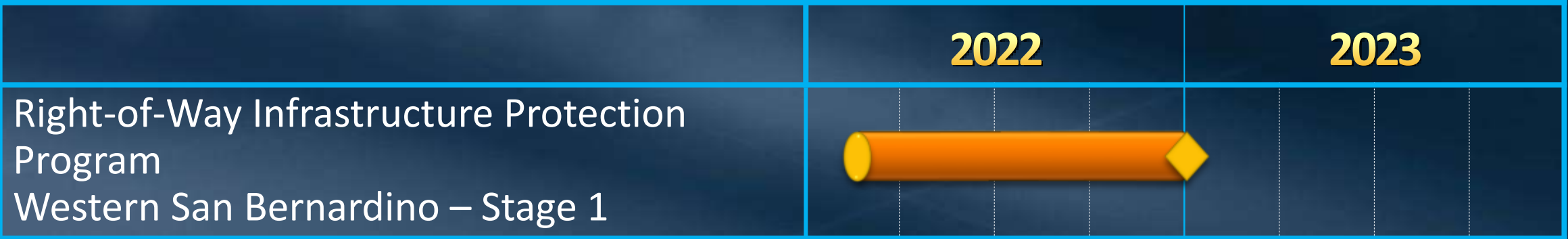
Submittal review, technical support & record drwgs.	98,000
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Contract admin., envir. support, & proj. management	88,000
--	--------

Remaining Budget	27,102
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Total	\$990,000
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Project Schedule



Board Action



Construction



Completion of
Construction

Board Options

- Option #1
 - a. Adopt CEQA determination that the proposed action was previously addressed in the certified 2020 Program EIR & related CEQA actions, and
 - b. Award \$677,898 contract to Jeremy Harris Construction, Inc. for Stage 1 Right-of-Way and Infrastructure Protection improvements in Western San Bernardino region of Metropolitan's distribution system.
- Option #2
 - Do not proceed with the project at this time.

Staff Recommendation

- Option #1





• **Board of Directors**
Engineering and Operations Committee

3/8/2022 Board Meeting

7-4

Subject

Authorize a professional services agreement with HDR Engineering, Inc. in an amount not to exceed \$2,800,000 for preliminary design services in support of erosion control improvements along the Colorado River Aqueduct; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Over the more than 80-year service life of the Colorado River Aqueduct (CRA), significant storms have caused recurring erosion over the aqueduct's cut-and-cover conduits. Successive heavy erosion events may cause damage to the aqueduct. This project constructs erosion control features at 19 conduit locations along the CRA which are vulnerable to erosion during storm events. This action authorizes an agreement with HDR Engineering, Inc. for preliminary design of erosion control improvements along the aqueduct. This project will improve the overall water delivery reliability of the CRA in these desert regions.

Details

Background

The CRA is a 242-mile-long conveyance system that transports water from the Colorado River to Lake Mathews. It consists of five pumping plants; 124 miles of tunnels, siphons, and reservoirs; 63 miles of canals; and 55 miles of conduits. The aqueduct was constructed in the late 1930s and was placed into service in 1941.

The CRA has 55 miles of cut-and-cover conduits, and at selected locations stormwater flows can cross the aqueduct. At these crossings, the original work on the aqueduct constructed a series of berms and diversion devices that channel storm flows over the aqueduct. The diversion and flood control devices have deteriorated over time, and heavy storm events often cause severe erosion which exposes the aqueduct conduits. Once exposed, the unreinforced conduits are vulnerable to structural damage from rock and debris flows, and to potential undermining of the conduit foundation.

In October 2018, storms caused extensive erosion over the cut-and-cover conduits at 36 sites along a nine-mile stretch of the CRA, west of Hinds Pumping Plant. The exposed lengths of the CRA in these locations varied from 15 feet to 150 feet in length, and up to 11 feet in depth. The storms also damaged patrol roads, earthen berms, and drainage channels. Metropolitan forces made short-term repairs to patrol roads and restored ground cover over the cut-and-cover conduit. However, due to the extent of damage, Metropolitan's Board awarded a construction contract in April 2019 to reestablish the original berms and drains that historically served to channel storm flows across the CRA conduit.

In light of the 2019 storm event, staff conducted a study to proactively address erosion issues along the CRA. The study is now complete, and staff recommends proceeding with preliminary design of erosion control measures in 19 areas along the aqueduct. The selected sites have a demonstrated history of recurring erosion damage during storm events. The recommended improvements will be designed to minimize the need for significant maintenance following future storms, and will be configured to prevent potential inundation of facilities in the vicinity including bridges, local roads, and utility lines.

In accordance with the April 2020 action on the biennial budget for Fiscal Years 2020/21 and 2021/22, the General Manager will authorize staff to proceed with the actions described herein, pending board authorization of

the design services agreement described below. Based on the current Capital Investment Plan (CIP) expenditure forecast, funds for the work to be performed pursuant to this action during the current biennium are available within the Capital Investment Plan Appropriation for Fiscal Years 2020/21 and 2021/22 (Appropriation No. 15517). Funds required for work to be performed pursuant to the subject contract after fiscal year 2021/22 will be budgeted within the Capital Investment Plan Appropriation for Fiscal Years 2022/23 and 2023/24.

CRA Conduit Erosion Control Improvements – Preliminary Design

Planned improvements include grading of the eroded areas and the addition of permanent erosion protection features such as grouted or ungrouted rock riprap, soil cement, drop structures, and cutoff walls or concrete encasements to protect the conduit, along with drainage improvement facilities as needed.

The preliminary design phase activities will be conducted with a hybrid effort of consultants and Metropolitan staff; consultant activities are described below. Metropolitan staff will perform overall project management, conduct site surveys, and provide consultant oversight.

A total of \$5 million is required for this work. Allocated funds include a total of \$2,800,000 for preliminary design activities by HDR Engineering, Inc under a new agreement, and \$260,000 for preparation of environmental documentation by Aspen Environmental Group under an existing agreement, as described below; and a total of \$255,000 for constructability workshop and geotechnical investigation activities. The constructability and geotechnical work will be performed by specialty firms under contracts planned to be executed under the General Manager's Administrative Code authority to award contracts of \$250,000 or less. Allocated funds for Metropolitan staff activities includes \$584,000 for technical oversight and review of consultant's work; \$853,000 for surveying of 19 sites, preparation of preliminary environmental documentation, regulatory agency coordination, project management, and project controls; and \$248,000 for remaining budget.

The total cost of the project to improve the CRA conduit erosion control will be re-evaluated during preliminary design. Currently, the future construction contract is estimated to range from \$25 million to \$30 million.

Attachment 1 provides the allocation of the required funds.

Preliminary Design Services (HDR Engineering, Inc.) – New Agreement

HDR Engineering, Inc. (HDR) is recommended to provide engineering services for the design of the CRA Erosion Control Improvements. HDR was selected through a competitive process via Request for Proposals No. 1286, based on the expertise of the firm's staff, its technical approach and methodology, and its cost proposal for the planned work. HDR was previously prequalified through a process based on the firm's technical expertise and its experience with projects of a similar nature.

The planned activities for HDR include: (1) site reconnaissance, data collection, and utility investigations; (2) hydrologic and hydraulics analyses; (3) sediment transport modeling; (4) geomorphology and scour analyses; (5) preparation of hydrology and hydraulics report; (6) structural assessments; (7) evaluation of erosion control measure alternatives; (8) coordinating with local jurisdictions and/or agencies; (9) preparation of preliminary design drawings; (10) conducting studies and preliminary analysis to determine required environmental documentation including initiation of as-needed permits; (11) development of a Class 3 construction cost estimate; and (12) participation in value engineering review workshops.

This action authorizes an agreement with HDR for a not-to-exceed amount of \$2.8 million to provide engineering design services for CRA Erosion Control Improvements. For this agreement, Metropolitan has established a Small Business Enterprise participation level of 25 percent. HDR has agreed to meet this level of participation. The planned subconsultants for this work are listed in **Attachment 2**.

Environmental Documentation - Aspen Environmental Group (No Action Required)

Aspen Environmental Group (Aspen) is recommended to provide environmental support services under an existing board-authorized agreement. Aspen was selected based on the firm's extensive experience with CEQA compliance and environmental clearances, and its specific experience with Metropolitan's desert facilities.

The planned scope of work includes performing biological and habitat surveys; and providing technical support such as identifying temporary construction impacts or environmental impacts such as air quality, noise, and traffic.

Metropolitan has an existing board-authorized four-year rollover agreement with Aspen in place to conduct work of the nature described in this letter. For this agreement, Metropolitan has established a Small Business Enterprise participation level of 25 percent. The planned scope of work includes preparing the environmental documentation; performing biological and habitat surveys; and providing technical support such as identifying project environmental impacts. The estimated cost for these services is \$260,000. No subconsultants are planned for this work.

Alternatives Considered

Alternatives considered for completing design activities for the CRA erosion control improvements included utilizing in-house Metropolitan staff to conduct this work. Metropolitan's staffing strategy for utilizing consultants and in-house Metropolitan staff has been: (1) to assess current work assignments for in-house staff to determine the potential availability of staff to conduct this work; and (2) to use project-specific professional services agreements when resource needs exceed available in-house staffing or require specialized technical expertise in order to provide a concentrated engineering effort over an extended duration.

This strategy relies on the assumption that in-house engineering staff will handle the baseload of work on capital projects, while professional services agreements are selectively utilized to handle projects above this baseload or where specialized needs are required. This strategy allows Metropolitan's staff to be strategically utilized on projects to best maintain key engineering competencies and to address projects with special needs or issues. After assessing the current workload for in-house staff, and the relative priority of this project, staff recommends the use of a professional services agreement for this subject project. This approach will allow for the completion of not only this project, but also other budgeted capital projects within their current schedules and ensure that the work is conducted in the most efficient manner possible.

Summary

This action authorizes an agreement with HDR Engineering, Inc. for a not-to-exceed amount of \$2,800,000 to provide engineering services for preliminary design of erosion control improvements along sections of the CRA.

This project has been evaluated and recommended by Metropolitan's CIP Evaluation Team, and funds are available within the fiscal year 2020/21 capital expenditure plan. This project has been reviewed in accordance with Metropolitan's CIP prioritization criteria and was approved by Metropolitan's CIP Evaluation Team to be included in the CRA Reliability Program. See **Attachment 1** for the Allocation of Budgeted Funds, **Attachment 2** for Planned Subconsultants, and **Attachment 3** for the Location Map.

Project Milestone

April 2023 – Complete preliminary design of CRA erosion control improvements

Policy

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 51963, dated April 14, 2020 the Board appropriated a total of \$500 million for projects identified in the Capital Investment Plan for Fiscal Years 2020/21 and 2021/22.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves only feasibility or planning studies for possible future actions which the Board has not approved, adopted or funded (Section 15262 of the State CEQA Guidelines). In addition, the proposed action is categorically exempt under the provisions of CEQA and the State CEQA Guidelines because the proposed action involves basic data collection and research activities which do not result in a serious or major disturbance to an environmental resource, which may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded (Class 6, Section 15306 of the State CEQA Guidelines)

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize an agreement with HDR Engineering, Inc. for a not-to-exceed amount of \$2,800,000 for preliminary design to improve erosion protection structures along the aqueduct.

Fiscal Impact: Expenditure of \$5 million in capital funds. Approximately \$250,000 will be incurred in the current biennium and has been previously authorized. The remaining capital expenditures will be funded from future CIP budgets following board approval of those budgets.

Business Analysis: This option will allow for the completion of not only this project, but also other budgeted capital projects within their current schedules.

Option #2

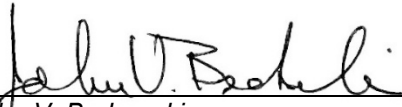

Do not proceed with the agreement at this time.

Fiscal Impact: None

Business Analysis: This option may delay the completion of preliminary design for erosion control improvements in the CRA system.

Staff Recommendation

Option # 1

 _____ John V. Bednarski Manager/Chief Engineer Engineering Services	2/14/2022 Date
 _____ Adel Hagekhalil General Manager	2/15/2022 Date

Attachment 1 – Allocation of Funds

Attachment 2 – Planned Subconsultants

Attachment 3 – Location Map

Ref# es12684390

Allocation of Funds for CRA Conduit Erosion Control Improvements

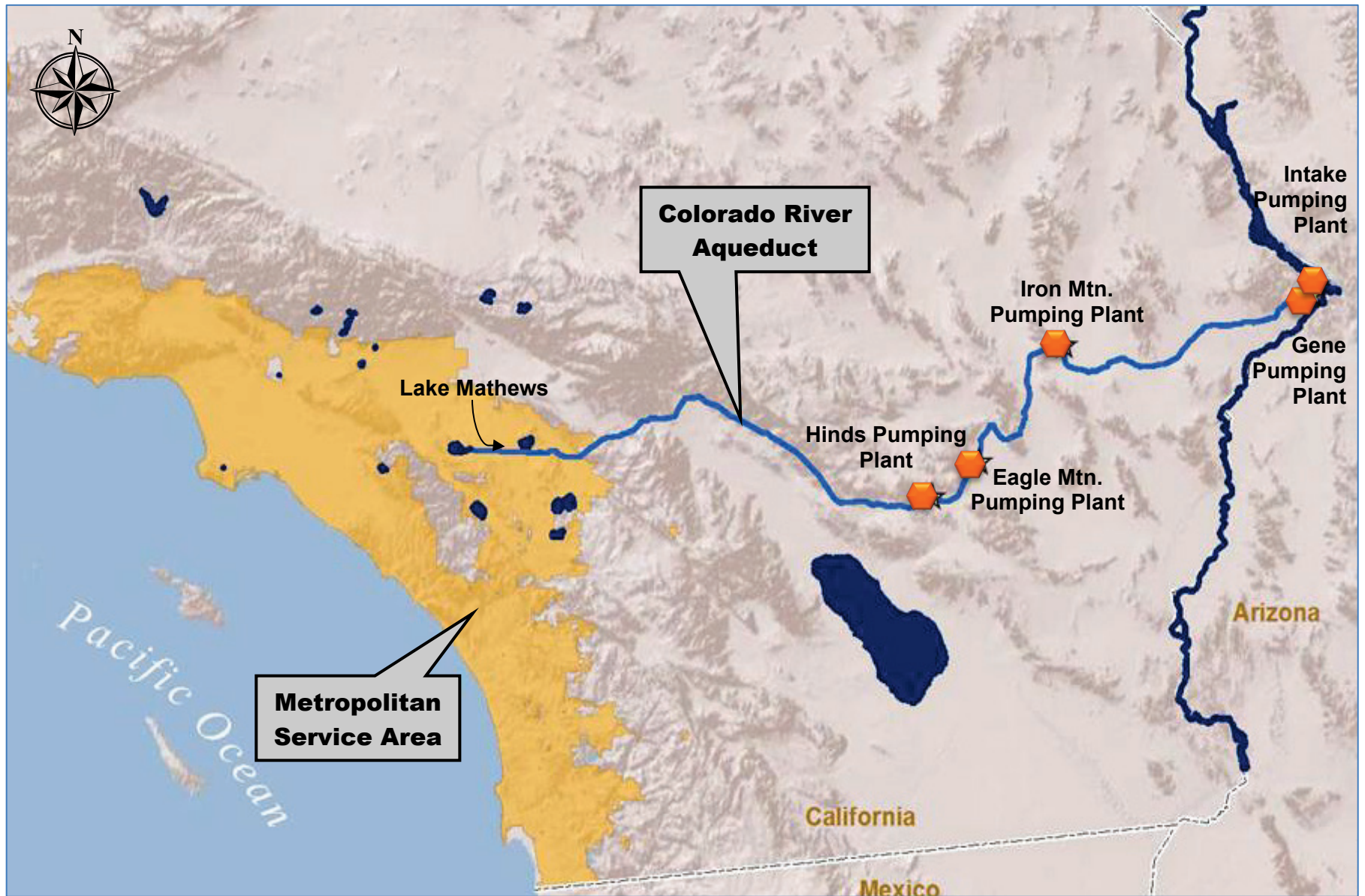
	Current Board Action (Mar. 2022)
Labor	
Studies & Investigations	\$ 584,000
Final Design	-
Owner Costs (Program mgmt., environ. planning, survey)	828,000
Submittals Review & Record Drwgs.	-
Construction Inspection & Support	-
Metropolitan Force Construction	-
Materials & Supplies	-
Incidental Expenses	25,000
Professional/Technical Services	-
HDR Engineering	2,800,000
Specialized Geotechnical Services	180,000
Specialized Environmental Services (Aspen)	260,000
Value Engineering Consultant	75,000
Right-of-Way	-
Equipment Use	-
Contracts	-
Remaining Budget	248,000
Total	\$ 5,000,000

The total amount expended to date to upgrade the CRA Conduit Erosion Control Improvements is \$450,000. The future construction contract is estimated to range from \$25 million to \$30 million.

The Metropolitan Water District of Southern California
Subconsultants for Agreement with HDR Engineering, Inc.

Subconsultant and Location
CWE Corp. - Fullerton, California
WEST Consultants, Inc. - San Diego, California
DRP Engineering, Inc. - Alhambra, California

Location Map





Colorado River Aqueduct Erosion Control Improvements

Engineering and Operations Committee

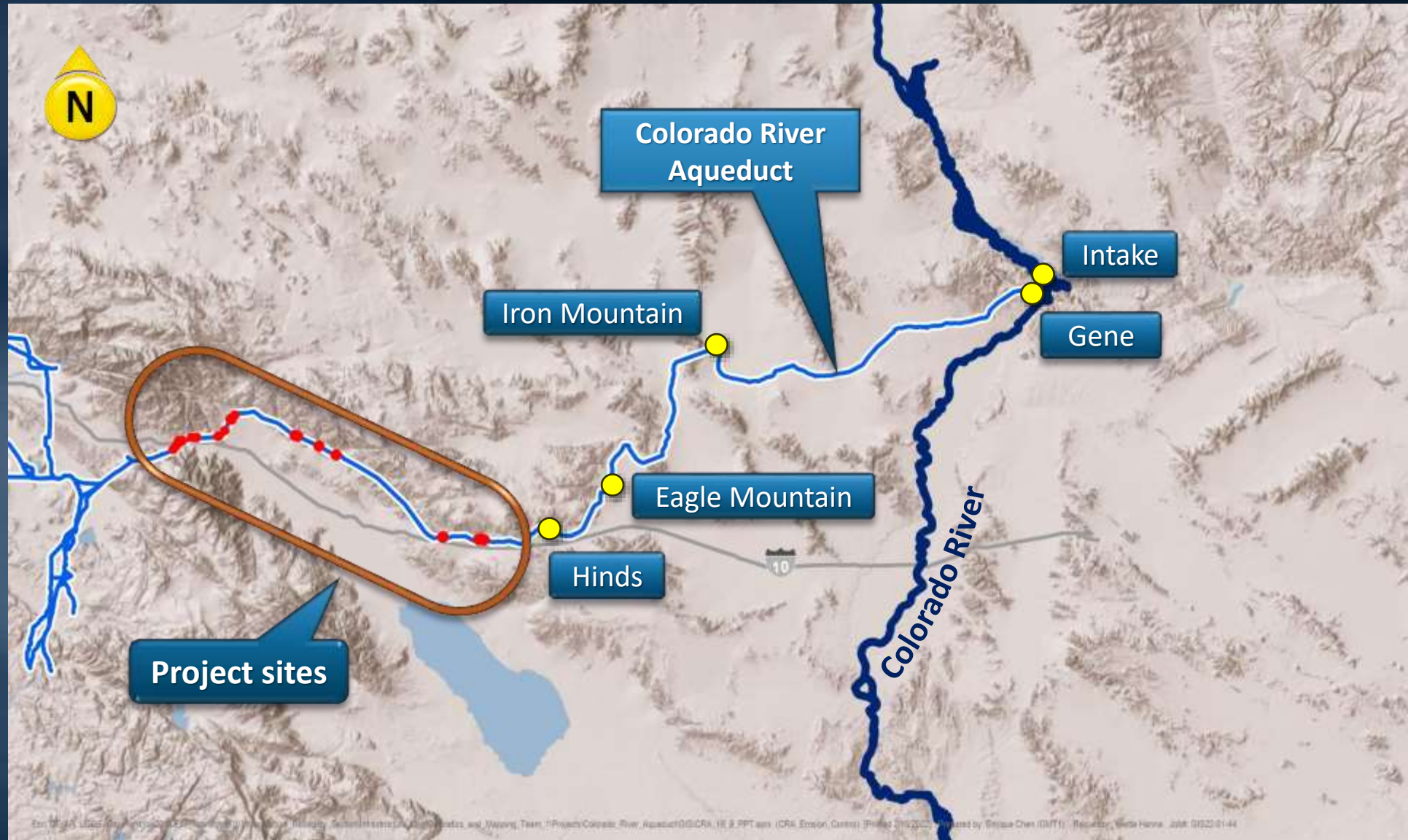
Item 7-4

March 7, 2022

Current Action

- Authorize a professional services agreement with HDR Engineering, Inc. in an amount not to exceed \$2,800,000 for preliminary design services in support of erosion control improvements along the Colorado River Aqueduct

Location Map



Background

- Cut-and-cover conduits are susceptible to erosion at ravine crossings
- High intensity, sediment-laden storm runoff erodes soil & exposes conduit
- Exposed conduits are vulnerable to structural damage from large debris and/or vehicles

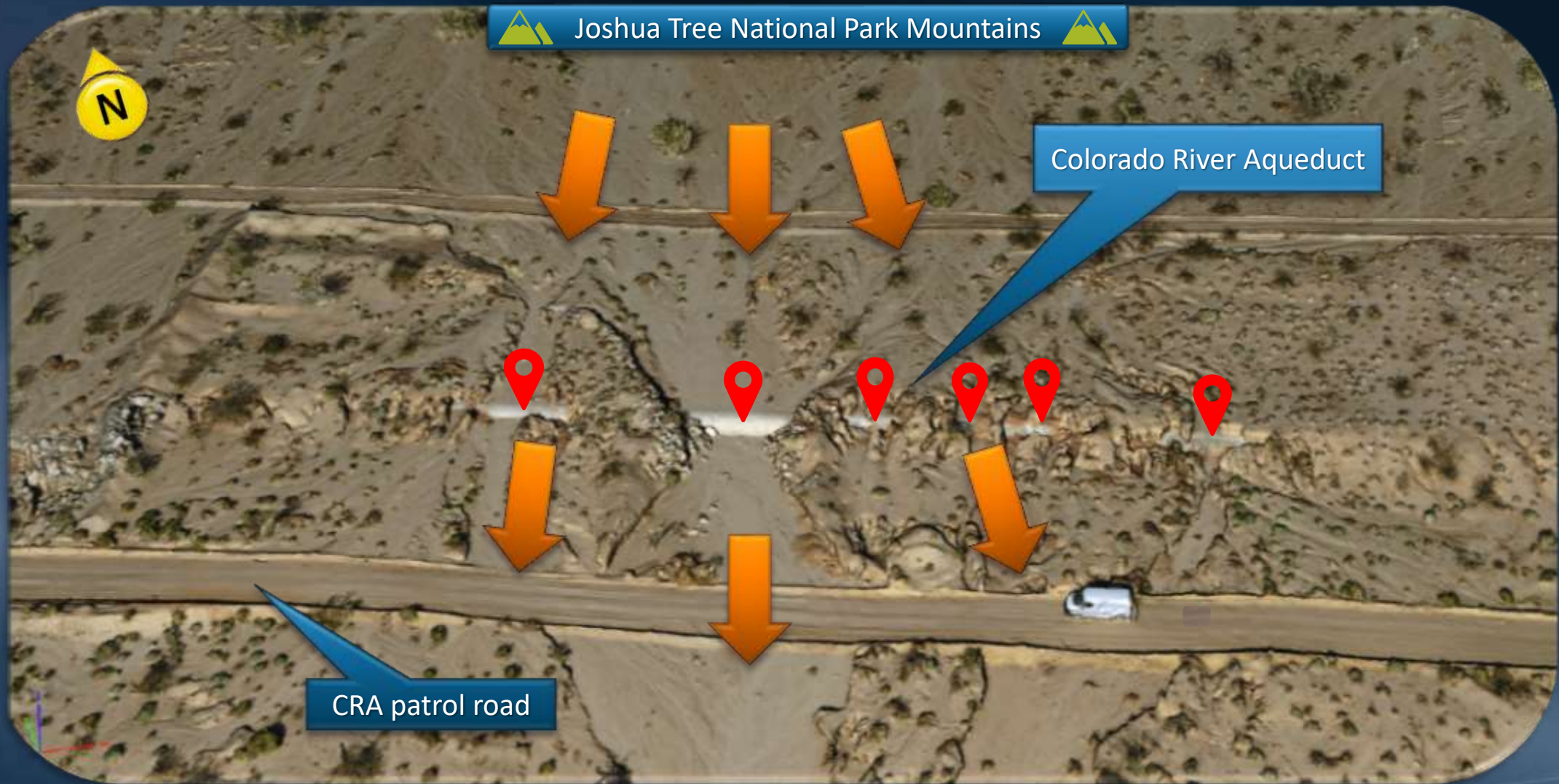


Exposure downstream of berm relief site
October 2018



Exposure near Pierson Road, February 2019

Background



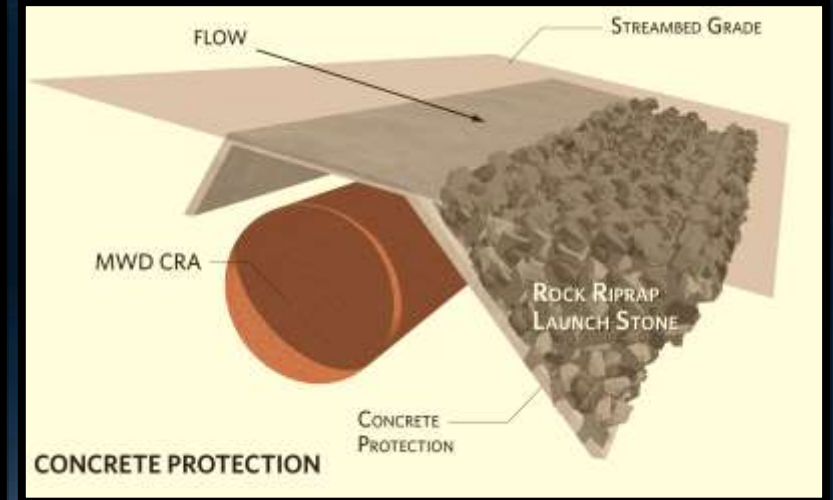
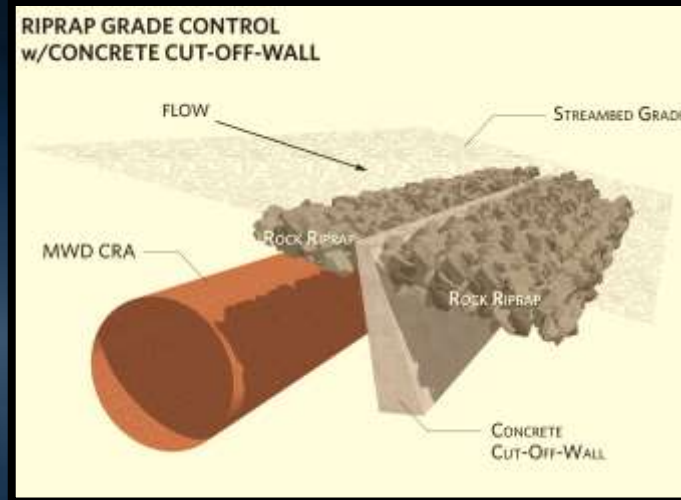
Several exposures in alluvial fan downstream of Munsen Canyon (near Chiriaco Summit)

October 2018

Item 7-4 Slide 5

Planned work

- Develop protection alternatives
- Design recommended features
- Install drainage & protection facilities



Gully & exposure near Super Creek February 2019



Exposed conduit at Pinkham Wash October 2018

HDR Engineering, Inc.

New Agreement

- Competitively selected under RFP 1286
- Scope of work for 19 sites
 - Conduct site & utility investigations
 - Perform hydrology, hydraulics, scour & geomorphology analyses
 - Perform sediment transport modeling
 - Evaluate proposed erosion control improvement options
 - Prepare preliminary design drawings & report
 - Develop a Class 3 construction cost estimate
- SBE participation level: 25%
- NTE amount: \$2,800,000

Metropolitan Scope

- Conduct topographic surveys for 19 sites
- Conduct geotechnical investigations & soil testing
- Prepare environmental documentation
- Conduct constructability workshop
- Coordinate permitting process with local jurisdictions
- Provide technical oversight
- Perform project controls & project management

Alternatives Considered

- Utilize Metropolitan staff
 - Staff workloads exceed immediate available resources
 - Specialized technical expertise required
 - Team of national experts in hydrology, hydraulics & scour analyses, sediment transport modeling, and river stability
- Selected option
 - Professional services agreement for the subject project
 - Consultant and staff work as a hybrid team

Allocated Funds

Metropolitan Labor	
Preliminary Investigations	\$ 584,000
Owner Costs	828,000
Professional/Technical Services	
HDR Engineering, Inc.	2,800,000
Specialized Geotechnical Services	180,000
Specialized Environmental Services	260,000
VE Consultant	75,000
Incidental Expenses	25,000
Remaining Budget	248,000
<hr/>	
Total	\$5,000,000

Project Schedule



Board Options

- Option #1

- Authorize an agreement with HDR Engineering, Inc. for a not-to-exceed amount of \$2,800,000 for preliminary design to improve erosion protection structures along the aqueduct.

- Option #2

- Do not proceed with the agreement at this time.

Staff Recommendation

- Option #1





- **Board of Directors**
Communications and Legislation Committee

3/8/2022 Board Meeting

7-5

Subject

Authorize entering into a three-year contract with GP Generate, LLC for media placement services related to drought awareness and water conservation not to exceed \$10.5 million; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

To address ongoing drought conditions and climate change impacts to Southern California's water supply, staff proposes to expand its current advertising and outreach efforts to increase public awareness and promote conservation actions and programs. In October 2021, staff informed the Board of plans to initiate a request for proposals seeking media placement services for a three-year multimedia, multilingual water conservation campaign not to exceed \$10.5 million for media placements using radio, digital, social media and outdoor advertising platforms. Staff recently completed a competitive consultant selection process. Following the interview and analysis of four finalist agencies, staff recommends the Board authorize the General Manager to enter into a three-year agreement with GP Generate, LLC for multimedia placement consulting services not to exceed \$10.5 million.

Details

In response to worsening drought conditions in 2021, Governor Newsom declared a Drought Emergency in California and called for voluntary cuts to water use. In August 2021, Metropolitan's Board adopted a Water Supply Alert and in November 2021 adopted a Drought Emergency Resolution, calling for increased efforts to maximize conservation, especially in communities that are more dependent on Metropolitan's deliveries of State Water Project (SWP) supplies. To support these actions, Metropolitan staff developed and implemented a highly-visible public outreach campaign. The summer phase launched in August using \$510,000 from the External Affairs fiscal year (FY) 2021/22 board-approved advertising budget. Outreach began with social media and then expanded to digital marketing, targeted radio ads, billboards, and other platforms. Results generated 27 million impressions, driving over 30,000 new visitors to bewaterwise.com. Traffic and weather radio advertisements were purchased on 42 English and Spanish-language stations, and 26 out-of-home billboards and transit shelter posters were installed throughout the Southern California region. Print advertisements were featured in grocery stores within disadvantaged communities, along with Spanish-language displays in many popular Latino grocery stores.

In September, staff informed the Board of plans to use up to \$1 million from the FY 2021/22 board-approved Conservation Credits budget to continue a drought awareness conservation campaign that would run throughout the fall and winter. The campaign is currently live on social, digital, radio, and outdoor platforms and leverages ethnic and grassroots media strategies to reach the region's many diverse communities. The media plan includes more targeted advertising for SWP dependent areas using digital media, outdoor advertising, and rebate point-of-purchase information in retail stores. This phase of the campaign concludes in spring 2022 and is on target to achieve over 30 million impressions.

Water Conservation Advertising Budget

Funding for future media placement services will come from existing and future conservation program budgets since the advertising supports and helps facilitate the demand management program goals and objectives.

Campaign activities will include digital/connected TV, radio traffic spots, out-of-home (billboards, transit), print (including community newspapers), Google search, social media, and strategic and media buy services. Funding not to exceed \$3.5 million for FY 2021/22 will come from the Board-approved budget, and contract capacity will provide for expenditures of not to exceed \$3.5 million for FY 2022/23 and \$3.5 million for FY 2023/24 in FY 2022/23-FY 2023/24, if needed. The expenditures for the next two fiscal years are included in the currently proposed biennial budget, which the Board will consider for approval on April 12, 2022. Actual expenditures for media and conservation outreach in FY 2022/23 and FY 2023/24 would not exceed the Board's biennial budget, if approved in April, and will be determined, in part, based on water supply conditions and Board direction. Staff will continue to inform the Board on conservation expenditures and will seek Board approval for any additional budget authorization, up to the contract capacity if needed.

This funding will purchase advertising to promote Metropolitan's water use efficiency programs and drive traffic to Metropolitan's bewaterwise.com® website, the district's primary online water-saving portal where consumers can find water-saving tips, education resources, member agency programs, and access to Metropolitan's conservation rebates. A portion of this funding also will be used for strategic input to advise in-house creative development on cultural resonance, relevance, and sensitivity to ensure messaging effectively engages diverse audiences. This will include research activities with focus groups and pre-and post-campaign assessments to determine quantifiable measures of success.

FISCAL YEAR	CONTRACT CAPACITY
	Media planning and placement, strategic input, research
FY 21/22 March – June 30, 2022	Up to \$3.5 million
FY 22/23 July 1, 2022 – June 30, 2023	Up to \$3.5 million
FY 23/24 July 1, 2023 – June 30, 2024	Up to \$3.5 million
	Up to \$10.5 million

Evaluation Process

Six firms responded to the request for proposals, specifically, RFP-KH-404523. The proposals were evaluated by an internal selection committee consisting of three staff members representing External Affairs and Water Resource Management. The evaluation criteria included qualifications and staffing, record of past performance, technical approach and methodology, draft media plan, environmental sensitivity, and small business representation. The four firms that received the highest cumulative scores were invited to interview on Jan. 4 and Jan. 18, 2022. GP Generate received the highest cumulative score by the selection committee in the review process and interview. Based on the comprehensive review, the committee recommends GP Generate be awarded the contract.

Introduction to GP Generate

GP Generate is a minority-owned, small business advertising agency based in Los Angeles with expertise and focus in full-service media. Agency services include strategy planning and buying across traditional media (TV, radio, print, out-of-home), digital (programmatic, display, mobile, video), paid search, and social (organic and paid). GP Generate has a strong data-driven approach using in-house advanced analytics capabilities that provide real-time optimizations and detailed insights into campaign performance. This allows the agency to quickly adapt marketing strategies to the region's evolving water supply conditions in a changing media landscape. The agency has executed both awareness and performance-based campaigns for diverse target audiences, including demographics within the general market, Hispanic, African American, Asian, Pan-Asian, Chinese, Korean, Asian Indian, Vietnamese, and other ethnic segments. GP Generate's experience with government and utility partners,

including work as a subcontractor on Metropolitan's 2015-2018 H2 Love/Let's Take a Turn water conservation campaigns, will provide the district with advertising opportunities informed by research and relevant campaign executions.

The full team demonstrates a strong track record with strategic media planning and multicultural advertising across global, national and local outlets. GP Generate also is equipped with a research consultant to provide the district with qualitative and quantitative strategic input on campaign cultural relevancy and sensitivity across multiple ethnic markets. The agency's experience reflects a broad range of public awareness, behavior change, and social marketing campaigns that successfully reached diverse demographic groups in cost-effective ways. In addition to Metropolitan, past clients include other public agencies, utilities, non-profit organizations, and healthcare agencies with quantified campaign results. GP Generate also demonstrates a level of cost-consciousness beyond the scope of other proposals submitted. This is evident in the agency's tiered commission structure for this agreement which is well below the industry standard rate of 15%, providing greater cost-effectiveness and expanding the reach of the campaign messages.

External Affairs staff proposes to work with GP Generate to negotiate for cost-effective, high-value multicultural paid campaign buys supported by in-house creative design and development. GP Generate also will provide significant value-added benefits for the district given the agency's high volume of advertising and experience in the regional marketplace. Campaigns will continue to be executed in multiple languages with outreach to community-based organizations, collaboration with member agencies on customized campaign-related resources and materials, and high-visibility outreach activities throughout the region. Staff will regularly update the Board on campaign creative activities and media buys and provide progress reports.

Next Steps

With Board authorization, staff will finalize the agreement with GP Generate, LLC and begin preparing Metropolitan's campaign media plan. Staff has established an aggressive development schedule so that messaging, outreach, and media buy activities can be implemented in April 2022.

Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Metropolitan Water District's Administrative Code Section 4210: Water Conservation (stating Metropolitan's policy to support water conservation programs)

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378) because the proposed action will not cause either a direct physical change in the environment or a reasonably foreseeable indirect physical change in the environment and involves continuing administrative activities, such as general policy and procedure making (Section 15378(b)(2) of the State CEQA Guidelines). In addition, the proposed action is not defined as a project under CEQA because it involves the creation of government funding mechanisms or other government fiscal activities which do not involve any commitment to any specific project which may result in a potentially significant physical impact on the environment (Section 15378(b)(4) of the State CEQA Guidelines).

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize the General Manager to enter into a three-year agreement with GP Generate, LLC for media placement and advertising consulting services not to exceed \$10.5 million.

Fiscal Impact: Funds not to exceed \$3.5 million are authorized for FY 2021/22. Contract capacity for FY 2022/23 and FY 2023/24 is \$3.5 million per year, if needed, but expenditures will not exceed the funding provided in the biennial budget, if approved, which will be considered by the Board on April 12, 2022.

Business Analysis: Sustained drought communication and conservation will help the region improve its water supply reliability, increase awareness of regional and local rebate programs, and highlight the value of a Southern California water-saving lifestyle. Prominent media placements and strategic advice would stress public messaging consistent with Metropolitan's strategic goals to effectively market the region's conservation programs.

Option #2

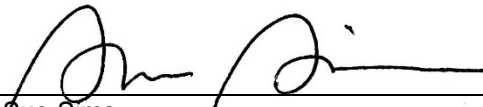

Do not authorize the General Manager to enter into a three-year agreement with GP Generate, LLC.

Fiscal Impact: Unquantified impact at this time, as the financial impacts will depend on the system enhancements and resource purchases required to meet demand during times of ongoing drought that will be necessary without additional conservation in the service area.

Business Analysis: The start of our spring media campaign precedes the higher demand months of summer. Having a campaign in place starting in April 2022 is critical to our continuing education about conservation and promotion of our rebates and programs. Staff would seek direction from the Board on whether to re-bid for media placement services. Re-bidding services would take two to four months and would delay a strong media campaign in the summer when water demands peak.

Staff Recommendation

Option #1

 _____ Sue Sims External Affairs Manager	2/24/2022 _____ Date
 _____ Adel Hagekhalil General Manager	2/28/2022 _____ Date



Communications & Legislation Committee

Contract for Multimedia Placement Consulting Services

Item 7-5

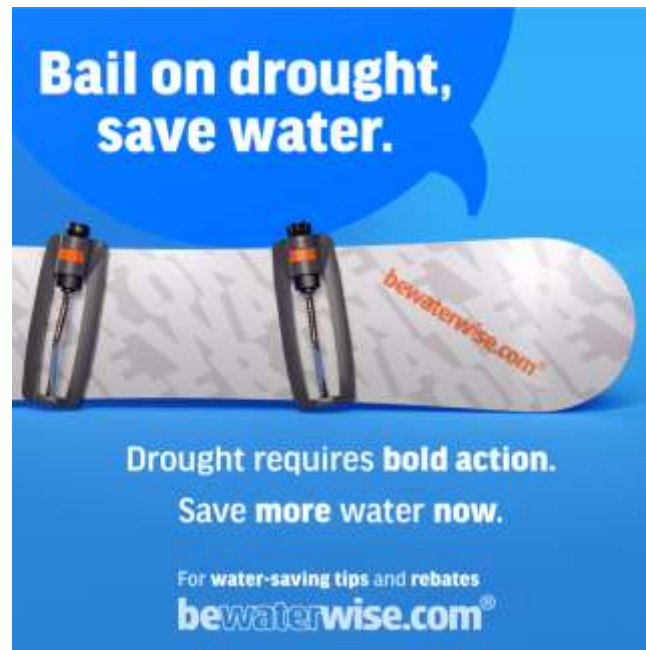
Background.

- In September 2021, informed the Board of plans to use up to \$1 million from the FY 2021/22 board-approved Conservation Credits budget for drought awareness conservation campaign in fall and winter.
- In October 2021, informed the Board of plans to initiate a request for proposals for a three-year multimedia placement agreement not to exceed \$3.5 million annually for a total not to exceed \$10.5 million.

In-House Campaign Creative.

Fall & Winter

Elev
an
in
op
pr



Critical Elements.

Included in Request for **Proposals**

- Multimedia placements to reach diverse audiences
- Strategic input for cultural relevancy and sensitivity
- Research-based targeting and messaging
- Customizable materials for member agency use
- Build on past campaigns and brand awareness
- Cost-effective media buys
- Added value opportunities

Firm
Qualifications

Record of Past
Performance

Methodology

Media Strategy

Evaluation Criteria.

Recommended
Firm.



GP Generate

- Proven record of past performance
- Enhanced analytics and verification measures
- Extensive ethnic media marketing expertise
- Competitive commission rates
- Small business, minority owned



Traditional
TV, radio, print,
out of home



Digital
Programmatic, display,
mobile, video



Search



Social
Paid & organic

Media Plan Elements.

Budget.

FISCAL YEAR	CONTRACT CAPACITY Media planning and placement, strategic input, research
FY 2021/22 April – June 2022	Up to \$3.5 million
FY 2022/23 July 2022 – June 2023	Up to \$3.5 million
FY 2023/24 July 2023 – June 2024	Up to \$3.5 million
TOTAL	Up to \$10.5 million

Next Steps.

- Maintain current messaging and heighten outreach
- Finalize agreement with GP Generate, LLC
- Prepare media plan
- Launch next phase of media buys in April 2022

Options.

Option 1:

- Authorize the General Manager to enter into a three-year agreement with GP Generate, LLC for media placement and advertising consulting services not to exceed \$10.5 million.

Option 2:

- Do not authorize the General Manager to enter into a three-year agreement with GP Generate, LLC.

Staff Recommendation.



- Option 1





• **Board of Directors**

3/8/2022 Board Meeting

7-6

Subject

Approve the General Manager's Strategic Priorities; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Summary

Metropolitan's mission is to provide its service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way. The General Manager's Strategic Priorities guide actions during the biennial budget period of fiscal years 2022/23 and 2023/24. As longer-term priorities, they would also be expected to continue through the subsequent biennial budget period.

The proposed Strategic Priorities guide key areas of focus, investment, and transformation for Metropolitan. They were founded on discussions and input from the Board of Directors, member agencies, executive management, and other interested parties.

While the Strategic Priorities focus on transformation to support the long-term stability of Metropolitan, they also reflect discussions and concerns raised in multiple venues. In October 2019, the Board began looking at the long-term vision of Metropolitan during a retreat focused on "Charting Metropolitan's Second Century." During the retreat, board members reviewed the benefits of regional collaboration in the past and began to explore how the regional model of cooperation and collaboration will best serve member agencies in the future. Then and since, any discussion about envisioning Metropolitan's future was informed by an awareness of shifting conditions due to climate change, growing expectations to integrate diversity and inclusivity, how successful conservation and local supply programs impact the demand for future wholesale water supplies, and the need for member agencies to share the benefits and costs of investments that ensure reliability for the region.

The five strategic priorities are stated simply here and developed further in Attachment 1.

- **Empower.** Empower the workforce and promote diversity, equity, and inclusion
- **Sustain.** Sustain Metropolitan's mission with a strengthened business model
- **Adapt.** Adapt to changing climate and water resources
- **Protect.** Protect public health, regional economy, and Metropolitan's assets
- **Partner.** Partner with interested parties and the communities we serve

Specific actions to further the Strategic Priorities will be developed by staff as part of the General Manager's Business Plan for FY 2022/23. In addition to the broad initiatives discussed here, the Business Plan will describe further change-oriented goals and measurable actions to further the broad initiatives described in **Attachment 1**.

Policy

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

Metropolitan Water District Administrative Code Section 6416, Annual Report to Executive Committee

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378(b)(2) and 15378(b)(5)) because it involves organizational or administrative activities and general policy and procedure making that would not result in a direct or indirect physical change to the environment.

CEQA determination for Option #2:

None required

Board Options

Option #1

Adopt the General Manager's Strategic Priorities.

Fiscal Impact: Activities highlighted in the Strategic Priorities are included in the proposed biennial budget for fiscal years 2022/23 and 2023/24.

Business Analysis: The Strategic Priorities will address ongoing workforce concerns, examine the business model, and provide direction to address water supply reliability and resilience challenges in the region. These priorities also expand Metropolitan's engagement with interested external parties.

Option #2

Do not adopt strategic priorities at this time.

Fiscal Impact: Unknown. Changes to the Strategic Priorities may require adjustments to budget priorities within the proposed biennial budget for fiscal years 2022/23 and 2023/24.

Business Analysis: The General Manager would need to be provided with different direction to address critical priorities faced by Metropolitan.

Staff Recommendation

Option # 1



Adel Hagekhalil
General Manager

3/3/2022
Date

Attachment 1 – General Manager's Strategic Priorities

Ref# EO12680876

General Manager's Strategic Priorities

Introduction

Thirty years ago, our Board of Directors adopted our first mission statement:

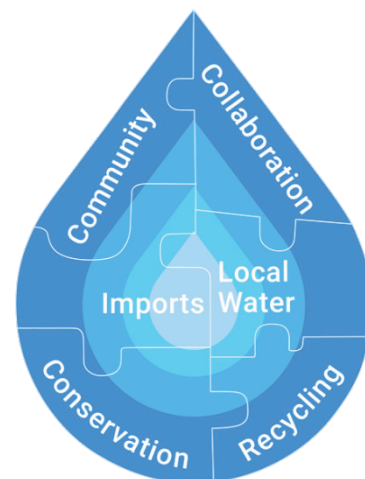
"The mission of the Metropolitan Water District of Southern California is to provide its service area with adequate supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way."

Much has been accomplished since then through consensus forged by the Board, the individual and cooperative efforts of the member agencies, and our employees' daily, dedicated work. Metropolitan developed its first Integrated Resources Plan, built drought-protective infrastructure such as Diamond Valley Lake and the Inland Feeder. It transformed water treatment through the installation of ozone and biological filtration. Metropolitan also forged water supply agreements in the region and along the two imported supply systems, advanced stewardship initiatives, and made water conservation a part of daily life in Southern California.

Some of you may have noticed something missing from our mission statement above. "Adequate" wasn't enough. Shortly after its initial adoption, the Board expanded the phrase from "adequate" to "adequate **and reliable**." The distinction is significant. A good working definition of reliable is "consistently good in quality or performance; dependable or capable of being trusted." There are two elements at work here: **performance** and **trust**.

Today we face a reliability challenge. Climate change has and continues to have considerable impacts on our imported supplies. As Southern California enters a third drought year, impacts to the State Water Project highlight vulnerabilities of portions of our service area. On our other imported supply, chronic aridification of the Colorado River watershed began accelerating 20 years ago and shows us that vast amounts of storage alone cannot single-handedly stabilize a river at risk. Simultaneous drought in both imported supply systems and within Southern California—called a "perfect drought"—threatens the continued performance of our mission without new approaches to planning, innovation, and leadership.

Reliable also means "capable of being trusted." As an organization, we operate on supplies of water and trust. Our "One Water" initiative involves an **integrated** planning and implementation approach to manage finite water resources for long-term **resilience** and **reliability** to meet both **community** and **ecosystem** needs. Our "We Are One" initiative recognizes the interrelatedness of improving the region's water supplies and valuing the diverse perspectives and needs of our employees, our member agencies, and the communities we serve. These themes repeatedly emerged throughout the development of proposed strategic priorities.



Summary

These Strategic Priorities guide key areas of focus, investment, and transformation for Metropolitan over the next three to five years. They are necessarily high-level objectives that identify areas where the opportunity for change can deliver meaningful improvement. They were founded on discussions and input from the Board of Directors, member agencies, and executive management. The action steps and implementation of the Priorities will continue to take shape from a collaborative process among staff, member agencies, Board members, and other interested parties.

Strategic Priorities ensure consistency among the programs and initiatives of the organization and shape the implementation of other key plans and processes already underway. For example, the proposed Biennial Budget for FY 2022/23 and 2023/24 was developed concurrently with these Strategic Priorities in the draft form. The themes informed budget preparations to align with the activities presented in the budget. Ultimately, staff will align the Strategic Priorities with efforts, including implementation of the Integrated Resource Plan (IRP), the Climate Action Plan, and organizational assessments. The General Manager's Fiscal Year 2022/23 Business Plan will be developed with goals and actions to support these priorities and will be presented to the Board later this year. Progress on the implementation of the goals and actions supporting the Strategic Priorities will be reported to the Board regularly as part of the General Manager's Business Plan and monthly reports.

While these Strategic Priorities focus on transformation to support the long-term stability of Metropolitan, they also reflect discussions and concerns raised in multiple venues. In October 2019, the Board began looking at Metropolitan's long-term vision during a retreat focused on "Charting Metropolitan's Second Century." During the retreat, Board members reviewed the benefits of regional collaboration in the past. They began to explore how the regional model of cooperation and partnership will best serve member agencies in the future. Then and since, any discussion about envisioning Metropolitan's future is imbued with an awareness of shifting conditions due to climate change, growing expectations to integrate diversity and inclusivity, how successful conservation and local supply programs impact the demand for future wholesale water supplies, and the need for member agencies to share the benefits and costs of investments that ensure reliability for the region.

Shortly after joining Metropolitan in July 2021, General Manager Adel Hagekhalil convened member agency managers to solicit input on Metropolitan's key issues. In September 2021, the Chair of the Board convened a Board retreat focused on priorities, opportunities, challenges, and concerns. Executive Management met immediately following and developed the Draft Strategic Priorities presented below based on input and direction received from the Board and member agencies.

Following approval by the Board, staff will convene member agencies to further discuss implementation, and the General Manager will align the Priorities with his Business Plan.

Strategic Priority #1: Empower

Empower the workforce and promote diversity, equity, and inclusion

It is only through the combined efforts of many talented and dedicated employees that Metropolitan can meet the challenges of today's changing landscape. Metropolitan serves a diverse region through member agencies with varying local conditions and supplies, providing essential services to the full spectrum of communities and industries. Those who depend on us expect transparency in our actions and responsiveness to their needs.

To be as effective as possible, employees must be respected, empowered, and allowed to contribute. Goals and actions in this area may establish policies and procedures that build a culture of inclusion, support our managers and coworkers as they strive to meet performance expectations, and hold each other accountable for our actions.

Metropolitan must further develop its existing and future workforce to grow with the region, stay at the leading edge of technology and innovation, and be able to meet the many challenges ahead. Goals and actions in this area may propel training and skill development, forward-thinking succession planning as retirements increase, and expanding our reach to prospective employees that reflect the region's diversity. Increased diversity will help us recognize the diverse needs of our region, connect with more of our interested parties, and reach and support underserved communities.

Leading Goals

- 1.1 Build a safe, inclusive, and accountable workplace where all employees feel valued, respected, and able to meaningfully contribute to decisions about their work.
- 1.2 Prepare and support the workforce by expanding training and skill development and updating strategies to recruit and retain diverse talent at a time when Metropolitan's needs are evolving, and employee expectations about the workplace are changing.

Strategic Priority #2: Sustain

Sustain Metropolitan's mission with a strengthened business model

Metropolitan must make ongoing, significant investments to maintain and continue improving its vast infrastructure, robust water supply portfolio, and long-term water supply contracts. Demographic growth and rising regional water demands sustained much of the needed investments in the past. Today, however, conditions have changed. Demand projections have leveled and even show a decline, while drought, water quality, and a changing climate require immediate attention to ensure that we serve the critical needs of our member agencies and their millions of customers.

Metropolitan's mission requires forward-looking planning and actions to adapt to a changed future. Metropolitan was created out of a partnership, and likewise, our investments in the future depend on a business model in which member agencies equitably share both costs and benefits. Goals and actions in this priority area will review and affirm a rate structure that can support necessary system investments that are built upon a shared understanding among member agencies. At the same time, Metropolitan will seek to manage both risk and cost by leveraging its investments, securing external funding, and expanding innovation and partnerships.

Leading Goals

- 2.1 Review rate structure to ensure the business model can adapt to changing needs of the member agencies and support sustainable local and imported supplies.
- 2.2 Manage rate pressure on member agencies through aggressive and coordinated efforts to secure funding for projects with broad and multi-purpose benefits.

Strategic Priority #3: Adapt

Adapt to changing climate and water resources

Climate change and the latest severe drought that began in 2020 fundamentally threaten and may reshape our business model and the reliability of water resources that are core to our mission. We must act now to prepare for the future, reduce our contribution to climate change, diversify our water resources and increase our agility and resiliency. The consequences of failing to lead a collective response to this crisis could be dire, and Metropolitan is again being looked to for leadership in a time of uncertainty.

In October 2021, Governor Newsom declared a drought emergency for the entire state of California. This follows statewide drought emergencies proclaimed by Governors Brown in 2014 and Schwarzenegger in 2009. Collectively, we must take deliberate actions to prevent drought and a changing climate from constraining the prosperity of Southern California. This present acute drought emergency exposed particular vulnerabilities of the State Water Project system that are not felt equally across Metropolitan's service area. For example, some member agencies can rely entirely on local supplies, Colorado River deliveries, or other water supply programs. Individually, these supplies may provide near-term assurance, but they remain at risk due to drought, climate change, or other threats in the long term. Goals and actions in this area will align with the "One Water" approach to expand the reliability of any individual water source through system-wide planning and collective action.

In November 2021, the Board adopted a resolution declaring emergency conditions within parts of Metropolitan's service area. It further directed the General Manager to identify and implement measures to ensure all portions of the service area attain a high level of reliability against multi-year, severe droughts. We can better prioritize and scope the measures needed to achieve this reliability, having taken a new approach to Integrated Resource Planning that accounts for an increasingly uncertain future. Informed by that new approach, goals and actions in this priority area will support state and regional system improvements, local water supply development, new water storage opportunities, imported supply strategies, and water efficiency gains.

Leading Goals

- 3.1 Provide each member agency access to an equivalent level of water supply reliability through adaptive implementation of the IRP findings.
- 3.2 Advance the long-term reliability and resilience of the region's water sources through a One Water approach that recognizes the interconnected nature of imported and local supplies, meets both community and ecosystem needs, and adapts to a changing climate.

Strategic Priority #4: Protect

Protect public health, the regional economy, and Metropolitan's assets

Metropolitan's mission is fundamental to public health and a growing regional economy. It is essential that we consider and actively support these two core aspects of daily life as we provide water to Southern California. To succeed, we must ensure the integrity of our system and the wide range of assets on which our operations depend.

Metropolitan's two sources of imported supply face continuing uncertainty. The meager State Water Project allocation in 2021—and the low initial allocation for 2022—exposed limitations of the regional delivery system to sustain normal demands for all agencies. Though the system was operated in a manner that stretched Colorado River supplies as far as possible, and staff and member agencies implemented additional extraordinary actions to further address demands in the State Water Project dependent areas during this time, the resulting difference in water supply reliability spurred a call for action to shore up these and other potential vulnerabilities of the system. Meanwhile, other growing risks to the system compound the environmental stressors of drought and climate change, including physical and cybersecurity; earthquake, fire and flood; aging infrastructure; and emerging contaminants.

Metropolitan views resilience as both the ability to anticipate, prepare for and adapt to changing conditions, and the ability to withstand and recover rapidly from disruptions. Goals and actions in this priority area will reflect this vision of resilience. They will lead us in closer collaboration and partnership with our member agencies to protect existing supplies and infrastructure from disruption across the full range of threats and ensure continued high-quality water from source to tap. These goals also pursue maintenance and modernization of existing infrastructure using state-of-the-art technology, a commitment to innovation, and best practices to balance the costs and benefits of these investments while also maximizing the public good. To protect our most valuable asset, our workforce, Metropolitan will take proactive efforts to foster a strong safety culture within our workforce, focused on continued improvement.

Leading Goals

- 4.1 Proactively identify, assess, and reduce potential vulnerabilities to Metropolitan's system, operations, and infrastructure.
- 4.2 Apply innovation, technology, and sustainable practices across project lifecycles (design, construction, operations, maintenance, and replacement).

Strategic Priority #5: Partner

Partner with interested parties and the communities we serve

The preceding four Strategic Priorities speak to a transformation building the Metropolitan of the future, even while we remain resolute in reliable daily operations. Transformation demands difficult decisions, significant investments, and lasting commitments to new ways of thinking. This is a familiar story in the history of Metropolitan: we were formed as a partnership making long-term investments to transform water supplies for the region. Today, partnerships must include not only our member agencies but also a wide range of external forces.

Partnering speaks to taking a strategic approach to building mutual understanding and support among decision-makers, interested parties, and stewards of our water resources. It recognizes that our member agencies and the people of Southern California share a common interest in having a sustainable, affordable supply of high-quality water. It also seeks to build upon the strong foundation of communications and external relations already in place.

Partnering as a strategic approach means better informing our decision-making and building trust and support through two-way intentional engagement. Goals and actions in this area can help Metropolitan amplify its message through non-traditional messengers. They can help Metropolitan reach more diverse sets of interested parties by incorporating principles of diversity, equity, and inclusion into a broader set of communication and outreach strategies. Through this approach, we can broaden our support and influence and create new opportunities to tap into resources and expertise that result in multi-benefit outcomes.

Leading Goals

- 5.1 Grow and deepen collaboration and relationships among member agencies, interested parties, and leaders on the issues most important to them.
- 5.2 Reach underserved communities and non-traditional interested parties to better understand their needs and ensure their inclusion in decision-making.



Board of Directors

General Manager's Strategic Priorities

Item 7-7

April 12, 2022

General Manager's Strategic Priorities



Role of Strategic Priorities

- The foundation for General Manager's Business Plan
- A framework for Metropolitan's approach to transformative change
- Change is intentional to strengthen the ability to achieve Metropolitan's mission
- Implemented through multiple existing and parallel processes/initiatives
- Board makes policy decisions during implementation
- Envisions a 3-5 year horizon

General Manager's Strategic Priorities



Proposed Strategic Priorities

- Not listed in order of importance
- A framework for change to strengthen ability to achieve our mission
 - Empower
 - Sustain
 - Adapt
 - Protect
 - Partner



General Manager's Strategic Priorities



Inclusive Development Process

- Reflects months of discussion
 - Board of Directors
 - Member Agencies
 - Executive management and staff
- Board last month requested additional time to provide feedback



General Manager's Strategic Priorities



Themes of Comments Received

- Support ongoing water supply and water quality activities as core responsibilities
- Broader priorities should not predetermine the outcome of specific deliberative activities
- Affirm need for predictable rates and attention to managing costs
- Consider local, regional, and historical contexts to inform implementation
- Work with member agencies when partnering locally
- Outline next steps and timelines

General Manager's Strategic Priorities



Regular and ongoing opportunity for Board and Member Agency input

Next Steps

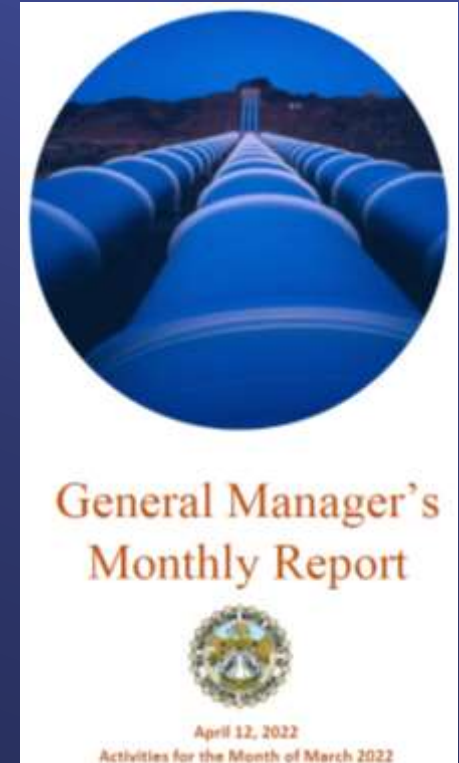
- General Manager's Business Plan
 - Outlines measurable actions
- Implementing activities include
 - IRP implementation plan
 - Proposed Climate Action
 - Pursuit of state and federal funding/actions
 - Capital Investment Program
 - Long-term financial planning
 - Rate refinement process
 - Colorado River compact renegotiations

General Manager's Strategic Priorities



Transparent and Collaborative

- Board will be updated on progress through the General Manager's monthly reports
- Strategic Priorities will be updated or adjusted through annual General Manager's Business Plan



General Manager's Strategic Priorities



Board Action

- Option #1: Adopt the General Manager's Strategic Priorities
- Option #2: Do not adopt the General Manager's Strategic Priorities





- **Board of Directors**

Organization, Personnel and Technology Committee

3/8/2022 Board Meeting

7-7

Subject

Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses; the General Manager has determined that the proposed action is exempt or otherwise not subject to CEQA

Executive Summary

Metropolitan has been invited to join with four of the nation's leading infrastructure-constructing agencies as founding members of the Equity in Infrastructure Project (Project), a new initiative to improve access to public agency contracting and procurement opportunities for underserved and underutilized businesses. The participating agencies are signing a pledge of commitment to the goals of the Project to increase federal and local partnerships for infrastructure funding and financing, align and streamline administrative and certification processes, and increase contracting opportunities for historically underserved and underutilized businesses, consistent with each agency's state and local laws and regulations. Improving access to Metropolitan's contracting and procurement will expand the pool of businesses qualified to bid on Metropolitan's projects, thereby increasing competition and opportunities for innovation in project delivery.

Details

In 2001, Metropolitan launched its Regional/Small Business Program by Minute Item 44533. Over the past 21 years, Metropolitan has developed an aggressive and inclusive Business Outreach Program that funds the education of small businesses through ethnic and local chambers of commerce about Metropolitan's business needs. The program also helps facilitate business-to-business opportunities with networking and prequalification programs. Metropolitan's Business Outreach Program helps ensure that Metropolitan maintains access to a variety of qualified companies that can provide competitive, cost-effective, and innovative solutions for Metropolitan. The program has consistently met the board-established targets for a minimum of 25 percent of Metropolitan's contracts to be awarded to small, local, and disabled veteran-owned businesses in Southern California, resulting in an economic investment of \$1.2 billion to this business sector.

The Project is a new nationwide initiative to increase federal procurement and contracting opportunities for historically underserved and underutilized businesses. Metropolitan has been invited to join Denver Airport, Chicago Transit Authority, Port of Long Beach, and Southeastern Pennsylvania Transportation Authority as one of five founding agencies for the Project.

On December 7, 2021, Metropolitan's Chairwoman Gray and General Manager Hagekhalil attended a meeting in Washington, D.C. hosted by the United Brotherhood of Carpenters and Joiners International, along with the other participating agencies, Congressional and local leaders, representatives of the Department of Transportation and U.S. Environmental Protection Agency, and private foundations, among others, to consider steps and specific, actionable recommendations to improve the federal government's historically underutilized business (HUB) procurement policy and help close the nation's racial wealth gap by improving access and eliminating barriers for these businesses to procurement contracts.

The Social Impact Fund, a 501(c)(3) organization, in collaboration with Drexel University's Nowak Metro Finance Lab and with funding from the James Irvine Foundation, initiated the Project in anticipation of passage of the Infrastructure Investment and Jobs Act. The concept grew out of an initial white paper on the

federal HUB procurement policy, which identified impediments to contracting for businesses in HUB zones and potential actions that could be taken to eliminate barriers as a means to help close the nation's racial wealth gap.

The Project, as presented, is consistent with Metropolitan's existing programs and state law. Proposition 209, passed by a voter initiative in 1996, prohibits public agencies from granting preferential treatment in public contracting to individuals or groups on the basis of race, sex, color, ethnicity, or national origin. However, as subsequent court rulings have determined, programs designed to ensure equal access to contracting opportunities, as well as data collection and reporting programs that monitor such access, serve legitimate, non-discriminatory purposes and do not violate Proposition 209. In addition, Proposition 209 does not prevent public agencies from taking actions necessary to secure and maintain federal funding. Metropolitan is currently seeking federal funding for a new \$450 million large-scale Recycled Water Program, and many of the federal agencies that control such funding require compliance with Disadvantaged Business Enterprise (DBE) programs. These programs require that recipients of funding set DBE participation goals and demonstrate good faith efforts to meet them.

Since December 2021, representatives of the five agencies have continued to work on objectives, outreach, and program implementation, including a pledge of commitment to be approved by each of the agencies. Metropolitan staff provided input to the pledge language to clarify that agencies will work to meet the Project objectives in a manner that is consistent with their own mission, and state and local laws and regulations. The following pledge language has been adopted or calendared for adoption by the other four agencies and is now before Metropolitan for consideration and approval:

EQUITY IN INFRASTRUCTURE PROJECT PLEDGE

America is seizing a historic opportunity for generational investment in our infrastructure. We also have a historic opportunity to provide a pathway to create generational wealth and expand opportunities for sustainable jobs and careers for those historically left out.

As agencies representing different modes of infrastructure and geographies across the country, we pledge to take new action to increase the number, size and scope of contracts going to certified small and minority-owned businesses. For the purposes of this Pledge, this includes small businesses competing as Disadvantaged Business Enterprises (DBEs) for federally funded projects, and those competing for locally-funded projects as any category of historically underutilized businesses (HUBs). HUBs, by our definition, can include firms formally designated as DBEs, Minority and Women-Owned Business Enterprises (M/WBE), and Small Business Enterprises, and it can include any other business classification used locally in the United States intended to boost the participation of otherwise underutilized firms, which can vary by state, region, and municipality. We will partner with the federal government to ensure that funds from the bipartisan Infrastructure Investment and Jobs Act support the creation of generational wealth for diverse entrepreneurs and workers, especially in Black and Brown communities across America.

Starting from the baseline of our current actions and initiatives, by December 2025, we will work to increase the number, size, and percentage of HUBs growing to primes, joint ventures, or equity participants. We will do this by:

- *Increasing the number, size and proportion of contracts going to HUBs, as defined above;*
- *Increasing the number, size and proportion of contracts going to HUBs as prime contractors;*
- *Streamlining the administration of all above-listed contracting to centralize certification, improve payment time, and standardize transparent data collection;*
- *Increasing the amount and type of appropriate financing available to all above-listed firms aiming to meet infrastructure contracts by working with private and public partners;*
- *Expanding the number of signatories to this pledge.*

Support for the Pledge enhances Metropolitan's mission to provide its 5,200-square-mile service area with adequate and reliable supplies of high-quality water to meet present and future needs in an environmentally and economically responsible way.

If authorized by Metropolitan's Board, the pledge language will be signed by the General Manager; and staff, in consultation with the General Counsel, will work collaboratively with other Equity in Infrastructure Program partners to advance a work plan to increase opportunities for historically underutilized and underrepresented businesses.

Policy

Metropolitan Water District Act Section 50: Powers

Metropolitan Water District Act Section 130: General Powers to Provide Water Services

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

By Minute Item 49829, on July 8, 2014, the Board modified the Business Outreach Program's organizational goal for small business participation from 18 percent to 25 percent.

By Minute Item 46589, on March 14, 2006, the Board added the inclusion of Disabled Veterans Business Enterprise classification into the outreach component of the Regional/Small Business Program.

By Minute Item 44533, on June 10, 2001, the Board adopted Resolution 8762 approving the modified Business Outreach Program and policy, titled "Resolution of The Board of Directors of The Metropolitan Water District of Southern California Approving Modifications to Metropolitan's Business Outreach Program."

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA (Public Resources Code Section 21065, State CEQA Guidelines Section 15378(b)(2) and 15378(b)(5)) because it involves organizational or administrative activities and general policy and procedure making that would not result in a direct or indirect physical change to the environment.

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses.

Fiscal Impact: Unknown

Business Analysis: Provides support for a project that will assist Metropolitan in expanding access to a larger pool of businesses, thereby increasing competition and opportunities for innovation.

Option #2

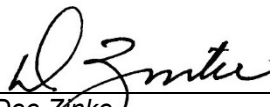
Take no action.

Fiscal Impact: Unknown

Business Analysis: Metropolitan will forgo an opportunity to formally collaborate with other public agencies in expanding contracting opportunities.

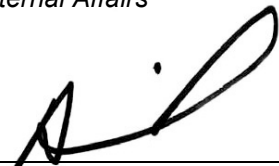
Staff Recommendation

Option #1



Dee Zinke
Assistant General Manager,
External Affairs

2/2/2022

Date

Adel Hagekhalil
General Manager

2/3/2022

Date

Ref# hr12684163



Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses

Organization, Personnel and Technology

Item 7-7

March 8, 2022

Equity in Infrastructure Program Pledge

Five “Mover” Agencies, including Metropolitan invited to join a new nationwide effort to increase opportunities for Historically Underutilized Businesses (HUB)

First meeting with Biden Administration officials, and labor was in Washington, DC in December 2021



Goals of the Initiative

- Support Biden Administration's Justice40 Initiative and increase federal-state-local partnerships for infrastructure funding and financing to improve DBE procurement
- Increase access and reduce barriers for disadvantaged business enterprises
- Deliver 40% of investments in climate and clean energy to disadvantaged communities

Funding and financing for community wealth building

Administrative and certification alignment

Direct contracting by procuring agencies

Proposed Local Action Goals



Benefits to Metropolitan

- Learn and share best practices from Energy, Transportation and Port Industries
- Expand vendor database to help increase bidding pool and competition
- Lay the foundation for diversity program in order to comply with programs if MWD receives Federal funding

Community Business Partners

State and Regional Minority Business Chambers

- African American
- American Indian
- Pan Asian American
- Hispanic

Disabled Veteran Business Organizations

- Service-Disabled Veteran Elite Association - Federal
- Disabled Veteran Business Alliance Association - State

Women Business Organizations

- National Association of Women Business Owners
- National Latina Business Women Association
- National Association Women in Construction
- Women Business Enterprise Council - West

Business and Agency Partners

Programs

- Regional Alliance Marketplace for Procurement (RAMP) Los Angeles County
- OneLA initiative (LA Chamber)
- Los Angeles Building Council
- Equity in Infrastructure Pledge (EIP)

Resources

- Small Business Development Centers (SBDC)
- Procurement Technical Assistance Centers (PTAC)
- National Minority Supplier Development Council (NMSDC)

Agency Partners

- CALTRANS
- METRO

Next Steps

- Work within the restrictions in California to meet the objectives of the Pledge
- Continue to participate in Pledge working group to define local and federal scope of work and workplan
- Enhance Metropolitan's current Small Business Program
- Host listening sessions with existing business organizations, ethnic chambers, and small business partners to get input

Board Options

- Option #1
 - Authorize the General Manager to sign the Equity in Infrastructure Project pledge and participate in the project to support opportunities for historically underserved and underutilized businesses
- Option #2
 - Take no action

Recommendation

- Option #1





- **Board of Directors**
Real Property and Asset Management Committee

3/8/2022 Board Meeting

7-8

Subject

Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina; the General Manager has determined that this proposed action is exempt or otherwise not subject to CEQA

Executive Summary

This action authorizes the design of internal, on-site water and sewer utility systems at the Diamond Valley Lake (DVL) East Marina through an agreement with Kennedy Jenks Consultants. The design and eventual construction of permanent on-site utility systems are needed to encourage the development and expansion of financially self-sustaining recreation amenities available to the public at the DVL East Marina.

Metropolitan's recreation planning efforts at DVL envision the influx of private investment to develop and expand recreation offerings, while Metropolitan's role would be to provide basic on-site water and sewer systems to support private development served by the local retail water and sewer provider, Eastern Municipal Water District. Opportunities that may attract private investment for development are hindered by the lack of permanent potable water and sewer facilities at the DVL East Marina site. Previous discussions with the marina industry have highlighted additional revenue-generating amenities that could be constructed by the private sector if the necessary utility infrastructure was in place. Such amenities may include camping with utility connections for recreational vehicles, hot food and beverage services, event hosting, retail and recreational lodging. Additionally, the existing marina concessionaire has proposed developments which may enhance their business, such as fish cleaning stations, waterfront camping, cabins, and shower facilities.

In 2004, the Metropolitan Board directed staff to consolidate all costs for DVL recreation into one appropriation (15334). The Board also determined that all costs to develop recreation at DVL would be funded from DVL capital construction budgeted funds remaining unspent, and from the proceeds derived from the future sales of DVL surplus properties. In 2021, staff finalized the disposition of 12 parcels, and sales proceeds in the amount of \$4,461,421 were added to the DVL Recreation Appropriation 15334, which now has \$21,174,122 remaining in appropriated funds.

Details

Background

In 1997, Metropolitan's Board adopted the Draft Eastside Reservoir Recreation Plan (Recreation Plan), which included the Recreation Guiding Principles and the Business Planning Framework that envisioned private sector funding in the development and operation of the recreation complex. The intent of the Business Planning Framework was to seek private sector capital investments that would enable recreation to become financially independent after Metropolitan completed construction of the core recreational infrastructure. The Recreation Plan was developed with input from a Recreation Working Group (RWG) Metropolitan formed in 1992. The RWG consisted of community groups, landowners, recreation groups, governmental agencies, and others. The adopted Recreation Plan included the development of the DVL East Marina, which opened in October 2003 following the completion of the reservoir.

To date, Metropolitan constructed the DVL East Marina access road, boat launch ramps, floating restrooms, floating boarding dock facilities, electric utilities, restrooms, and the first part of a floating wave attenuator

system; with the second part now in the final design phase. Currently, potable water is brought up to the DVL East Marina by trucks and is stored in two, 3,000-gallon water storage tanks that serve the restrooms and provides standby water for fire protection purposes. Sewage is collected in a containment tank and is removed from the site by a private sewage service.

In 2019, staff worked with Kennedy Jenks Consultants to update and finalize an engineering study to bring potable water and sewer utilities to the DVL East Marina by building on-site utility systems that would connect to master potable water and sewer meters at connection points with the local service provider, Eastern Municipal Water District. This study identified basic criteria such as system capacity, fire protection for a fully developed site, route alignments, water conservation practices, and operational and maintenance requirements.

Diamond Valley Lake East Marina Utility Improvements – Preliminary and Final Design

The planned work includes installation of 6,000 linear feet of potable water lines, a 10-inch cement mortar lined and coated (CML&C) combined operational and fire flow line; 8-inch CML&C potable water line; 400,000-gallon capacity storage for fire protection; connection to the sprinkler system and fire hydrant; 8-inch gravity sewer line; 8-inch forced sewer line; sewer lift station; and construction of a new access road to the water storage area. The proposed work will meet the utility demands from a fully developed DVL East Marina and meet current local jurisdictional agency requirements.

A total of \$3,400,000 is required for this work. Allocated funds include a total of \$1,500,000 for design activities (includes \$500,000 for preliminary design and \$1,000,000 for final design activities) by Kennedy Jenks Consultants, as described below; and a total of \$300,000 for value engineer and constructability workshop and geotechnical investigations. The workshops and geotechnical investigations will be performed by specialty firms under contracts planned to be executed under the General Manager's Administrative Code authority to award contracts of \$250,000 or less. Other allocated funds for Metropolitan staff activities include; \$576,000 for technical review; \$534,000 for project management, project controls and bidding, preparation of environmental documentation, survey and mapping; and \$490,000 for remaining budget.

As described above, final design will be performed by Kennedy Jenks Consultants. Engineering Services' performance metric target range for final design with construction more than \$3 million is 9 to 12 percent. For this project, the performance metric goal for final design is 11 percent of the total construction cost. The estimated cost of design is \$1.33 million, which includes \$1,000,000 for Kennedy Jenks Consultants and \$330,000 for Metropolitan staff. The estimated cost of construction for this project is anticipated to range from \$12 million to \$14 million.

Agreement for Engineering Design Services (Kennedy Jenks Consultants)

The design for the DVL East Marina on-site utility improvements is recommended to be performed by Kennedy Jenks Consultants. This consultant was prequalified to provide design services through a competitive process via Request for Qualifications No. 1131. Subsequently, Kennedy Jenks was selected based on its previous experience with utility design work at DVL, their preparation of the 2019 Utility Study Report, and their experience with the specialized nature of this work.

The planned activities for Kennedy Jenks include: (1) site reconnaissance; (2) finalizing alignment alternatives for the sewer, water, and electrical lines to utility system equipment; (3) geotechnical exploration; (4) preparation of preliminary design report; (5) conducting a surge analysis; and (6) preparation of plans and specifications for final design and development of cost estimates.

This action authorizes an agreement with Kennedy Jenks Consultants for a not-to-exceed amount of \$1,500,000 to provide engineering design services for the DVL East Marina utilities improvements. For this agreement, Metropolitan has established a Small Business Enterprise participation level of 25 percent. Kennedy Jenks has agreed to meet this level of participation. The subconsultants for this agreement are listed in **Attachment 2**.

Alternatives Considered

Alternatives considered for completing design activities for the DVL East Marina utilities improvements included utilizing in-house Metropolitan staff to conduct this work. Metropolitan's staffing strategy for utilizing consultants and in-house Metropolitan staff has been: (1) to assess current work assignments for in-house staff to determine the potential availability of staff to conduct this work; and (2) to use project-specific professional services agreements when resource needs exceed available in-house staffing or require specialized technical expertise in order to provide a concentrated engineering effort over an extended duration.

This strategy relies on the assumption that in-house engineering staff will handle the baseload of work on capital projects, while professional services agreements are selectively utilized to handle projects above this baseload or where specialized needs are required. This strategy allows Metropolitan's staff to be strategically utilized on projects to best maintain key engineering competencies and to address projects with special needs or issues. After assessing the current workload for in-house staff, and the relative priority of this project, staff recommends utilizing a professional services agreement for this work. This approach will allow for completion of not only this project, but also other budgeted capital projects within their current schedules and ensure that the work is conducted in the most efficient manner possible.

Summary

This action authorizes the General Manager to enter into an agreement with Kennedy Jenks Consultants to perform design activities for on-site potable water distribution and wastewater collection systems within Metropolitan's Diamond Valley Lake Reservoir property in order to support the DVL East Marina. This project would enable Metropolitan to attract additional private investment for the development of additional revenue-generating amenities that will reduce reliance on Metropolitan's resources in the future. Moving forward with this project is in alignment with Metropolitan's goal to construct basic recreational infrastructure to seek the development of financially feasible recreation projects.

This project has been evaluated and recommended by Metropolitan's CIP Evaluation Team, and funds are available within the fiscal year 2021/22 capital expenditure plan. See **Attachment 1** for the Allocation of Funds, **Attachment 2** for the List of Subconsultants, and **Attachment 3** for the Location Map.

Project Milestones

October 2022 – Complete preliminary design to improve utilities at the DVL East Marina

June 2023 – Complete final design to improve utilities at the DVL East Marina

Policy

Metropolitan Water District Administrative Code Section 8121: General Authority of the General Manager to Enter Contracts

Metropolitan Water District Administrative Code Section 11104: Delegation of Responsibilities

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

The proposed action is not defined as a project under CEQA because it involves only feasibility or planning studies for possible future actions which the Board has not approved, adopted or funded (Section 15262 of the State CEQA Guidelines). In addition, the proposed action is categorically exempt under the provisions of CEQA and the State CEQA Guidelines because the proposed action involves basic data collection and research activities which do not result in a serious or major disturbance to an environmental resource, which may be strictly for information gathering purposes, or as part of a study leading to an action which a public agency has not yet approved, adopted, or funded (Class 6, Section 15306 of the State CEQA Guidelines).

CEQA determination for Option #2:

None required

Board Options

Option #1

Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina.

Fiscal Impact: Expenditure of \$3,480,000 in capital funds. Approximately \$300,000 will be incurred in the current biennium. The remaining funds from this action will be accounted for from Appropriation 15334, which was credited in October 2021 with \$4.46 million in net proceeds from the sale of DVL surplus property.

Business Analysis: This option will decrease Metropolitan's long-term financial obligation to the DVL East Marina and induce private capital investment for expanded amenities and development that will generate additional revenue and make the DVL East Marina more financially self-sustaining. Additionally, it will build goodwill with the local residents, community leaders, civic partners, and MOI Committee member agencies.

Option #2


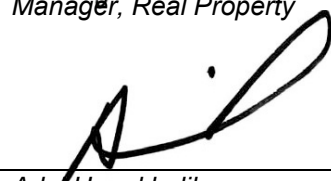
Do not proceed with the project.

Fiscal Impact: None

Business Analysis: This option will continue to make the DVL East Marina dependent on Metropolitan resources, will limit the public's access to the DVL area to the scope of the current amenities, and will communicate a lack of commitment on the part of Metropolitan to provide the necessary infrastructure to the DVL East Marina for private development and expansion of recreation amenities.

Staff Recommendation

Option #1

 <hr/> Lilly L. Shraibati Manager, Real Property	2/22/2022 <hr/> Date
 <hr/> Adel Hagekhalil General Manager	3/2/2022 <hr/> Date

Attachment 1 – Allocation of Funds

Attachment 2 – List of Subconsultants

Attachment 3 – Location Map

Ref# RPDM12685429

Allocation of Funds for the Diamond Valley Lake Utilities Improvements

	Current Board Action (Mar. 2022)
Labor	
Studies & Investigations	\$ 246,000
Final Design	330,000
Owner Costs (Program mgmt., envir. monitoring)	534,000
Submittals Review & Record Drwgs.	-
Construction Inspection & Support	-
Metropolitan Force Construction	-
Materials & Supplies	-
Incidental Expenses	-
Professional/Technical Services	-
Right-of-Way	-
Equipment Use	-
Contracts	-
Value Engineering	150,000
Geotechnical	150,000
Kennedy Jenks (Design)	1,500,000
Remaining Budget	490,000
Total	\$ 3,400,000

The total amount expended to date is approximately \$185,000. The total estimated cost to complete this project, including the amount appropriated to date and funds for the work described in this action, is anticipated to range from \$15 million to \$16 million.

The Metropolitan Water District of Southern California**Subconsultants for Consultant****Diamond Valley Lake Marina Utilities Improvements**

Consultant: Kennedy Jenks

Subconsultants and Location
Ninyo Moore Irvine, CA
Saylor Consulting San Francisco, CA
Terrazas Group, Pasadena, CA
Scott Foster La Canada Flintridge, CA





Diamond Valley Lake East Marina Potable Water & Sewer Utilities Project

Real Property & Asset Management Committee

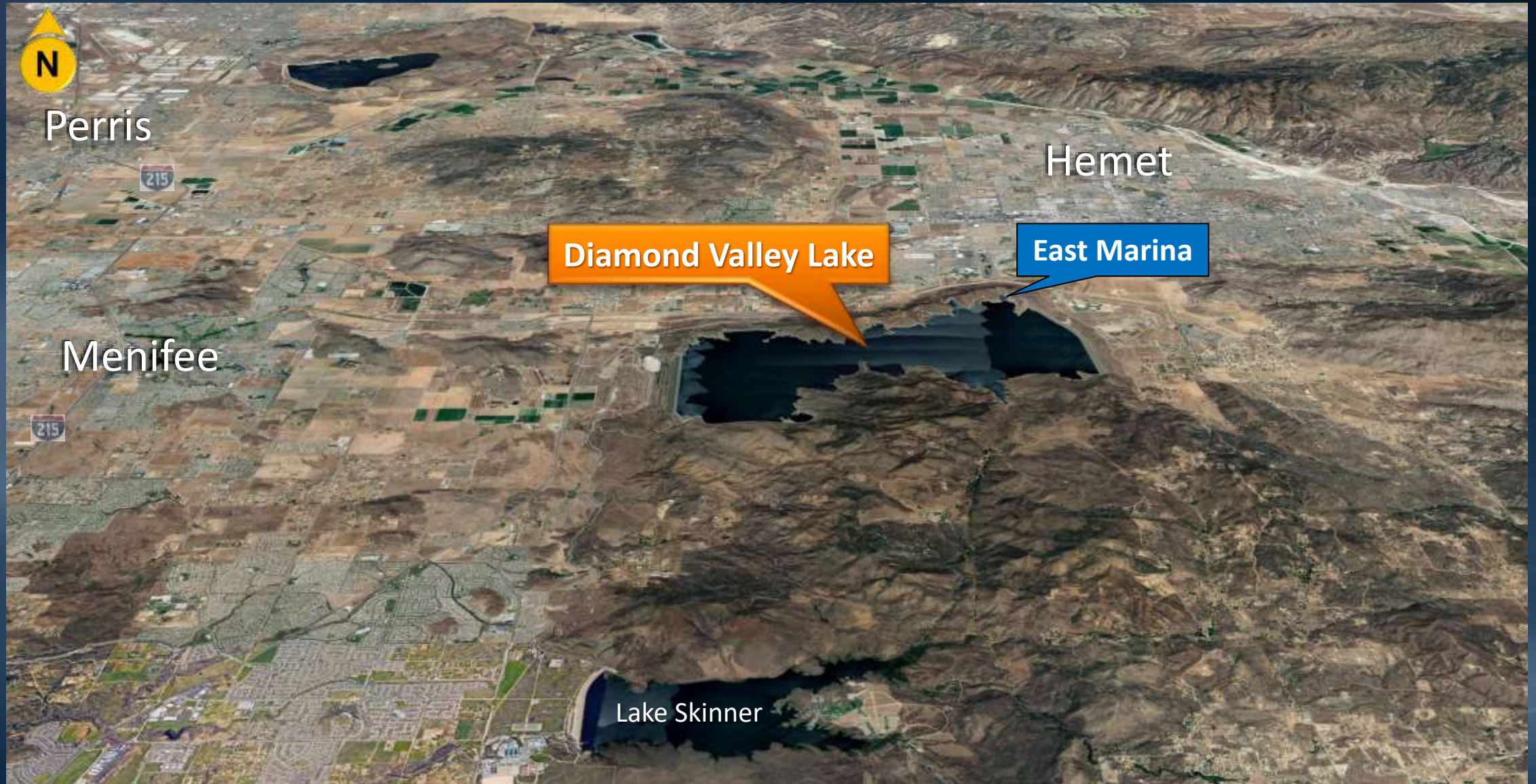
Item 7-8

March 8, 2022

Distribution System Map



General Area Map



Site Map



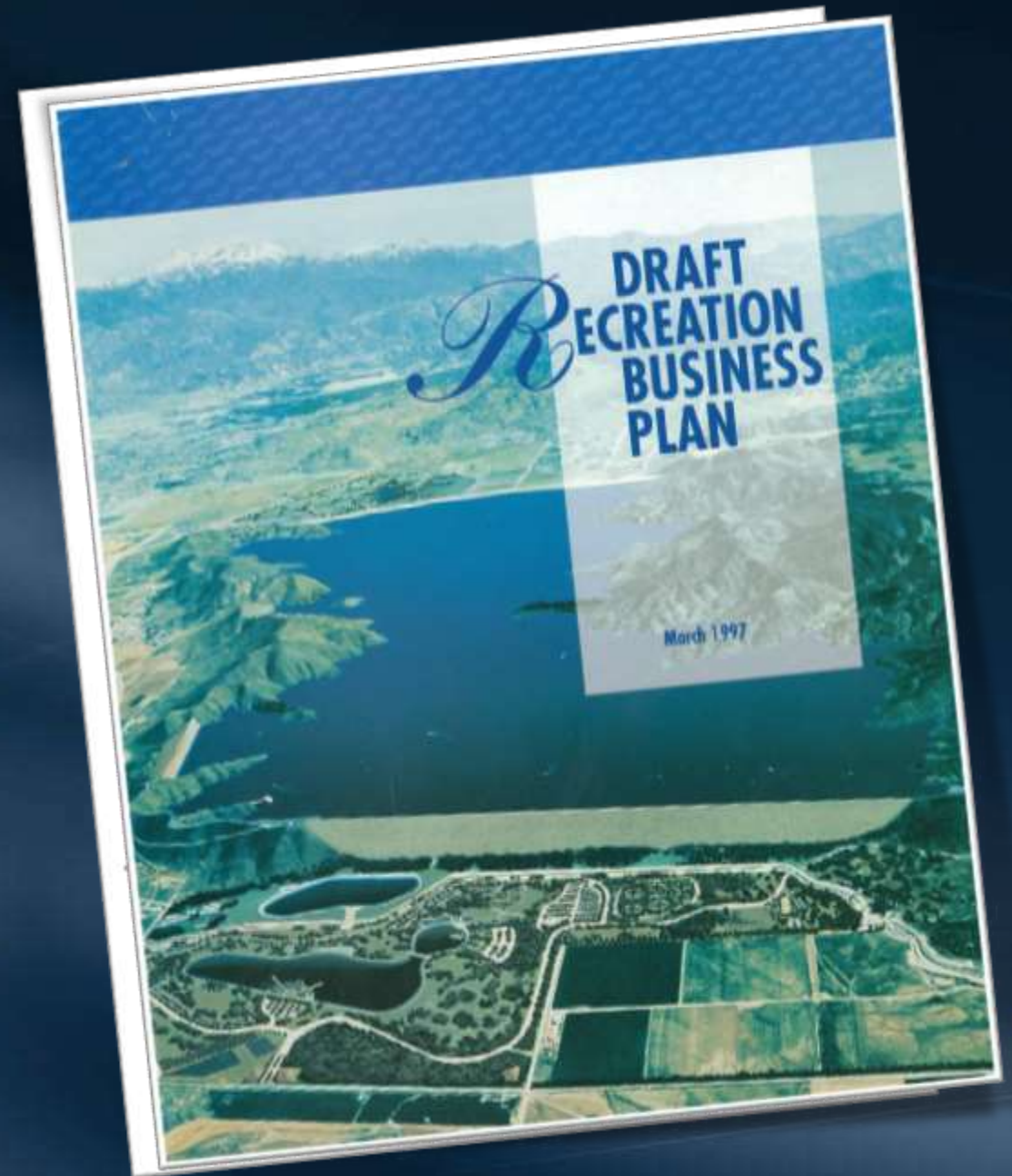
DVL Marina Amenities

- Fishing
- Boating
- Hiking
- Biking
- Picnicking
- Boat Storage
- E-Bikes
- Tournaments
- Events



Recreation Planning

- 1992 - Recreation Working Group
 - Comprised of stakeholders
 - Held public workshops
- 1997 - Recreation Plan adopted
 - Business Planning Framework
- Guiding Principles
 - MWD builds core recreation infrastructure
 - Private sector builds revenue-generating amenities



Marina Development

- Two Phases
- Phase 1 projects to provide basic access
- Phase 2 projects would:
 - Complete core facilities
 - Attract private investment
 - Expand amenities



Current Water & Sewer Utilities

- Potable Water
 - Brought to the marina by truck
 - Stored in two 3,000-gallon water tanks
 - Provides water to restroom facility
 - Standby water for fire protection
- Sewage held in containment tank
 - Removed by pumping service



Recreation Development Funding

- 2004 – Board Directive
 - Consolidate all recreation & reservoir construction expenses into DVL recreation appropriation 15334
 - Funding from unspent budgeted funds remaining in the consolidated appropriation
 - Funding from proceeds of the sale of DVL surplus properties
 - DVL properties were sold in 2021

Potential Amenities & Facilities

- RV & tent camping facilities
- Recreational lodging
- Food & beverage services
- Expanded restroom facilities
- Special event hosting
- Retail shops
- Amenities requiring potable & fire protection water



MOI Committee

- 2017 – Memorandum of Intent (MOI)
- Goal of implementing recreation improvements at DVL
- Committee Meetings include representatives of:
 - California's 28th State Senate District
 - Riverside County's 3rd Supervisor District

Metropolitan



Riverside Co. Parks



Valley-Wide Park



City of Hemet



EMWD



Summary & Benefits

- Completes core marina recreation infrastructure
- Attract private investment & development
- Increase financial self-sustainability of the DVL Marina
- Generate good will with the local community, civic partners and state and regional elected officials
- Increase visitors to the DVL Marina

An aerial photograph of a large reservoir, likely Lake Mead, with a dam in the foreground. The water is a deep blue, and the surrounding landscape is arid with brown hills and mountains. The sky is clear and blue. The text "Current Action" is overlaid in the center of the image.

Current Action

Current Action

- Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina

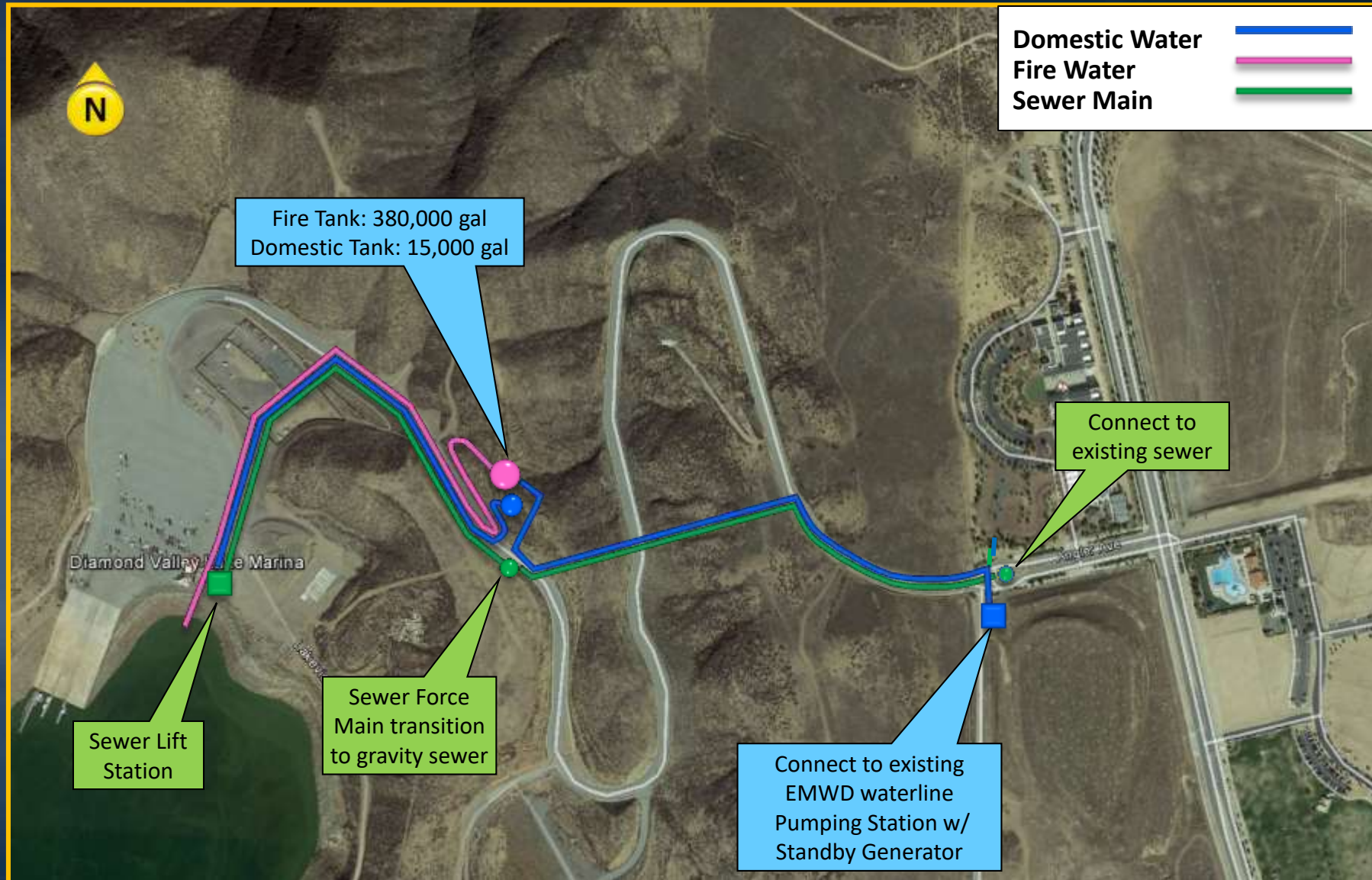
Planned Work

- Installation of the following:
 - 6,000 LF. of potable & fire suppression water lines
 - 400,000 gallons of water storage capacity
 - Gravity & forced sewer lines
 - Sewer lift station
- Construction of new access road to water storage area

Conceptual Plan 1



Conceptual Plan 2



Alternatives Considered

- Utilize Metropolitan staff
 - Assess current workload
 - Assess relative priority of projects
- Recommend utilizing a professional services agreement
 - Will allow for timely & efficient completion

Consultant Background

- Recommend Kennedy Jenks Consultants
- Prequalified via Request for Qualification No. 1131
- Selected for previous utility design experience at DVL:
 - 2015 – Engineer of record for the east dam electrical upgrades
 - 2017 – Conducted water & sewer utility study
 - 2019 – Updated study with design alternatives
 - 2019 – Coordinated design elements with EMWD
- SBE participation level of 25%
- Not to exceed amount \$1.5 million

Scope of Work – Kennedy Jenks

- Preliminary Design
 - Prepare preliminary design drawings
 - Draft Preliminary Design Report (PDR)
 - Prepare construction cost estimate
 - Participate in Value Engineering
- Final Design
 - Prepare plans & specifications
 - Prepare final construction cost estimate
 - Assist in bid & award phase

Scope of Work – Metropolitan

- Preliminary Design
 - Project management
 - Coordinate on-call consultant for geotechnical investigation
 - Begin environmental documentation & permitting
 - Perform survey & mapping
 - Lead value engineering process
 - Review & approve Preliminary Design Report
- Final Design
 - Review plans & specifications & final construction cost estimate
 - Preparation of bid documents & award of construction contract

Allocation of Budgeted Funds

Labor

Studies & Investigation	\$ 246,000
Owner's Cost	330,000
Design review	534,000
Submittal Review	-
Materials & Supplies –Procurement	-
Met Force Construction	-
Equipment Use & Incidental Expense	-
Professional Services	
Kennedy Jenks (Design)	1,500,000
Value Engineering	150,000
Geotechnical	150,000
Remaining Budget	490,000
<hr/>	
Total	\$3,400,000

Project Schedule



Board Options

- Option #1
 - Authorize an agreement with Kennedy Jenks Consultants in an amount not to exceed \$1.5 million for design of on-site utility systems to serve the Diamond Valley Lake East Marina
- Option #2
 - Do not proceed with the project

Staff Recommendation

- Option #1





- Board of Directors
Real Property and Asset Management Committee

3/8/2022 Board Meeting

7-9

Subject

Review and consider the County of Riverside's certified Final Environmental Impact Report and Addendum No. 1 and take related CEQA actions, and authorize the General Manager to grant a permanent easement to the County of Riverside for public road purposes traversing Metropolitan fee-owned property in the County of Riverside and identified as Riverside County Assessor Parcel Number 472-180-002

Executive Summary

This action authorizes the General Manager to grant a permanent easement to the County of Riverside for public road purposes for the extension of Fields Drive, which traverses Metropolitan's fee-owned San Diego Canal right-of-way just northwest of Lake Skinner in the County of Riverside. The road improvements are being constructed to accommodate a residential development located adjacent to the San Diego Canal. Board authorization to grant this permanent easement is required as the real property interest to be conveyed exceeds five years.

Details

Background

The County of Riverside (County) is requesting a 60-foot wide permanent easement across Metropolitan's fee-owned property to allow for the extension of Fields Drive to accommodate the new residential development project located on both sides of the canal just north of Lake Skinner in the County (**Attachment 1**). A 60-foot-wide strip of Fields Drive in the area of Metropolitan's property was designated for public road purposes prior to Metropolitan's acquisition of the property, but the strip of land had not been accepted by the County as a public road. The existing roadway is paved and used by existing residences located east of the canal but is not improved to County road standards. The proposed easement will formalize and resolve the aforementioned issues related to this portion of Fields Drive and will bring the roadway up to current County standards.

Metropolitan has two existing siphons at the subject San Diego Canal location comprising a 166-inch reinforced concrete box culvert and a 156-inch precast concrete pipeline with a minimum of 5 feet of cover below the Fields Drive easement area. The requested easement area is approximately half an acre.

The proposed improvements within the public road will include street, sidewalks, driveways, streetlights, and related infrastructure. The County will assume responsibility for the public street within this easement area. Staff has determined that the easement will not interfere with Metropolitan's water operations.

The proposed permanent easement for public road purposes will have the following key provisions:

- Compatible use between two public entities with prior rights provisions for Metropolitan.
- Construction, operation and maintenance of a public road and related facilities.
- County is responsible for the operation and maintenance of the public road and related facilities and for indemnifying Metropolitan.
- All plans for construction, maintenance, major repair, or replacement work shall be reviewed and approved by Metropolitan prior to the commencing of such work.

- County will keep the easement area free of trespass, noxious weeds, and trash, at its sole cost and expense.
- The permanent easement will be terminated due to non-use and abandonment for a period of three consecutive years.

The fair market value for the proposed easement is \$24,000 as determined by a qualified licensed appraiser. Metropolitan will also receive one-time processing fees of \$8,500.

Policy

Metropolitan Water District Administrative Code Section 8230: Grants of Real Property Interests

Metropolitan Water District Administrative Code Section 8231: Appraisal of Real Property Interests

Metropolitan Water District Administrative Code Section 8232: Terms and Conditions of Management

By Minute Item 48766, dated August 16, 2011, the Board adopted the proposed policy principles for managing Metropolitan's real property assets.

California Environmental Quality Act (CEQA)

CEQA determination for Option #1:

Pursuant to the provisions of CEQA and the State CEQA Guidelines, the County of Riverside (County), acting as the Lead Agency, certified a Final Environmental Impact Report (FEIR) on December 9, 2014, for the Belle Terre Specific Plan (EIR No. 531). Subsequently, the County prepared an addendum to the FEIR (Addendum No. 1) and filed a NOD on December 16, 2019. Metropolitan, acting as a Responsible Agency under CEQA, is required to certify that it has reviewed and considered the information in the Final EIR and Addendum No. 1, and adopt the Lead Agency's findings, mitigation measures, and statement of overriding considerations relevant to Metropolitan's approval of the proposed easement. The environmental documentation is in **Attachments 2 and 3**.

CEQA determination for Option #2:

None required

Board Options

Option #1

Review and consider the County of Riverside's certified Final Environmental Impact Report and Addendum No. 1, and take related CEQA actions; and authorize the granting of a permanent easement for public road purposes to the County of Riverside.

Fiscal Impact: Metropolitan will receive positive revenue in the form of a one-time payment of \$8,500 for processing fees and \$24,000 as the fair market value for the easement area.

Business Analysis: Cooperation with other public agencies, by granting easements and other rights of entry, furthers the public interest, and facilitates Metropolitan obtaining easements and other property rights critical for its operations. Metropolitan will also receive positive revenue in the form of fees and fair market value for the easement.

Option #2

Do not authorize the permanent easement.

Fiscal Impact: Metropolitan will forgo one-time processing fees of \$8,500 and conveyance amount of \$24,000.

Business Analysis: The County of Riverside will not be permitted to construct and maintain a public road within Metropolitan property and may use eminent domain action to obtain the necessary easement. This option could hinder opportunities to obtain rights or permits for Metropolitan projects from the County in the future.

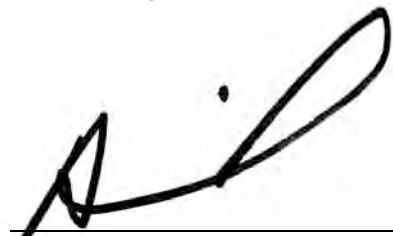
Staff Recommendation

Option #1



Lilly L. Shraibati
Manager, Real Property

2/23/2022
Date



Adel Hagekhalil
General Manager

2/24/2022
Date

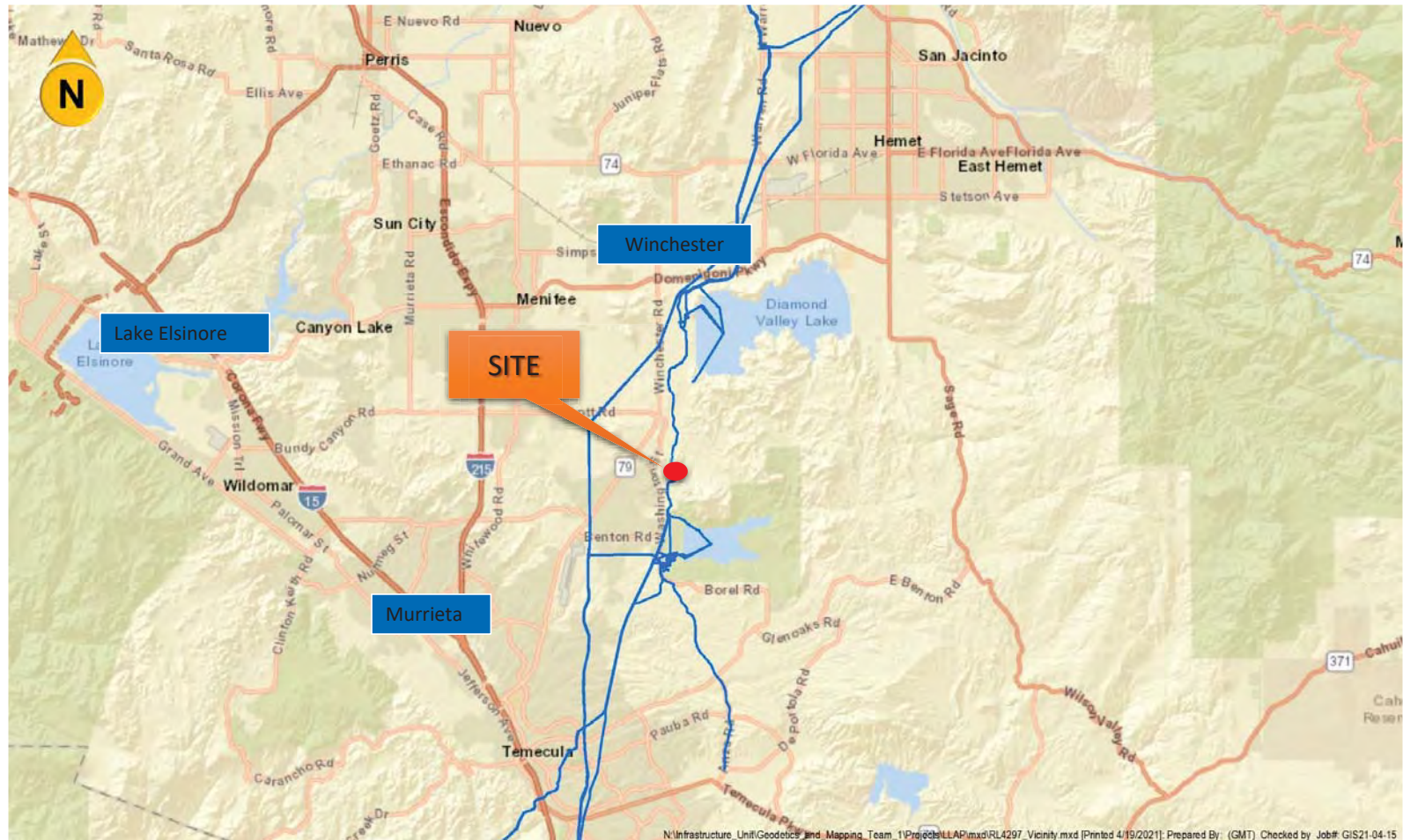
Attachment 1 – Site Map

Attachment 2 – Final EIR No. 531

Attachment 3 – Addendum to EIR No. 531

Ref# 12679235

General Location Map



FINAL ENVIRONMENTAL IMPACT REPORT (EIR531)

Belle Terre Specific Plan

State Clearinghouse #: 2012111070

Prepared for:

**County of Riverside
4080 Lemon Street
Riverside, CA 92502**

Prepared by:



October 2014

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APPENDIX

A. Comment Letters

I. INTRODUCTION

INTRODUCTION

Before approving a project, the California Environmental Quality Act (CEQA) requires the lead agency to prepare and certify a Final Environmental Impact Report (Final EIR). The contents of a Final EIR are specified in Section 15132 of the CEQA Guidelines, as follows:

The Final EIR shall consist of:

- (a) The Draft EIR or a revision of the Draft.*
- (b) Comments and recommendations received on the Revised Draft EIR either verbatim or in summary.*
- (c) A list of persons, organizations, and public agencies commenting on the Revised Draft EIR.*
- (d) The responses of the Lead Agency to significant environmental points raised in the review and consultation process.*
- (e) Any other information added by the lead agency.*

The evaluation and response to public comments is an important part of the CEQA process as it allows the following: (1) the opportunity to review and comment on the methods of analysis contained within the Draft EIR; (2) the ability to detect any omissions that may have occurred during preparation of the Draft EIR; (3) the ability to check for accuracy of the analysis contained within the Draft EIR; (4) the ability to share expertise; and (5) the ability to discover public concerns.

BACKGROUND

The Draft EIR for the Project was circulated for a 45-day public review period from August 1, 2014 to September 15, 2014. Several comment letters were submitted on the Draft EIR to the County of Riverside (the “County”) and are included in Appendix A. Responses to all comments received are provided in Section III of the Final EIR.

ORGANIZATION OF FINAL EIR

This document together with the Draft EIR constitutes the Final EIR for the Project. This document includes the following sections:

Section I. Introduction: This section provides an introduction to the Final EIR.

Section II. List of Commenters: This section includes a list of the persons and agencies that submitted comments on the Draft EIR.

Section III. Responses to Comments: This section includes responses to each of the comments submitted by persons and agencies listed in Section II.

Section IV. Corrections and Additions to the Draft EIR: This section provides corrections and additions to the Draft EIR, based on comments received during and after the public review period and based on staff-initiated text changes.

Section V. Mitigation Monitoring and Reporting Plan: This section includes all of the mitigation measures identified to reduce or avoid environmental impacts of the project and notes the monitoring phase, the enforcement phase, and the applicable department or agency responsible for ensuring that each mitigation measure is implemented.

Appendices: The appendices to this document include copies of all the comments received on the Draft EIR and additional information cited to support the responses to comments.

II. LIST OF COMMENTERS

The agencies and organizations/persons listed below provided written comments on the Draft EIR to the County of Riverside (the “County”) during and after the formal public review period from August 1, 2014 to September 15, 2014. Copies of the comments are included in Appendix A to this document.

PUBLIC AGENCIES

City of Temecula Community Development
Armando G. Villa, Director of Community Development
41000 Main Street
Temecula, CA 92590

City of Temecula Public Works
Tom Garcia, Director of Public Works/City Engineer
41000 Main Street
Temecula, CA 92590

Pechanga Cultural Resources
Anna Hoover, Cultural Analyst
PO Box 2183
Temecula, CA 92593

Soboba Band of Luiseno Indians
Joseph Ontiveros, Cultural Resource Director
P.O. Box 487
San Jacinto, CA 92581

South Coast Air Quality Management District
Ed Eckerle, Program Supervisor
21865 Copley Drive
Diamond Bar, CA 91765

III. RESPONSES TO COMMENTS

INTRODUCTION

This section contains written responses to each of the comments on the Draft EIR received during the public review period. The responses to comments are arranged by those to Public Agency Comments, followed by those to Public Comments. All comments on the Draft EIR are included in Appendix A to this document and are grouped according to comments provided by government agencies and comments received from private individuals or organizations. The comment letters are then organized in alphabetical order by last name of the commenter. Each letter is identified by the last name of the commenter, and each comment is delineated and numbered. Corrections and additions to the Draft EIR resulting from comments and responses to comments are presented in Section IV (Corrections and Additions) of the Final EIR. Text deleted from the Draft EIR is shown in ~~strike through~~, and new text is underlined.

RESPONSES TO PUBLIC AGENCY COMMENTS

Comment Letter Pechanga

Response to Comment Pechanga-1

Regarding the changes to the mitigation measures, the commenter is referred to Response to Comment Pechanga-3.

Response to Comment Pechanga-2

This comment includes statements about the requirements for consultation with Pechanga and information about Pechanga. The County and the Project Applicant has consulted and will continue to consult with Pechanga throughout the Project's process. The comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment Pechanga-3

As requested by the commenter, the following changes to Mitigation Measures F-1, F-2, F-3, F-4, and F-7 on pages IV.F-43 through IV.F-45 in section IV.F (Cultural Resources) have been made (refer to Section IV [Corrections and Additions to the Draft EIR]):

F-1: Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown ~~historie~~ archaeological resources. During ~~the demolition and grading process~~all earthmoving activities, the archaeological monitor should be present to monitor ~~freshly excavated~~all previously undisturbed soils and to identify, document, and ~~further explore~~evaluate any ~~intact artifact-filled deposits~~potential historic, archaeological, or cultural resources that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site

map and described in detail in the archaeological monitoring report and updated in the appropriate existing or new DPR form. Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.

F-2: At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band ~~or~~and Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a ~~monitoring discovery and treatment plan~~Cultural Resources Treatment and Monitoring Agreement. The ~~plan~~Agreement shall require the Applicant to retain a ~~County-approved qualified archaeologist~~professional Tribal Monitor to monitor all ground-disturbing activities; ~~including within a 60-meter radius of CA RIV 10950/H~~, in an effort to identify any ~~unknown subsurface~~ historic and archaeological and cultural resources. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The plan shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. During the demolition and grading process, the archaeological monitor should be present to monitor freshly excavated soil and to identify, document, and further explore any intact artifact-filled deposits that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on the site map and described in detail. The archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Further comparative analysis of any recovered artifacts from CA RIV 10950/H with other Archaic-age sites in the region and from CA RIV 10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.

F-3: Prior to the beginning of any ground-disturbing activities, the County-qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the ~~appropriate local~~ Soboba Band or Pechanga Tribe in order to evaluate the significance of

any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

The Agreement shall address the appropriate protocols should archaeological, historical, or cultural resources be found; the process for identification, evaluation, and any potential avoidance, preservation, or other mitigation options; protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork that shall take into account traditional Tribal practices; documentation of any new sites and artifacts; and any other appropriate methodology. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

- F-4:** During the Project's construction phase, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) shall be avoided and fenced as appropriate to deter any potential impacts to the area. Fencing shall be installed prior to grading in the area, and the fencing shall be removed after all earthmoving activities have been completed in the area.
- F-7:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the appropriate ~~local~~ Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

Comment Letter Soboba

Response to Comment Soboba-1

The interests of disclosure under CEQA have been evaluated against the need to preserve the confidentiality of resources. CEQA includes many directives for disclosure.

An EIR must include a description of the physical environmental conditions in the vicinity of the project, as they exist at the time . . . environmental analysis is commenced, from both a local and regional perspective. This environmental setting will normally constitute the baseline physical conditions by which a lead agency determines whether an impact is significant. (CEQA Guidelines, §15125, subd. [a].)

Further, CEQA Guidelines section 15151 requires an EIR to be prepared as follows

...with a sufficient degree of analysis to provide decisionmakers with information which enables them to make a decision which intelligently takes account of environmental consequences...If the description of the environmental setting of the project site and surrounding area is inaccurate, incomplete or misleading, the EIR does not comply with CEQA. (San Joaquin Raptor/Wildlife Rescue Center v. County of Stanislaus [1994] 27 Cal.App.4th 713, 729.)

There are instances where sensitive information regarding Native American resources should not be disclosed. Accordingly, only the general location of resources was described in the Draft EIR. Further, the precise location of resources to be avoided and paddle graded, as required by Mitigation Measures F-4 and F-5, were not disclosed. Rather, the precise locations of these areas are on file with the County.

Response to Comment Soboba-2

The commenter requests avoidance of all known cultural resources within the project area and controlled grading in those areas. Pages IV.F-35 through IV.F-40 in Section IV.F (Cultural Resources) of the Draft EIR include a description of the significance of the cultural sites. Pages IV.F-40 through IV.F-43 include a description of how impacts will be mitigated, as determined by the significance of the cultural sites. In short, the Project as currently proposed, has no potential to directly or indirectly affect the significance of the San Diego Aqueduct (CA-RIV-8195H; 33-015734) and thus, no impact would occur. Consistent with the recommendation in this comment, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) must be avoided during the Project's construction phase, as required by Mitigation Measure F-4. Further, Mitigation Measure F-5 requires controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10950/H. The Project Developer shall only use a paddle grader and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the land use map on file with the County. All controlled grading must be monitored according to the provisions of Mitigation Measure F-2. Taken together these measures ensure that avoidance and paddle grading shall be implemented to avoid significant cultural resources.

It should be noted that Mitigation Measure F-5 on page IV.F-45 inadvertently identifies cultural site CA-RIV-10951/H instead of CA-RIV-10950/H. As such, Mitigation Measure has been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

F-5: The Project Applicant, the Soboba Band or Pechanga Tribe, and the County-qualified archaeologist shall conduct controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10954/H. The purpose of the controlled grading at and around the site as outlined in the area labeled as "Controlled Grade Area" is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, to collect the resources for appropriate treatment pursuant to Section V(g) of the Agreement and in the Monitoring Plan to be developed by the project archaeologist in

consultation with the Soboba Band or Pechanga Tribe. The Developer shall only use a paddle grader, and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the attached land use map. All controlled grading shall be monitored according to the provisions of Mitigation Measure F-2.

Response to Comment Soboba-3

Pages IV.F-24 through IV.F-25 in Section IV.F (Cultural Resources) of the Draft EIR include a description of the consultation that has occurred with Native American individuals and Tribal representatives. Specifically, on November 13, 2012, six Native American individuals and Tribal representatives on the NAHC contact list were contacted by letter, including both the Pechanga Tribe of Luiseño Indians and the Soboba Band of Luiseño Indians. Mitigation Measures F-2, F-3, F-5, F-6 and F-7 require consultation and coordination with the Soboba or Pechanga tribes prior to and during grading and ground-disturbing activities.

Response to Comment Soboba-4

As requested by the commenter, Mitigation Measure F-2 has been revised to require the Applicant to notify both the Soboba Band and the Pechanga Tribe of grading, excavation, and the proposed monitoring program (the commenter is referred to Response to Comment Pechanga-3 and Section IV [Corrections and Additions to the Draft EIR]).

Comment Letter City of Temecula 1

Response to Comment City of Temecula 1-1

The description of the existing land use and zoning designations for the Project site in Section II (Environmental Setting) (refer to page II-1) and Section IV.K (Land Use and Planning) (refer to page IV.K-1) of the Draft EIR are the same.

The comment also states that the Draft EIR does not discuss the County's Foundation Component designations and whether or not the proposed Specific Plan will result in the need for a Foundation Component General Plan Amendment. The commenter is referred to Page IV.K-14 in Section IV.K that includes a description the General Plan amendments and references the applicable Foundation Component designations.

The Northwestern parcel is designated as Community Development: Medium Density Residential. The Northeastern and Southeastern parcels are designated as Rural: Rural Mountainous. Proposed development in the Northwestern parcel does not require a Foundation Component Amendment, because the existing Community Development designation for this parcel will remain unchanged. A Foundation Component Amendment is needed for the Northeastern parcel from Rural to Open Space. This amendment will reflect the long-term preservation of the parcel for habitat conservation and minimal

infrastructure purposes (i.e., a water tank and access roads), as reflected in the Specific Plan. Proposed development in the Southeastern parcel requires a Technical Amendment to correct a mapping error in the General Plan from Rural to Community Development.

When the General Plan was last updated in 2003, large areas of land were designated as Rural: Rural Mountainous, based on a belief that topography consisted of slopes greater than 25 percent. (See General Plan, p. LU-48) The designation was also imposed on areas completely or partially surrounded by slopes greater than 25 percent that do not have County-maintained access to access to community sewer and water systems. The Southeastern parcel was designated as Rural: Rural Mountainous without regard for its specific characteristics. Specifically, the Southeastern parcel does not consist of slopes greater than 25 percent and therefore, the designation was based on inaccurate information, and proposed development in this parcel warrants a Technical Amendment. In fact, the average slopes of the Project site are approximately 2-3 percent. Slopes on the Southeastern parcel, the property subject to this amendment, are less than 20 percent.

Response to Comment City of Temecula 1-2

The second to the last sentence of the first full paragraph inadvertently states, “the Project would result in a substantial alteration of the present or planned land use of the Project,” when the sentence should read as follows (refer to Section IV [Corrections and Additions to the Draft EIR]:

Thus, the Project would not result in a substantial alteration of the present or planned land use of the Project.

Response to Comment City of Temecula 1-3

The commenter summarizes the Highway 79 policies and references the discussion in the Draft EIR regarding the Transportation Uniform Mitigation Fee (TUMF) and Developer Impact Fee (DIF) programs. The comment states that relying on TUMF and DIF is not adequate for meeting the intent of Circulation Policy C 2.6 and SWAP Policy 9.1.

To clarify, the Draft EIR's discussion of the TUMF and DIF programs is provided as "Additional Background" in the Draft EIR, as labeled on page IV.K-9 in Section IV.K (Land Use and Planning). These programs are not, however, relied on in making the Project-specific consistency determination. In fact, the Draft EIR acknowledges uncertainties in connection with the fee programs on pages IV.O-135 through IV.O-139 in Section IV.O (Transportation/Traffic). Rather, the Draft EIR explains the following (refer to page IV.K-11):

...it is important to evaluate the Project's consistency with the Highway 79 policies in light of the financial assurances created by the TUMF and DIF fees that have been put in place since the

adoption of the Highway 79 policies. The text below includes additional Project-specific analysis of the Project's consistency with the Highway 79 policies.

As discussed in Response to Comment City of Temecula 1-4, it is Mitigation Measure K-1 (rather than reliance on the TUMF and DIF programs) that will ensure consistency with the Highway 79 policies.

Response to Comment City of Temecula 1-4

The comment references Mitigation Measure K-1 that ensures consistency with Highway 79 policies through a "Highway 79 Condition of Approval" by establishing a means for determining the allowable number of units that may be constructed consistent with the applicable policies. The commenter notes that this part of the mitigation measure is "consistent with Circulation Policy C 2.7 and SWAP Policy 9.2."

The commenter then references language in Mitigation Measure K-1 stating, "if the County establishes a fee program to achieve compliance with the Highway 79 policies, the Project Applicant may participate in such program as an alternative to compliance with the Highway 79 Condition of Approval." The commenter states that the TUMF and DIF programs do not ensure "acceleration and construction of transportation infrastructure within the Highway 79 Policy Area and it does not ensure overall trip generation does not exceed system capacity and that the system operation continues to meet Level of Services standards..."

As noted in Response to Comment City of Temecula 1-3, the TUMF and DIF programs have not and will not be relied on for consistency with the Highway 79 policies. The language in Mitigation Measure K-1 regarding an alternative fee program contemplates a *new or modified* program to be established by the County at some future date.

Response to Comment City of Temecula 1-5

The commenter is referred to Response to Comment Letter City of Temecula 2

Comment Letter City of Temecula 2

Response to Comment City of Temecula 2-1

This comment summarizes some of the information presented in Section IV.O (Transportation/Traffic) of the Draft EIR. Because the comment does not state a specific concern or question regarding the sufficiency of the Draft EIR in identifying and analyzing the environmental impacts of the Project and ways to reduce or avoid these impacts, pursuant to Section 15204(c) of the CEQA Guidelines, no further response to the comment is required. However, the comment is acknowledged for the record and will be forwarded to the decision-making bodies for their review and consideration.

Response to Comment City of Temecula 2-2

The roadway improvements referenced by the commenter include some of those identified as part of Mitigation Measures O-1 and O-6 in Section IV.O (Transportation/Traffic) of the Draft EIR, associated with the study intersections Winchester Road at Margarita Road (referred to as Intersection 22), Winchester Road at Ynez Road (Intersection 23), and Winchester Road (E/W) at I-15 Northbound Ramps (Intersection 24), during the Existing with Project, Near-Term with Project and Long-Term (2035) Cumulative Conditions with Project scenarios, as well as Winchester Road at I-15 Southbound Ramps (Intersection 25) during the Long-Term (2035) Cumulative Conditions with Project scenario. Mitigation Measure O-1 provides for the payment of fees to implement improvements at Intersections 22, 23, and 24 under the Existing-with-Project scenario. Mitigation Measure O-6 provides for the payment of fees to implement improvements at Intersections 22, 23, 24, and 25 during the Near-Term (2014) and Long-Term (2035) Cumulative scenarios. The commenter notes that some of the improvements identified as part of Mitigation Measures O-1 and O-6 are not feasible. The commenter is referred to pages IV.O-135 and IV.O-139 that acknowledges that improvements identified for intersections outside of the jurisdiction of the County (including those intersections in the City of Temecula) might not be feasible and such, Project impacts at these intersection would be significant and unavoidable.

Additionally, as noted above, Mitigation Measure K-1 ensures consistency with Highway 79 policies through a "Highway 79 Condition of Approval" by establishing a means for determining the allowable number of units that may be constructed consistent with the applicable policies limiting trips in the Highway 79 area. This ensures that impacts along Highway 79 and at the specified intersections will be reduced.

Response to Comment City of Temecula 2-3

The average daily traffic (ADT) volume for roadway segments presented in the traffic study have been approximated based on existing count data collected for the purposes of the traffic impact analysis in 2012. The ADT volumes were approximated assuming a peak-to-daily relationship of approximately 8 percent. Pursuant to CEQA, an EIR must describe the environmental setting, as it exists when the notice of preparation is published (refer to 14 Cal Code Regs §15125[a].) Here the Notice of Preparation (the "NOP") was published in 2012, and counts were taken in 2012. It is acknowledged that the ADT volumes presented in Draft EIR may differ from the City's data. However, traffic counts vary day-to-day, season-to-season, and year-to-year. Revising the ADT volumes in the traffic analysis prepared for the Project is unnecessary, because the ADT volumes were used for reporting purposes only and do not affect the analysis conclusions or recommendations. In contrast, intersection turning movement counts were collected at the study area intersections during the morning and evening peak hours. The traffic analysis uses the peak-hour intersection turning movement volumes for determining impacts and recommendations, not the ADT volumes for roadway segments. As such, although the ADT volumes were reported graphically, they were not analytically utilized to discern any findings or recommendations for the purposes of the traffic study for the Project.

Response to Comment City of Temecula 2-4

In response to this comment and for purposes of clarification, the first paragraph on page IV.O-10 in Section IV.O (Transportation/Traffic) of the Draft EIR has been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

Per the Caltrans *Guide for the Preparation of Traffic Impact Studies*, the traffic modeling and signal timing optimization software package Synchro (Version 7 Build 759) has been utilized to analyze signalized intersections under Caltrans' jurisdiction, which include interchange to arterial ramps (i.e. I-215 Freeway ramps at Scott Road and I-15 Freeway Ramps at SR-79) and signalized intersections along SR-79. The intersections along Winchester Road (SR-79) within the City of Temecula have also been evaluated using the Synchro software. Synchro is a macroscopic traffic software program that is based on the signalized intersection capacity analysis as specified in the Chapter 16 of the HCM. Macroscopic level models represent traffic in terms of aggregate measures for each movement at the study intersections. Equations are used to determine measures of effectiveness such as delay and queue length. The LOS and capacity analysis performed by Synchro takes into consideration optimization and coordination of signalized intersections within a network. All other study area intersections within the County, and City of Murrieta, ~~and the City of Temecula~~ have been analyzed using the software package Traffix (Version 8.0 R1, 2008).

Response to Comment City of Temecula 2-5

Pursuant to discussions the traffic consultant (Urban Crossroads) had with City of Temecula staff in late 2012 to early 2013, the City was unsure of timing and completion of the extension of Butterfield Stage Road and the French Valley Parkway interchange. As such, these potential parallel/alternative routes were assumed to be in place for long-range traffic conditions only. The results of the traffic analysis for the Project that was included in the Draft EIR overstate (as opposed to understate) potential impacts along Winchester Road (SR-79) due to the fact that parallel routes, such as Butterfield Stage Road and French Valley Parkway interchange, are not assumed for Opening Year traffic conditions. However, as noted in the traffic study, these parallel routes are assumed to be in place for long-range traffic conditions.

Response to Comment City of Temecula 2-6

The commenter is referred to Responses to Comments City of Temecula 2-7, City of Temecula 2-8, City of Temecula 2-9, 2-44, 2-48, 2-16, 2-17, 2-19, 2-45, 2-46, 2-49, 2-50, and 2-51.

Response to Comment City of Temecula 2-7

The date of the first document listed on page IV.O-1 mistakenly shows a date of 2014 instead of 2013. As such, the reference to the *Traffic Impact Analysis* on page IV.O-1 has been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

- *Traffic Impact Analysis*, Urban Crossroads, December 2, 2014~~3~~.

Response to Comment City of Temecula 2-8

The jurisdictions shown for Intersections 21, 22, and 23 on Table IV.O-1 on page IV.O-2 in Section IV.O (Transportation/Traffic) have been revised as follows to list only the City of Temecula, since Caltrans has relinquished their authority over these intersections (refer to Section IV [Corrections and Additions to the Draft EIR]):

21	Winchester Road (SR-79) / Nicolas Road	Caltrans , Temecula
22	Winchester Road (SR-79) / Margarita Road	Caltrans , Temecula
23	Winchester Road (SR-79) / Ynez Road	Caltrans , Temecula

It has been confirmed that the findings and recommendations in the Draft EIR for these intersections do not change based on the clarification of the applicable jurisdiction.

Response to Comment City of Temecula 2-9

As requested by the commenter, the eighth bullet on page IV.O-8 in Section IV.O (Transportation/Traffic) has been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

- Butterfield Ranch ~~Ranch~~ Stage Road Extension through the City of Temecula

Response to Comment City of Temecula 2-10

The commenter is referred to Response to Comment City of Temecula 2-4.

Response to Comment City of Temecula 2-11

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-12

It is acknowledge that the City of Temecula may have traffic counts that indicate higher levels of traffic at the intersections located within the City. However, the traffic count data used for the purposes of the peak-hour intersection operations analysis were collected by a count company for Urban Crossroads, Inc. (the preparers of the traffic analysis for the Project) in 2012. These are actual volumes that were collected on the specified date (as shown in the technical appendices) and were not estimated or reduced.

Response to Comment City of Temecula 2-13

Peak-hour intersection level of service (LOS) results presented in the Draft EIR do not need to be revised, because the traffic analysis findings for the Project are based on actual count data collected for these study area intersections in 2012.

Response to Comment City of Temecula 2-14

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-15

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-16

The existing traffic condition described in the first bullet on page IV.O-32 in section IV.O (Transportation/Traffic) inadvertently identifies the existing condition year as 2013 instead of 2012. As such, the text has been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

- If an intersection is projected to operate at an acceptable LOS (i.e., LOS D or better) under Existing (~~2013~~2012) traffic conditions and the addition of Project traffic, as measured by 50 or more peak-hour trips, is expected to cause the intersection to operate at an unacceptable LOS (i.e., LOS E or F), the impact is considered significant.

Response to Comment City of Temecula 2-17

As requested by the commenter, the list of City of Temecula intersections on page IV.O-34 in Section IV.O (Transportation/Traffic) has been revised to reflect the following (refer to Section IV [Corrections and Additions to the Draft EIR]):

Intersection 24: I-15 Northbound Ramps/SR-70

Applying the City's thresholds to these ramps does not affect the analysis results or recommendations.

Response to Comment City of Temecula 2-18

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-19

There are two numbers reported that are the two values estimated from the two adjacent intersections of the segment. The lower of the two numbers can be ignored. However, as noted in Response to Comment City of Temecula 2-3, the ADT volumes were used for reporting purposes only and do not affect the analysis findings or recommendations.

Response to Comment City of Temecula 2-20

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-21

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-22

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-23

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-24

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-25

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-26

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-27

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-28

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-29

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-30

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-31

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-32

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-33

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-34

The commenter is referred to Response to Comment City of Temecula 2-5.

Response to Comment City of Temecula 2-35

The commenter is referred to Response to Comment City of Temecula 2-5. Because the study area does not include any analysis locations along Butterfield Stage Road, the roadway is not shown graphically on the exhibits. However, the text in the traffic study recognizes future parallel roadways to Winchester Road (SR-79), such as Butterfield Stage Road and French Valley Parkway, in order to provide an explanation for potentially reduced traffic forecasts along Winchester Road (SR-79) that may occur under long-range traffic conditions with these facilities in place. No revisions to the Draft EIR are required.

Response to Comment City of Temecula 2-36

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-37

The commenter is referred to Response to Comment City of Temecula 2-12.

Response to Comment City of Temecula 2-38

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-39

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-40

The commenter is referred to Response to Comment City of Temecula 2-3.

Response to Comment City of Temecula 2-41

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-42

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-43

The commenter is referred to Response to Comment City of Temecula 2-13.

Response to Comment City of Temecula 2-44

As requested by the commenter, the fifth bullet on page IV.O-95 in Section IV.O (Transportation/Traffic) has been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

- The Butterfield ~~Ranch~~Stage Road extension is anticipated to provide a parallel route to SR-79 through the City of Temecula. The Butterfield ~~Ranch~~Stage Road extension includes the completion of Butterfield ~~Ranch~~Stage Road to provide a connection between Rancho California Road and Murrieta Hot Springs Road. The construction of this connection is anticipated to reduce through volumes along SR-79 within the City of Temecula.

Response to Comment City of Temecula 2-45

The title of Figure IV.O-47 on page IV.O-97 in Section IV.O (Transportation/Traffic) should state “Long-Term,” instead of “Near-Term.” This edit has been made and is shown at the end Section IV (Corrections and Additions to the Draft EIR).

Response to Comment City of Temecula 2-46

The title of Figure IV.O-48 on page IV.O-98 in Section IV.O (Transportation/Traffic) should state “Long-Term,” instead of “Near-Term.” This edit has been made and is shown at the end Section IV (Corrections and Additions to the Draft EIR).

Response to Comment City of Temecula 2-47

Pursuant to discussions with City of Temecula staff, it was our understanding that the improvements identified at the intersection of Winchester Road (SR-79) at Nicolas Road were conditioned to be constructed by another development (Roripaugh Ranch). This is reflected in the footnote on Table IV.O-17 in Section IV.O (Transportation/Traffic) for the improvements at the intersection of Winchester Road (SR-79) and Nicolas Road.

Regarding improvements at Winchester Road (SR-79) at Margarita Road that the commenter has identified as infeasible, the commenter is referred to Response to Comment City of Temecula 2-2.

Regarding improvements at Winchester Road (SR-79) at Ynez Road identified that the commenter has referred to as infeasible, the commenter is referred to Response to Comment City of Temecula 2-2.

Response to Comment City of Temecula 2-48

As requested by the commenter, for the intersections under the jurisdiction of the City of Temecula on page IV.O-115 in Section IV.O (Transportation/Traffic), “SR-79” has been revised as “Winchester Road (SR-79)” as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

Intersection 21: ~~SR-79~~ Winchester Road (SR-79)/Nicolas Road – LOS F, AM and PM peak hours

Intersection 22: ~~SR-79~~ Winchester Road (SR-79)/Margarita Road – LOS E, AM peak hour; LOS F, PM peak hour

Intersection 23: ~~SR-79~~ Winchester Road (SR-79)/Ynez –LOS F, AM and PM peak hours

Intersection 24: ~~SR-79~~ Winchester Road (SR-79)/I-15 Northbound Ramps – LOS F, PM peak hour

Intersection 25: ~~SR-79~~ Winchester Road (SR-79)/I-15 Southbound Ramps – LOS F, AM and PM peak hours

Response to Comment City of Temecula 2-49

The commenter is referred to Responses to Comments City of Temecula 2-2 and City of Temecula 2-47.

Response to Comment City of Temecula 2-50

As requested by the commenter, for Intersection 24 listed toward the top of page IV.O-123 in Section IV.O (Transportation/Traffic), “SR-79” has been revised as “Winchester Road/SR-79” as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

Intersection 24: ~~SR-79~~ Winchester Road (SR-79)/I-15 Northbound Ramps

Response to Comment City of Temecula 2-51

As discussed on page IV.O-121, Mitigation Measure O-1 states the following:

O-1: Prior to issuance of a Building Permit, the Project Applicant(s) shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF, TUMF and RBBD fees in the amount and at the time specified for each funding program (refer to Table IV.O-17) for the following improvements that are outside the County's jurisdiction:...

The improvements include “Construction a southbound free-right-turn lane” at the intersection of Winchester Road (SR-79)/I-15 Northbound Ramps.

Response to Comment City of Temecula 2-52

Project impacts to study intersections in the City of Temecula under the Existing-With-Project (2012) traffic conditions are shown on Table IV.O-7, assuming development of 360 dwelling units, 725 dwelling units, 1,026 dwelling units, and 1,282 dwelling units. The portion of Section IV.O (Transportation/Traffic) that the commenter references is the section’s discussion of mitigation measures. No additional mitigation measures are warranted under the Existing-With-Project (2012) – 725 Dwelling Units condition beyond those already identified under the Existing-With-Project (2012) – 360 Dwelling Units condition.

Response to Comment City of Temecula 2-53

Project impacts to study intersections in the City of Temecula under the Existing-With-Project (2012) traffic conditions are shown on Table IV.O-7, assuming development of 360 dwelling units, 725 dwelling units, 1,026 dwelling units, and 1,282 dwelling units. The portion of Section IV.O (Transportation/Traffic) that the commenter references is the section’s discussion of mitigation measures. No additional mitigation measures are warranted under the Existing-With-Project (2012) – 1,282 Dwelling Units condition beyond those already identified under the Existing-With-Project (2012) – 360 Dwelling Units condition.

Comment Letter SCAQMD**Response to Comment SCAQMD-1**

Table IV.D-6 on page IV.D-23 in Section IV.D (Air Quality) that shows the Project's estimated daily operational emissions (unmitigated) and Table IV.D-9 on page IV.D-32 that shows the Project's estimated daily operational emissions (mitigated) mistakenly show that the Project would result in a significant impact related to PM₁₀ emissions. As shown on the tables, the Project would result in approximately 134 pounds of PM₁₀ emissions per day, which does not exceed SCAQMD's significance threshold of 150 pounds per day. As such, these tables have been revised as follows (refer to Section IV [Corrections and Additions to the Draft EIR]):

Table IV.D-6
Estimated Daily Operations Emissions (Unmitigated) (2035)

Emission Source	Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	76	1	108	<1	1	1
Energy Sources	1	11	5	<1	1	1
Mobile Sources	94	249	1,139	2	132	47
<i>Total Operations</i>	<i>172</i>	<i>262</i>	<i>1,252</i>	<i>2</i>	<i>134</i>	<i>48</i>
SCAQMD Threshold	55	55	550	150	150	55
Exceed Threshold?	Yes	Yes	Yes	No	Yes No	No

Source: DKA Planning 2013 based on CalEEMod v2011.1.1 model runs (refer to Appendix IV.D).

Table IV.D-9
Estimated Daily Operations Emissions – With Mitigation (2035)

Emission Source	Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	72	1	108	<1	1	1
Energy Sources	1	10	4	<1	1	1
Mobile Sources	94	249	1,139	2	133	46
<i>Total Operations</i>	<i>167</i>	<i>261</i>	<i>1,251</i>	<i>2</i>	<i>134</i>	<i>48</i>
SCAQMD Threshold	55	55	550	150	150	55
Exceed Threshold?	Yes	Yes	Yes	No	Yes No	No

Source: DKA Planning 2013 based on CalEEMod v2011.1.1 model runs (refer to Appendix IV.D).

Response to Comment SCAQMD-2

As shown on Tables IV.D-6 and IV.D-9, Project operational emissions associated with energy sources are minimal. (The commenter should note that the primary source of Project operational emissions is traffic.) The commenter is referred to Chapter 10.0 (Sustainability Plan) of the Belle Terre Specific Plan that includes seven pages of Project sustainability features, which incorporate numerous energy efficiency measures that go beyond the measures listed by the commenter and include compliance with CalGreen standards.

The commenter recommends, “Maximum use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the proposed project site to generate solar energy for the facility.” The Project has already taken into consideration the use of solar energy and incorporates passive solar heating techniques. Generally, solar panels are more effective on larger commercial structures. Solar panels on homes can create maintenance complications for power companies, due the extensive points of connection to the grid, whereas commercial panels are larger and offer fewer points of connection. Nonetheless, individual homeowners associated with the Project still could place solar panels on their homes or implement other future solar energy technology at will.

Also, pursuant to Section 15204 of the CEQA Guidelines, mitigation measures submitted by an agency shall include “complete and detailed performance objectives for the mitigation measures, or shall refer the lead agency to appropriate, readily available guidelines or reference documents which meet the same purpose.” The commenter did not provide this information. As such, it is not possible to ascertain whether the use of solar panels would reduce the Project’s significant operational air quality impact, especially given that the impact is largely due to mobile source emissions and not energy use, as stated previously. Thus, this recommended measure will not be required as part of the Project.

The commenter recommends, “Require all lighting fixtures, including signage, to be the most energy efficient possible, require that new traffic signals have light-emitting diode (LED) bulbs, and require that light fixtures be energy efficient compact fluorescent and/or LED light builds. Where feasible use solar powered lighting.” The Project has already taken into consideration the use of low-energy-use lighting and incorporates low-contrast lighting and use of low voltage fixtures and energy-efficient bulbs, such as compact fluorescent (CFL) and LED bulbs. With respect to lighting, as explained on page IV.B-15 in Section IV.B (Aesthetics) of the Draft EIR, County Ordinance No. 655 would be observed, given the Project site’s location within 45 miles of the Mt. Palomar Observatory. Ordinance No. 655 requires that projects incorporate “Night Sky” provisions such as lower lighting levels, backlit addresses and street signs, and other indirect lighting methods.

The commenter recommends “Use of light colored paving and roofing materials.” As recommended by the commenter, the following mitigation measure has been added to the list of mitigation measures on page IV.D-30 of the Draft EIR (refer to Section IV [Changes and Additions to the Draft EIR]):

D-22: The Project shall incorporate light-colored paving and roofing materials.

The commenter recommends, “Use passive heating, natural cooling, solar hot water systems, and reduced pavement.” As stated previously, The Project has already taken into consideration the use of solar energy and incorporates passive solar heating techniques. Additionally, the Project has already taken into consideration reducing pavement and incorporates pervious or open grid paving for driveways, walkways, plazas, and parking-area.

The commenter recommends, “Limit the hours of operation of outdoor lighting.” The Project is residential development, not a commercial development. Outdoor lighting would be minimal. No limit on the hours of operation of outdoor lighting is needed for the Project.

The commenter recommends, “Utilize only Energy Star heating, cooling, and lighting devices and appliances.” The Project has already taken into consideration energy-efficient appliances and incorporates EnergyStar compliant appliances and fixtures. The commenter is referred to Mitigation Measure D-19 on page IV.D-30 that is already included in the Draft EIR.

Response to Comment SCAQMD-3

The mobile source emissions reduction measures listed by the commenter are applicable to commercial development and not residential. The Project includes only residential development.

Response to Comment SCAQMD-4

The commenter is referred to Mitigation Measure D-17 on page IV.D-30 in Section IV.D (Air Quality) that requires the Project to use low VOC cleaning supplies.

As recommended by the commenter, the following mitigation measures have been added to the list of mitigation measures on page IV.D-30 (refer to Section IV [Corrections and Additions to the Draft EIR]):

D-20: Prior to issuance of a certificate of occupancy, the County Building and Safety Department shall ensure that electric or propane outlets are provided for barbecues in residential areas.

D-21: Prior to issuance of a certificate of occupancy, the County Planning Department shall ensure that that the Project’s Homeowner’s Association enforces the use of electric lawn mowers and leaf blowers.

The availability of electric or alternative fueled maintenance vehicles during the Project’s operational phase is unknown and cannot be guaranteed at this time. As such, the commenter’s suggested measure to “Require use of electric or alternative fueled maintenance vehicles” is infeasible.

Response to Comment SCAQMD-5

As required by CEQA, responses to SCAQMD's comments will be provided to SCAQMD prior to consideration of certification of the EIR for the Project.

IV. CORRECTIONS AND ADDITIONS TO THE DRAFT EIR

INTRODUCTION

This section presents corrections and additions that have been made to the text of the Draft EIR. These changes include revisions resulting from responses to comments and staff-initiated text changes to provide clarifications to the project description and analysis and to correct non-substantive errors. The revisions are organized by section and page number as they appear in the Draft EIR. Text deleted from the Draft EIR is shown in ~~striketrough~~, and new text is underlined. For corrections resulting from a response to a comment on the documents, references in parentheses refer to the comment letter and comment number.

I. INTRODUCTION/SUMMARY

The following mitigation measures have been added to the end of the list of air quality mitigation measures on Table I-1 on page I-12 (refer to Responses to Comments SCAQMD-2 and SCAQMD-3):

D-20: The Project shall incorporate light-colored paving and roofing materials.

D-21: Prior to issuance of a certificate of occupancy, the County Building and Safety Department shall ensure that electric or propane outlets are provided for barbecues in residential areas.

D-22: Prior to issuance of a certificate of occupancy, the County Planning Department shall ensure that that the Project's Homeowner's Association enforces the use of electric lawn mowers and leaf blowers.

For purposes of consistent formatting of the Draft EIR, the following text has been added to Table I-1 on page I-12 before "IV.E BIOLOGICAL RESOURCES" (staff-initiated text change):

<u>Sensitive Receptors</u>		
<u>The Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts related to this issue would be less than significant.</u>	<u>None.</u>	<u>Less than significant.</u>

Mitigation Measure E-7 on Table I-1 on page I-16/I-17 mistakenly reference Mitigation Measure E-7 instead of E-6. As such, Mitigation Measure E-7 has been revised as follows (staff-initiated text change):

E-7: Prior to issuance of a grading permit, the Project Applicant shall obtain a 404 Nationwide Permit from the USACE, 1602 SAA from CDFW, and a 401 Certification issued by the RWQCB pursuant to the California Water Code Section 13260. During the permit process a Habitat Mitigation Monitoring Plan (HMMP) shall be developed and approved by the County EPD, RCA, and applicable regulatory and wildlife agencies. As outlined in E-76, mitigation ratios and restoration efforts shall occur on-site within the MSHCP Proposed Conservation Area adjacent to the riparian corridor (French Valley Creek). A total of 2.58 acres shall be restored.

The following changes to Mitigation Measures F-1, F-2, F-3, and F-4 on Table I-1 on pages I-17 through I-20 have been made (refer to Response to Comment Pechanga-3):

IV.F CULTURAL RESOURCES		
As discussed in Section IV.F (Cultural Resources), with implementation of Mitigation Measures F-1 through F-57, Project impacts related to cultural resources would be less than significant.	F-1: Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown historie archaeological resources. During the demolition and grading process <u>all earthmoving activities</u> , the archaeological monitor should be present to monitor freshly excavated <u>all previously undisturbed soils</u> and to identify, document, and further explore <u>evaluate</u> any intact <u>artifact-filled deposits</u> <u>potential</u> historic, archaeological, or cultural <u>resources</u> that may become unearthed. This would include	Less than significant.

IV.F CULTURAL RESOURCES		
	<p>field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and described in detail <u>in the archaeological monitoring report and updated in the appropriate existing or new DPR form.</u> Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.</p>	
	<p>F-2: At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band or and Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a monitoring discovery and treatment plan <u>Cultural Resources Treatment and Monitoring Agreement</u>. The plan <u>Agreement</u> shall require the Applicant to retain a County approved qualified archaeologist <u>professional Tribal Monitor</u> to monitor all ground-disturbing activities, including within a 60 meter radius of CA-</p>	

IV.F CULTURAL RESOURCES		
	<p>RIV-10950/H, in an effort to identify any unknown subsurface historic and archaeological and cultural resources. <u>The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.</u> The plan shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Soboba Band or Pechanga Tribe monitors during on site and off site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. During the demolition and grading process, the archaeological monitor</p>	

IV.F CULTURAL RESOURCES		
	<p>should be present to monitor freshly excavated soil and to identify, document, and further explore any intact artifact filled deposits that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on the site map and described in detail. The archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Further comparative analysis of any recovered artifacts from CA RIV 10950/H with other Archaic age sites in the region and from CA RIV 10949/H with other historic age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.</p> <p>F-3: Prior to the beginning of any ground-disturbing activities, the County-qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology</p>	

IV.F CULTURAL RESOURCES		
	<p>shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.</p> <p><u>The Agreement shall address the appropriate protocols should archaeological, historical, or cultural resources be found; the process for identification, evaluation, and any potential avoidance, preservation, or other mitigation options; protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork that shall take into account traditional Tribal practices; documentation of any new sites and artifacts;</u></p>	

IV.F CULTURAL RESOURCES		
	<p>and any other appropriate methodology. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.</p>	
	<p>F-4: During the Project's construction phase, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) shall be avoided and fenced as appropriate to deter any potential impacts to the area. Fencing shall be installed prior to grading in the area, and the fencing shall be removed after all earthmoving activities have been completed in the area.</p>	

Mitigation Measure F-5 on Table I-1 on page I-18 inadvertently identifies cultural site CA-RIV-10951/H instead of CA-RIV-10950/H. As such, Mitigation Measure has been revised as follows (staff-initiated text change):

- F-5:** The Project Applicant, the Soboba Band or Pechanga Tribe, and the County-qualified archaeologist shall conduct controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10950/H. The purpose of the controlled grading at and around the site as outlined in the area labeled as "Controlled Grade Area" is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, to collect the resources for appropriate treatment pursuant to Section V(g) of the Agreement and in the Monitoring Plan to be developed by the project archaeologist in consultation with the Soboba Band or Pechanga Tribe. The Developer shall only use a paddle grader, and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the attached land use map. All controlled grading shall be monitored according to the provisions of Mitigation Measure F-2.

The following changes to Mitigation Measure F-7 on page I-22 have been made (refer to Response to Comment Pechanga-3):

- F-7:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the ~~appropriate local~~ Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

Mitigation Measure F-10 on Table I-1 on page I-23/24 includes extraneous text. As such, Mitigation Measure F-10 has been revised as follows (staff-initiated text change):

- F-10:** Prior to issuance of grading permits, the Project developer shall retain a qualified paleontologist to develop a Paleontological Resource Impact Mitigation Program (PRIMP) for the excavation phase of the Project ~~shall be prepared~~. The PRIMP shall conform to the guidelines of the County and the Society of Vertebrate Paleontology and include the following steps:

The mitigation measures identified in Section IV.H (Greenhouse Gas Emissions) were inadvertently omitted from Table I-1. As such, the following text has been added to Table I-1 on page I-27 (staff-initiated text change):

IV.H GREENHOUSE GAS EMISSIONS		
As discussed in Section IV.H (Greenhouse Gas Emissions), although the Project would incorporate numerous GHG emission reduction features, these features would not produce the additional 17 percent reduction in GHG emissions needed to achieve the County's recommended threshold of a 30 percent reduction in GHG emissions when compared to the business-as-usual (BAU) scenario. Thus, Project impacts related to GHG emissions would be significant and unavoidable.	H-1: Prior to issuance of building permits, ensure that project design features specified in the Specific Plan are implemented.	Significant and unavoidable.
	H-2: Prior to issuance of building permits, ensure that, through economically feasible installations, the Project achieves a 15 percent reduction in electricity and natural gas energy use beyond the 2008 Title 24 standards.	

For purposes of clarification, additional text was added to Table I-1 on page I-32 to include the traffic scenario under which noise impacts would occur. Additionally, the level of impact significance after mitigation was inadvertently identified on the table as "Less Than Significant." As such, the text has been revised as follows (staff-initiated text change):

Operational Noise		
As discussed in Section IV.L (Noise), with the exception of noise impacts associated with traffic, the Project's operational noise levels would not exceed the significance thresholds. However, traffic noise levels along Washington Street from Winchester Road	L-3: The Project Applicant shall have the HVAC systems completely enclosed and surrounded with sound insulation.	Less Than Significant. Significant and unavoidable.

Operational Noise		
to Keller Road and Washington Street from Fields Drive to Keller Road to the AM and PM peak hours <u>in the existing-plus-project and future-plus-project scenarios</u> and along Washington Street from Fields Drive to a Autumn Glen Circle during the PM peak hour <u>in the future-plus-project (2035) scenario</u> would exceed the significance thresholds, and impacts would be significant and unavoidable.		

II. ENVIRONMENTAL SETTING

The first sentence of the second paragraph on page II-1 inadvertently refers to Figure III-2, instead of II-2. As such, this sentence has been revised as follows (staff-initiated text change):

As shown on Figure III-2, regional access to the Project area is provided via major north-south access routes, including Interstate 15 (I-15) and Interstate 215 (I-215), which connect the Project area to Riverside and San Bernardino to the north and Escondido/Temecula and San Diego to the south.

III. PROJECT DESCRIPTION

The table below reflects a nomenclature change for the Project's Planning Areas, as reflected in the Specific Plan. No changes to the Project's gross acreage or number of dwelling units have changed from what was identified in the Draft EIR. The table is included for informational purposes only.

Revised Planning Area Nomenclature

Original Planning Area #	Revised Planning Area #	Land Use Designation	Gross Acres	Land Use Designation and Gross Acres Same as Original?
PA-1	PA-1	MHDR	32.8	Yes
PA-2	PA-2	HDR	14.0	Yes
PA-3	PA-3	MHDR	14.0	Yes
PA-4	PA-4	MHDR	14.5	Yes
PA-5	PA-5	OS-R	2.7	Yes
PA-6	PA-6	MHDR	6.3	Yes
PA-7	PA-7	MHDR	13.7	Yes
PA-8	PA-8	OS-R	9.5	Yes
PA-9	PA-9	MHDR	7.7	Yes
PA-10	PA-10	MHDR	23.4	Yes
PA-11	PA-11	MHDR	3.5	Yes
PA-12	PA-12	MHDR	5.2	Yes
PA-13	PA-13	MDR	16.6	Yes
PA-14	PA-14	LDR	19.2	Yes
PA-15	PA-15	OS-R/BASIN	10.5	Yes
OS-1	PA-16A	OS-C	2.7	Yes
OS-2	PA-16B	OS-C	5.6	Yes
OS-3	PA-17	OS-CH	69.0	Yes
OS-4	PA-18	OS-CH	31.6	Yes
OS-5	PA-16C	OS-C	1.8	Yes
OS-6	PA-16D	OS-C	2.4	Yes
OS-7	PA-19	OS-CH	1.8	Yes
OS-8	PA-16E	OS-C	4.8	Yes
OS-9	PA-20	OS-CH	1.3	Yes
OS-10	PA-21	OS-CH	2.9	Yes
OS-11	PA-16F	OS-C	4.2	Yes

IV.D AIR QUALITY

Table IV.D-6 on page IV.D-23 that shows the Project's estimated daily operational emissions (unmitigated) mistakenly shows that the Project would result in a significant impact related to PM₁₀ emissions. As shown on the table, the Project would result in approximately 134 pounds of PM₁₀ emissions per day, which does not exceed SCAQMD's significance threshold of 150 pounds per day. As such, the table has been revised as follows (staff-initiated text change):

Table IV.D-6
Estimated Daily Operations Emissions (Unmitigated) (2035)

Emission Source	Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	76	1	108	<1	1	1
Energy Sources	1	11	5	<1	1	1
Mobile Sources	94	249	1,139	2	132	47
<i>Total Operations</i>	<i>172</i>	<i>262</i>	<i>1,252</i>	<i>2</i>	<i>134</i>	<i>48</i>
SCAQMD Threshold	55	55	550	150	150	55
Exceed Threshold?	Yes	Yes	Yes	No	Yes No	No
<i>Source: DKA Planning 2013 based on CalEEMod v2011.1.1 model runs (refer to Appendix IV.D).</i>						

For purposes of consistent formatting of the Draft EIR, the text on page IV.D-24 has been revised as been revised as follows (staff-initiated text change):

Impact IV.D-ed: The Project would not expose sensitive receptors to substantial pollutant concentrations, and impacts related to this issue would be less than significant.

The following mitigation measure has been added to the list of mitigation measures on page IV.D-30 (refer to Response to Comment SCAQMD-2):

D-20: The Project shall incorporate light-colored paving and roofing materials.

The following mitigation measures have been added to the list of mitigation measures on page IV.D-30 (refer to Response to Comment SCAQMD-3):

D-21: Prior to issuance of a certificate of occupancy, the County Building and Safety Department shall ensure that electric or propane outlets are provided for barbecues in residential areas.

D-22: Prior to issuance of a certificate of occupancy, the County Planning Department shall ensure that that the Project's Homeowner's Association enforces the use of electric lawn mowers and leaf blowers.

Table IV.D-9 on page IV.D-32 that shows the Project's estimated daily operational emissions (unmitigated) mistakenly shows that the Project would result in a significant impact related to PM₁₀ emissions. As shown on the table, the Project would result in approximately 134 pounds of PM₁₀ emissions per day, which does not exceed SCAQMD's significance threshold of 150 pounds per day. As such, the table has been revised as follows (staff-initiated text change):

Table IV.D-9
Estimated Daily Operations Emissions – With Mitigation (2035)

Emission Source	Pounds per Day					
	VOC	NO _x	CO	SO _x	PM ₁₀	PM _{2.5}
Area Sources	72	1	108	<1	1	1
Energy Sources	1	10	4	<1	1	1
Mobile Sources	94	249	1,139	2	133	46
<i>Total Operations</i>	<i>167</i>	<i>261</i>	<i>1,251</i>	<i>2</i>	<i>134</i>	<i>48</i>
SCAQMD Threshold	55	55	550	150	150	55
Exceed Threshold?	Yes	Yes	Yes	No	Yes No	No
<i>Source: DKA Planning 2013 based on CalEEMod v2011.1.1 model runs (refer to Appendix IV.D).</i>						

IV.E BIOLOGICAL RESOURCES

Mitigation Measure E-7 on page IV.E-90 mistakenly reference Mitigation Measure E-7 instead of E-6. As such, Mitigation Measure E-7 has been revised as follows (staff-initiated text change):

E-7: Prior to issuance of a grading permit, the Project Applicant shall obtain a 404 Nationwide Permit from the USACE, 1602 SAA from CDFW, and a 401 Certification issued by the RWQCB pursuant to the California Water Code Section 13260. During the permit process a Habitat Mitigation Monitoring Plan (HMMP) shall be developed and approved by the County EPD, RCA, and applicable regulatory and wildlife agencies. As outlined in E-67, mitigation ratios and restoration efforts shall occur on-site within the MSHCP Proposed Conservation Area adjacent to the riparian corridor (French Valley Creek). A total of 2.58 acres shall be restored.

IV.F CULTURAL RESOURCES

The first introductory impact statement on page IV.F-40 inadvertently identified “archaeological” resources, instead of “historical” resources. As such, this text has been revised as follows (staff-initiated text change):

Impacts IV.F-a and IV.F-b: The Project would not alter or destroy a historic site and would not cause a substantial adverse change in the significance of ~~an archaeological~~ a historical resource pursuant to Section 15064.5, and impacts related to these issues would be less than significant.

The second introductory impact statement on page IV.F-40 inadvertently identified “historic” site, instead of “archaeological” site. This text change has been made. Also, for purposes of consistent formatting and clarification, the second introductory impact statement on page IV.F-40 has been revised as follows (staff-initiated text change):

Impacts IV.F-c, ~~IV.F-e~~, and IV.F-d: With implementation of mitigation measures, the Project would not alter or destroy ~~a historic~~ an archaeological site and would not cause a substantial adverse change in the significance of an archaeological resource pursuant to Section 15064.5, and impacts related to these issues would be less than significant.

The following changes to Mitigation Measures F-1, F-2, F-3, F-4, and F-7 on pages IV.F-43 through IV.F-45 have been made (refer to Response to Comment Pechanga-3):

F-1: Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown ~~historic~~ archaeological resources. During ~~the demolition and grading process~~ all earthmoving activities, the archaeological monitor should be present to monitor ~~freshly excavated~~ all previously undisturbed soils and to identify, document, and ~~further explore~~ evaluate any intact artifact-filled deposits potential historic, archaeological, or cultural resources that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and described in detail in the archaeological monitoring report and updated in the appropriate existing or new DPR form. Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.

- F-2:** At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band ~~or~~and Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a ~~monitoring discovery and treatment plan~~Cultural Resources Treatment and Monitoring Agreement. The ~~plan~~Agreement shall require the Applicant to retain a ~~County approved qualified archaeologist~~professional Tribal Monitor to monitor all ground-disturbing activities, ~~including within a 60-meter radius of CA RIV 10950/H,~~ in an effort to identify any ~~unknown subsurface~~ historic and archaeological and cultural resources. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The plan shall address the treatment of known cultural resources, the designation, responsibilities, and participation of Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. During the demolition and grading process, the archaeological monitor should be present to monitor freshly excavated soil and to identify, document, and further explore any intact artifact filled deposits that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on the site map and described in detail. The archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Further comparative analysis of any recovered artifacts from CA RIV 10950/H with other Archaic age sites in the region and from CA RIV 10949/H with other historic age farmstead sites in the region and interpretation of the data should also be carried out by a County qualified archaeologist.
- F-3:** Prior to the beginning of any ground-disturbing activities, the County-qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the ~~appropriate local~~ Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to

monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

The Agreement shall address the appropriate protocols should archaeological, historical, or cultural resources be found; the process for identification, evaluation, and any potential avoidance, preservation, or other mitigation options; protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork that shall take into account traditional Tribal practices; documentation of any new sites and artifacts; and any other appropriate methodology. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.

- F-4:** During the Project's construction phase, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) shall be avoided and fenced as appropriate to deter any potential impacts to the area. Fencing shall be installed prior to grading in the area, and the fencing shall be removed after all earthmoving activities have been completed in the area.
- F-7:** The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the appropriate ~~local~~ Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

Mitigation Measure F-10 on page IV.F-46 includes extraneous text. As such, Mitigation Measure F-10 has been revised as follows (staff-initiated text change):

- F-10:** Prior to issuance of grading permits, the Project developer shall retain a qualified paleontologist to develop a Paleontological Resource Impact Mitigation Program (PRIMP) for the excavation phase of the Project ~~shall be prepared~~. The PRIMP shall conform to the guidelines of the County and the Society of Vertebrate Paleontology and include the following steps:

IV.G GEOLOGY AND SOILS

For purposes of consistent formatting of the Draft EIR and for purposes of clarification, the introductory impact statement on page IV.G-12 has been revised as follows (staff-initiated text change):

Impacts IV.G-11iv, IV.G-14a, and IV.G-15ba: The Project would be located on a geologic unit or soil that is unstable, or that would become unstable as a result of the project, and could potentially result in on- or off-site landslide, lateral spreading, subsidence, liquefaction, collapse, or rockfall hazards. Also, the Project would ~~not~~ 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 subsidence. However, with implementation of Mitigation Measure G-2, impacts related to these issues would be less than significant.

For purposes of clarification, the second introductory impact statement on page IV.G-13 has been revised as follows (staff-initiated text change):

Impact IV.G-17a: The Project would not~~not~~ substantially change topography or ground surface relief features, and no significant impacts related to this issue would occur.

IV.H GREENHOUSE GAS EMISSIONS

The second significance threshold issue on page IV.H-19 for greenhouse gas emissions was inadvertently omitted and reflected a significance threshold issue associated with hazards and hazardous materials. As such, the text at the top of page IV.H-19 as been revised as follows (staff-initiated text change):

- 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.~~Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases.

The text toward the top of page IV.H-22 has been revised as follows, consistent with the final conclusions of the greenhouse gas emissions analysis (staff-initiated text change):

Impact IV.H-a: Despite implementation of various product design features, memorialized in Mitigation Measures H-1 and H-2, ~~the~~the Project would ~~not~~ generate direct or indirect greenhouse gas emissions that would result in a significant impact on the environment, and ~~no~~ ~~significant~~ impacts related to this issue would ~~occur~~remain significant and unavoidable.

The first sentence of the first paragraph on page IV.H-39 inadvertently references the wrong mitigation measure. As such, this sentence has been revised as follows (staff-initiated text change):

It should be noted that ~~GH~~H-2 has been specified as a mitigation measure since the GHG emissions reductions associated with it were quantified and shown on Table IV.F-4.

The first line on page IV.H-40 inadvertently refers to “the City” instead of the “the County.” As such the sentence has been revised as follows (staff-initiated text change):

Emissions from vehicle exhaust are controlled by the state and federal governments and are outside the control of the Project applicant and the ~~City~~County.

IV.K LAND USE AND PLANNING

For purposes of clarification and consistent formatting of the Draft EIR, the impact statement on page IV.K-5 has been revised as follows (staff-initiated text change):

Impact IV.~~GK~~-a: With implementation of Mitigation Measure K-1, the Project would not result in a substantial alteration of the present or planned land use of an area, and impacts related to this issue would be less than significant.

The second to the last sentence of the first full paragraph inadvertently states, “the Project would result in a substantial alteration of the present or planned land use of the Project.” The sentence should read as follows and has been revised (refer to Response to Comment Temecula 1-2):

Thus, the Project would not result in a substantial alteration of the present or planned land use of the Project.

For purposes of clarification and consistent formatting of the Draft EIR, the impact statement on page IV.K-6 has been revised as follows (staff-initiated text change):

Impact IV.~~GK~~-c: The Project would not be incompatible with existing and planned surrounding land uses, and impacts related to this issue would be less than significant.

For purposes of clarification and consistent formatting of the Draft EIR, the impact statement on page IV.K-7 has been revised as follows (staff-initiated text change):

Impact IV.~~GK~~-d: With implementation of Mitigation Measure K-1, The Project would be substantially consistent with the applicable land use designations and policies of the County's General Plan, and impacts related to this issue would be less than significant.

IV.L NOISE

The impact statement on page IV.L-21 has been revised as follows, consistent with the traffic noise conclusion discussed on page IV.L-23 (staff-initiated text change):

Impact IV.L-d: With implementation of Mitigation Measure L-3, the Project ~~would~~would not result in a substantial permanent increase in ambient noise levels associated with on-site operation in the Project vicinity above levels existing without the Project. However, traffic noise levels along Washington Street from Winchester Road to Keller Road and Washington Street from Fields Drive to Keller Road to the AM and PM peak hours and along Washington Street from Fields Drive to Autumn Glen Circle during the PM peak hour would exceed the significance thresholds, and impacts would be significant and unavoidable.

The reference to Autumn Glen Circle in the fourth line from the top of page IV.L-27 inadvertently omits "Glen Circle." As such, the sentence (beginning on page IV.L-26) has been revised as follows (staff-initiated text change):

However, increases in mobile noise would cause the ambient noise level measured at the property line of the affected uses to rise to the "normally unacceptable" or "clearly unacceptable" category (Table IV.L-2) at residences along Washington Street from Fields Drive to Keller Road during

the AM peak hour, and along Washington Street between Fields Drive and Autumn Glen Circle, and between Fields Drive and Keller Road during the PM peak hour.

The text under “Operational Noise Impacts” on page IV.L-29 has been revised as follows, consistent with the discussion of the significant and unavoidable traffic noise impact that is discussed on page IV.L-23 and IV.L-27 (staff-initiated text change):

Compliance with Mitigation Measure L-3 would ensure that operational noise impacts associated with on-site sources of noise would be less than significant. However, traffic noise levels along Washington Street from Winchester Road to Keller Road and Washington Street from Fields Drive to Keller Road to the AM and PM peak hours and along Washington Street from Fields Drive to Autumn Glen Circle during the PM peak hour would exceed the significance thresholds, and impacts would be significant and unavoidable.

Also, when cumulative noise is considered, increases in mobile noise would cause the ambient noise level measured at the property line of the affected uses to rise to the “normally unacceptable” or “clearly unacceptable” category (Table IV.L-2) at residences along Washington Street from Fields Drive to Keller Road during the AM peak hour, and along Washington Street between Fields Drive and Autumn Glen Circle, and between Fields Drive and Keller Road during the PM peak hour. As a result, cumulative mobile noise would be considered a significant and unavoidable impact.

IV.M POPULATION AND HOUSING

For purposes of clarification, the following text as been added to the end of the first partial paragraph at the top of page IV.M-8 (staff-initiated text change):

Issue "e" is addressed in the cumulative impacts section.

IV.O TRANSPORTATION/TRAFFIC

The date of the first document listed on page IV.O-1 mistakenly shows a date of 2014 instead of 2013. As such, the reference to the *Traffic Impact Analysis* on page IV.O-1 has been revised as follows (staff-initiated text change and Response to Comment City of Temecula 2-6):

- *Traffic Impact Analysis, Urban Crossroads, December 2, 2014*3.

The jurisdictions shown for Intersections 21, 22, and 23 on Table IV.O-1 on page IV.O-2 have been revised as follows to list only the City of Temecula, since Caltrans has relinquished their authority over these intersections (refer to Response to Comment City of Temecula 2-8):

21	Winchester Road (SR-79) / Nicolas Road	Caltrans , Temecula
22	Winchester Road (SR-79) / Margarita Road	Caltrans , Temecula
23	Winchester Road (SR-79) / Ynez Road	Caltrans , Temecula

The eighth bullet on page IV.O-8 has been revised as follows (refer to Response to Comment City of Temecula 2-9):

- Butterfield Ranch ~~Stage~~ Road Extension through the City of Temecula

For purposes of clarification, the first paragraph on page IV.O-10 (Transportation/Traffic) of the Draft EIR has been revised as follows (refer to Response to Comment City of Temecula 2-4):

Per the Caltrans *Guide for the Preparation of Traffic Impact Studies*, the traffic modeling and signal timing optimization software package Synchro (Version 7 Build 759) has been utilized to analyze signalized intersections under Caltrans' jurisdiction, which include interchange to arterial ramps (i.e. I-215 Freeway ramps at Scott Road and I-15 Freeway Ramps at SR-79) and signalized intersections along SR-79. The intersections along Winchester Road (SR-79) within the City of Temecula have also been evaluated using the Synchro software. Synchro is a macroscopic traffic software program that is based on the signalized intersection capacity analysis as specified in the Chapter 16 of the HCM. Macroscopic level models represent traffic in terms of aggregate measures for each movement at the study intersections. Equations are used to determine measures of effectiveness such as delay and queue length. The LOS and capacity analysis performed by Synchro takes into consideration optimization and coordination of signalized intersections within a network. All other study area intersections within the County; and City of Murrieta, ~~and the City of Temecula~~ have been analyzed using the software package Traffix (Version 8.0 R1, 2008).

The last full sentence on page IV.O-31 mistakenly states that issue “h” was addressed in section IV.A (Impacts Found to be Less Than Significant). Issue “h” is addressed on page IV.O-72. As such, the last full section on page IV.O-31 has been revised as follows (staff-initiated text change):

As discussed in Section IV.A (Impacts Found to be Less Than Significant), the Project would not result in significant impacts related to issues “c,” and “d.” ~~and “h.”~~

For purposes of consistency and clarification, the following text has been added after the last sentence on page IV.O-31 (staff-initiated text change):

Regarding issue “g,” the Project would be developed in phases, as the market permits. During the construction phases, most of the construction equipment would be driven to the Project site and stored at the site, and would not travel on the roadways on a daily basis. Daily worker trips would occur outside of the peak hours (before 7:00 AM and after 6:00 PM). Also, daily vendor and haul trips would occur during non-peak hours (after 9:00 AM and before 4:00 PM). Construction traffic would be intermittent and temporary would not create a need for new transportation infrastructure. No impacts related to this issue would occur, and no further discussion is required.

The existing traffic condition described in the first bullet on page IV.O-32 in section IV.O (Transportation/Traffic) inadvertently identifies the existing condition year as 2013 instead of 2012. As such, the text has been revised as follows (refer to Response to Comment City of Temecula 2-16):

- If an intersection is projected to operate at an acceptable LOS (i.e., LOS D or better) under Existing (~~2013~~2012) traffic conditions and the addition of Project traffic, as measured by 50 or more peak-hour trips, is expected to cause the intersection to operate at an unacceptable LOS (i.e., LOS E or F), the impact is considered significant.

The list of City of Temecula intersections on page IV.O-34 has been revised to reflect the following (refer to Response to Comment City of Temecula 2-17):

Intersection 24: I-15 Northbound Ramps/SR-70

For purposes of consistent formatting of the Draft EIR, the impact statement on page IV.O-38 has been revised as follows (staff-initiated text change):

Impact IV.O-1a: The Project would conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit. Specifically, the Project would generate traffic that would exceed the significance thresholds for intersections and roadway segments. Implementation of roadway improvements would reduce the impacts to less than significant. However, some of the impacted intersections fall within other jurisdictions (other than the County). Because the County cannot enforce implementation of the improvements at these intersections, impacts at these intersections and roadway segments would remain significant and unavoidable.

For purposes of consistent formatting of the Draft EIR, the impact statement on page IV.O-71 has been revised as follows (staff-initiated text change):

Impact IV.O-2e: The Project would not substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment), and no significant impacts related to this issue would occur.

For purposes of consistent formatting of the Draft EIR, the impact statement on page IV.O-72 has been revised as follows (staff-initiated text change):

Impact IV.O-3f: The Project would not cause a substantial effect upon or need for new or altered maintenance of roads, and no significant impacts related to this issue would occur.

For purposes of consistent formatting of the Draft EIR, the impact statement on page IV.O-72 has been revised as follows (staff-initiated text change):

Impact IV.O-4h: The Project would not result in inadequate emergency access or access to nearby uses, and no significant impacts related to this issue would occur.

For purposes of consistent formatting of the Draft EIR, the impact statement on page IV.O-73 has been revised as follows (staff-initiated text change):

Impact IV.O-5i: The Project would not conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities, and no significant impacts related to this issue would occur.

The fifth bullet on page IV.O-95 in Section IV.O (Transportation/Traffic) has been revised as follows (refer to Response to Comment City of Temecula 2-44):

- The Butterfield ~~Ranch~~Stage Road extension is anticipated to provide a parallel route to SR-79 through the City of Temecula. The Butterfield ~~Ranch~~Stage Road extension includes the completion of Butterfield ~~Ranch~~Stage Road to provide a connection between Rancho California Road and Murrieta Hot Springs Road. The construction of this connection is anticipated to reduce through volumes along SR-79 within the City of Temecula.

The title of Figure IV.O-47 on page IV.O-97 should state “Long-Term,” instead of “Near-Term.” This edit has been made and is shown at the end of this section (refer to Response to Comment City of Temecula 2-45).

The title of Figure IV.O-48 on page IV.O-98 should state “Long-Term,” instead of “Near-Term.” This edit has been made and is shown at the end of this section (refer to Response to Comment City of Temecula 2-46).

The table reference in the last two sentences of the first paragraph on page IV.O-102 inadvertently references Table IV.O-17 instead of Table IV.O-16. As such, this text has been revised as follows (staff-initiated text change):

Similarly, Figure IV.O-53 summarizes the study area intersection peak hour LOS under Long-Term (2035) Cumulative-With-Project traffic conditions, consistent with the summary provided on Table IV.O-~~17~~16. As shown on Table IV.O-~~17~~16, the Project would contribute to significant impacts at the following intersections:

For the intersections under the jurisdiction of the City of Temecula on page IV.O-115, “SR-79” has been revised as “Winchester Road (SR-79)” as follows (refer to Response to Comment City of Temecula 2-48):

Intersection 21: ~~SR-79~~ Winchester Road (SR-79)/Nicolas Road – LOS F, AM and PM peak hours

Intersection 22: ~~SR-79~~ Winchester Road (SR-79)/Margarita Road – LOS E, AM peak hour; LOS F, PM peak hour

Intersection 23: ~~SR-79~~ Winchester Road (SR-79)/Ynez –LOS F, AM and PM peak hours

Intersection 24: ~~SR-79~~ Winchester Road (SR-79)/I-15 Northbound Ramps – LOS F, PM peak hour

Intersection 25: ~~SR-79~~ Winchester Road (SR-79)/I-15 Southbound Ramps – LOS F, AM and PM peak hours

As requested by the commenter, for Intersection 24 listed toward the top of page IV.O-123, “SR-79” has been revised as “Winchester Road/SR-79” as follows (refer to Response to Comment City of Temecula 2-50):

Intersection 24: ~~SR-79~~ Winchester Road (SR-79)/I-15 Northbound Ramps

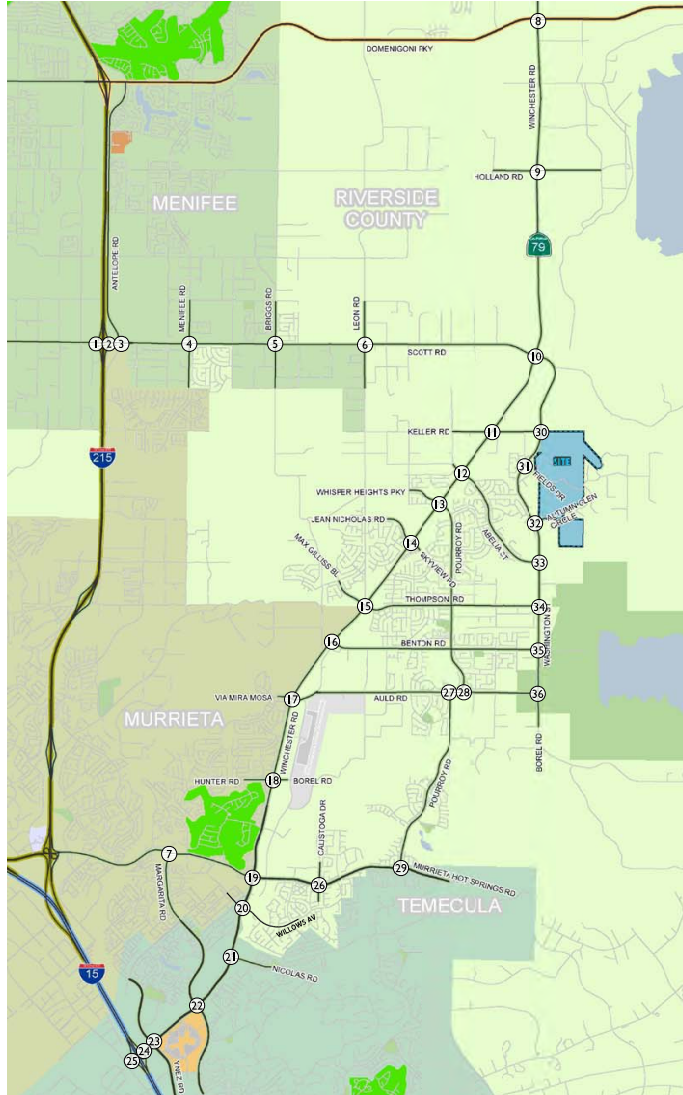
V. GENERAL IMPACT CATEGORIES

The reference to the significant and unavoidable impact related to operational air quality emissions identified in Section IV.D (Air Quality) was inadvertently omitted. As such, the section paragraph on page V-1 has been revised, and a new third paragraph has been added (staff-initiated text change).

Based on the analysis contained in Section IV of this Draft EIR, implementation of the Project would result in significant unavoidable environmental impacts related to operational air quality emissions, consistency with the Air Quality Management Plan (the “AQMP”); greenhouse gas (GHG) emissions; operational traffic noise; and intersection level of service (LOS).

Operational Air Quality Emissions

As discussed in Section IV.D (Air Quality), area source and energy source mitigation measures would reduce criteria pollutant emissions. However, impacts related to emissions of VOC, NO_x, and CO would remain significant and unavoidable.

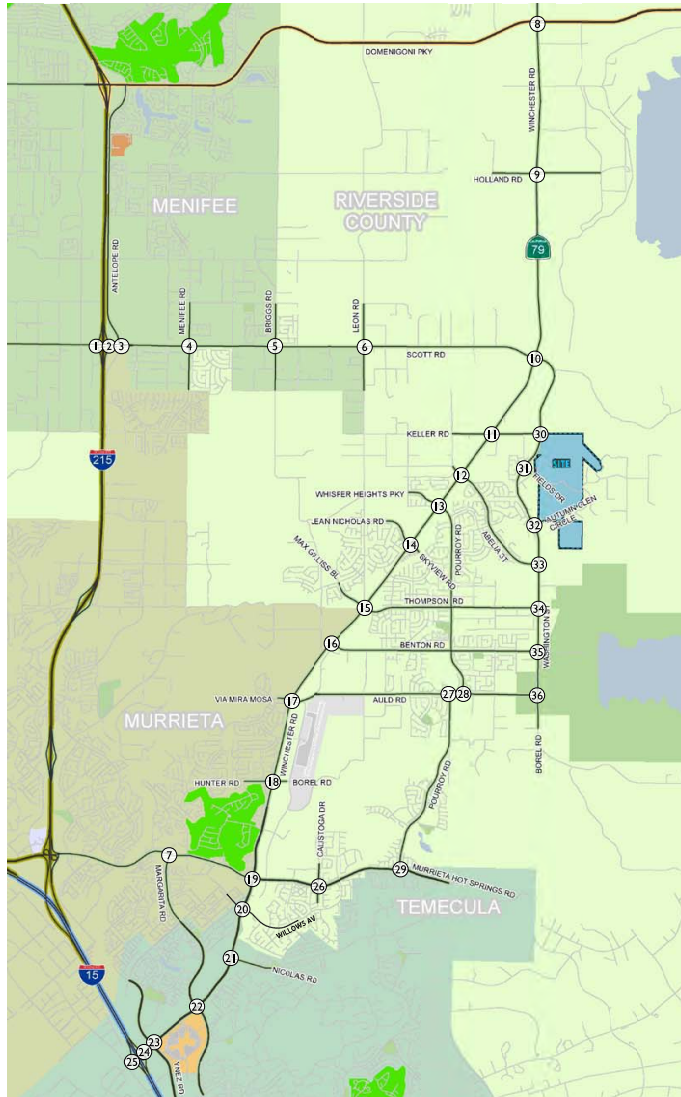


1 I-215 SB Ramps & Scott Rd. 845 607 220 270 464 1480	2 I-215 NB Ramps & Scott Rd. 193 922 578 257 1366 476	3 Antelope Rd. & Scott Rd. 355 301 44 876 131 393 116	4 Menifee Rd. & Scott Rd. 143 350 344 634 283 677 92 328 495	5 Briggs Rd. & Scott Rd. 19 114 70 8 1009 10 8	6 Leon Rd. & Scott Rd. 124 324 145 56 14 364 402 16	7 Margarita Rd. & Murrieta Hot Springs 1028 649 10 32 20 1078 734 243	8 Winchester Rd./ (SR-79) & Domenighi Pkwy. 69 768 60 88 37 635 42
9 Winchester Rd./ (SR-79) & Holland Rd. 10 2016 26 20 24 21 4038 47	10 Winchester Rd./ (SR-79) & Scott Rd. 105 3404 500 143 92 92 156 102	11 Winchester Rd./ (SR-79) & Keller Rd. 41 364 219 29 171 27 20 235	12 Winchester Rd./ (SR-79) & Abella St. 145 132 166 158 104 40 70 88	13 Winchester Rd./ (SR-79) & Pourroy Rd. 123 86 107 144 30 57 18 87	14 Winchester Rd./ (SR-79) & Skyview Rd. 118 1610 143 268 81 71 13 207	15 Winchester Rd./ (SR-79) & Thompson Rd. 651 216 368 102 467 597 382 150	16 Winchester Rd./ (SR-79) & Benton Rd. 227 342 90 390 162 399 474 1635
17 Winchester Rd./ (SR-79) & Auld Rd. 145 3888 194 398 225 114 198 808	18 Winchester Rd./ (SR-79) & Hunter Rd. 128 311 144 18 228 230 54 23	19 Winchester Rd./ (SR-79) & Murrieta Hot Springs Rd. 725 123 341 483 701 257 244 30	20 Winchester Rd./ (SR-79) & Willows Av. 101 19 107 234 123 54 102 180	21 Winchester Rd./ (SR-79) & Nicolas Rd. 901 249 385 385 131 67 385 233	22 Winchester Rd./ (SR-79) & Margarita Rd. 95 505 583 453 59 240 188 439	23 Winchester Rd./ (SR-79) & Ynez Rd. 229 1213 266 198 230 608 675 43	24 Winchester Rd./ (SR-79) & I-15 NB Ramps 978 1785 132 443 169 450
25 Winchester Rd./ (SR-79) & I-15 SB Ramps 1149 1080 1437 989 211	26 Calistoga Dr. & Murrieta Hot Springs Rd. 85 155 114 276 98 33 54 18	27 Pourroy Rd. (West) & Auld Rd. 137 497 550 280 185 201	28 Pourroy Rd. (East) & Auld Rd. 267 352 184 464 597	29 Pourroy Rd. & Murrieta Hot Springs Rd. 72 95 95 175 503 185 10 10	30 Washington St. & Keller Rd. 12 0 0 0 19 9 27 750	31 Washington St. & Fields Dr. 10 584 39 32 116 14 10 624	32 Washington St. & Autumn Glen Cr. 52 58 29 15 110 10 10 500
				33 Washington St. & Abella St. 101 492 353 323 232	34 Washington St. & Thompson Rd. 77 10 100 10 14 10 76 10	35 Washington St. & Benton Rd. 99 609 10 100 167 343 427 610	36 Washington St. & Auld Rd. 561 591 583 74 99 463

Source: Urban Crossroads, 2013.



Not to Scale



1 I-215 SB Ramps & Scott Rd.	2 I-215 NB Ramps & Scott Rd.	3 Antelope Rd. & Scott Rd.	4 Menifee Rd. & Scott Rd.	5 Briggs Rd. & Scott Rd.	6 Leon Rd. & Scott Rd.	7 Margarita Rd. & Murrieta Hot Springs	8 Winchester Rd./ (SR-79) & Domenigoni Pkwy.
$\begin{array}{c} \uparrow 822 \\ \downarrow 697 \\ \hline \uparrow 501 \\ \downarrow 1799 \end{array}$ $\begin{array}{c} 1472 \\ \hline 567 \end{array}$	$\begin{array}{c} \uparrow 794 \\ \downarrow 293 \\ \hline \uparrow 395 \\ \downarrow 1373 \end{array}$ $\begin{array}{c} 0 \\ \hline 516 \end{array}$	$\begin{array}{c} \uparrow 324 \\ \downarrow 1288 \\ \hline \uparrow 146 \\ \downarrow 1079 \end{array}$ $\begin{array}{c} 1138 \\ \hline 120 \end{array}$	$\begin{array}{c} \uparrow 64 \\ \downarrow 215 \\ \hline \uparrow 415 \\ \downarrow 663 \end{array}$ $\begin{array}{c} 228 \\ \hline 510 \end{array}$	$\begin{array}{c} \uparrow 970 \\ \downarrow 2 \\ \hline \uparrow 449 \\ \downarrow 101 \end{array}$ $\begin{array}{c} 1278 \\ \hline 32 \end{array}$	$\begin{array}{c} \uparrow 89 \\ \downarrow 53 \\ \hline \uparrow 5 \\ \downarrow 661 \end{array}$ $\begin{array}{c} 191 \\ \hline 510 \end{array}$	$\begin{array}{c} \uparrow 61 \\ \downarrow 59 \\ \hline \uparrow 40 \\ \downarrow 1173 \end{array}$ $\begin{array}{c} 1394 \\ \hline 814 \end{array}$	$\begin{array}{c} \uparrow 66 \\ \downarrow 24 \\ \hline \uparrow 109 \\ \downarrow 225 \end{array}$ $\begin{array}{c} 681 \\ \hline 18 \end{array}$
9 Winchester Rd./ (SR-79) & Holland Rd.	10 Winchester Rd./ (SR-79) & Scott Rd.	11 Winchester Rd./ (SR-79) & Keller Rd.	12 Winchester Rd./ (SR-79) & Abella St.	13 Winchester Rd./ (SR-79) & Pourroy Rd.	14 Winchester Rd./ (SR-79) & Skyview Rd.	15 Winchester Rd./ (SR-79) & Thompson Rd.	16 Winchester Rd./ (SR-79) & Benton Rd.
$\begin{array}{c} \uparrow 493 \\ \downarrow 41 \\ \hline \uparrow 52 \\ \downarrow 3466 \end{array}$ $\begin{array}{c} 11 \\ \hline 12 \end{array}$	$\begin{array}{c} \uparrow 370 \\ \downarrow 444 \\ \hline \uparrow 376 \\ \downarrow 133 \end{array}$ $\begin{array}{c} 113 \\ \hline 107 \end{array}$	$\begin{array}{c} \uparrow 48 \\ \downarrow 294 \\ \hline \uparrow 109 \\ \downarrow 20 \end{array}$ $\begin{array}{c} 64 \\ \hline 33 \end{array}$	$\begin{array}{c} \uparrow 80 \\ \downarrow 180 \\ \hline \uparrow 151 \\ \downarrow 100 \end{array}$ $\begin{array}{c} 110 \\ \hline 88 \end{array}$	$\begin{array}{c} \uparrow 60 \\ \downarrow 442 \\ \hline \uparrow 130 \\ \downarrow 114 \end{array}$ $\begin{array}{c} 67 \\ \hline 36 \end{array}$	$\begin{array}{c} \uparrow 50 \\ \downarrow 2494 \\ \hline \uparrow 187 \\ \downarrow 291 \end{array}$ $\begin{array}{c} 146 \\ \hline 104 \end{array}$	$\begin{array}{c} \uparrow 303 \\ \downarrow 2351 \\ \hline \uparrow 320 \\ \downarrow 163 \end{array}$ $\begin{array}{c} 462 \\ \hline 392 \end{array}$	$\begin{array}{c} \uparrow 198 \\ \downarrow 184 \\ \hline \uparrow 303 \\ \downarrow 313 \end{array}$ $\begin{array}{c} 219 \\ \hline 531 \end{array}$
17 Winchester Rd./ (SR-79) & Auld Rd.	18 Winchester Rd./ (SR-79) & Hunter Rd.	19 Winchester Rd./ (SR-79) & Murrieta Hot Springs Rd.	20 Winchester Rd./ (SR-79) & Willows Av.	21 Winchester Rd./ (SR-79) & Nicolas Rd.	22 Winchester Rd./ (SR-79) & Margarita Rd.	23 Winchester Rd./ (SR-79) & Ynez Rd.	24 Winchester Rd./ (SR-79) & I-15 NB Ramps
$\begin{array}{c} \uparrow 285 \\ \downarrow 219 \\ \hline \uparrow 376 \\ \downarrow 696 \end{array}$ $\begin{array}{c} 174 \\ \hline 103 \end{array}$	$\begin{array}{c} \uparrow 374 \\ \downarrow 3041 \\ \hline \uparrow 53 \\ \downarrow 28 \end{array}$ $\begin{array}{c} 161 \\ \hline 294 \end{array}$	$\begin{array}{c} \uparrow 791 \\ \downarrow 2155 \\ \hline \uparrow 311 \\ \downarrow 420 \end{array}$ $\begin{array}{c} 710 \\ \hline 364 \end{array}$	$\begin{array}{c} \uparrow 186 \\ \downarrow 130 \\ \hline \uparrow 122 \\ \downarrow 122 \end{array}$ $\begin{array}{c} 256 \\ \hline 61 \end{array}$	$\begin{array}{c} \uparrow 2679 \\ \downarrow 441 \\ \hline \uparrow 218 \\ \downarrow 447 \end{array}$ $\begin{array}{c} 43 \\ \hline 18 \end{array}$	$\begin{array}{c} \uparrow 229 \\ \downarrow 1173 \\ \hline \uparrow 785 \\ \downarrow 452 \end{array}$ $\begin{array}{c} 263 \\ \hline 296 \end{array}$	$\begin{array}{c} \uparrow 191 \\ \downarrow 1580 \\ \hline \uparrow 670 \\ \downarrow 686 \end{array}$ $\begin{array}{c} 260 \\ \hline 585 \end{array}$	$\begin{array}{c} \uparrow 1810 \\ \downarrow 1547 \\ \hline \uparrow 326 \\ \downarrow 2198 \end{array}$ $\begin{array}{c} 198 \\ \hline 2198 \end{array}$
25 Winchester Rd./ (SR-79) & I-15 SB Ramps	26 Callstoga Dr. & Murrieta Hot Springs Rd.	27 Pourroy Rd. (West) & Auld Rd.	28 Pourroy Rd. (East) & Auld Rd.	29 Pourroy Rd. & Murrieta Hot Springs Rd.	30 Washington St. & Keller Rd.	31 Washington St. & Fields Dr.	32 Washington St. & Autumn Glen Cr.
$\begin{array}{c} \uparrow 1263 \\ \downarrow 983 \\ \hline \uparrow 1443 \\ \downarrow 989 \end{array}$ $\begin{array}{c} 1443 \\ \hline 989 \end{array}$	$\begin{array}{c} \uparrow 68 \\ \downarrow 341 \\ \hline \uparrow 93 \\ \downarrow 236 \end{array}$ $\begin{array}{c} 153 \\ \hline 68 \end{array}$	$\begin{array}{c} \uparrow 95 \\ \downarrow 49 \\ \hline \uparrow 500 \\ \downarrow 233 \end{array}$ $\begin{array}{c} 101 \\ \hline 330 \end{array}$	$\begin{array}{c} \uparrow 232 \\ \downarrow 772 \\ \hline \uparrow 501 \\ \downarrow 483 \end{array}$ $\begin{array}{c} 307 \\ \hline 772 \end{array}$	$\begin{array}{c} \uparrow 603 \\ \downarrow 79 \\ \hline \uparrow 137 \\ \downarrow 116 \end{array}$ $\begin{array}{c} 795 \\ \hline 121 \end{array}$	$\begin{array}{c} \uparrow 15 \\ \downarrow 479 \\ \hline \uparrow 0 \\ \downarrow 0 \end{array}$ $\begin{array}{c} 10 \\ \hline 20 \end{array}$	$\begin{array}{c} \uparrow 15 \\ \downarrow 449 \\ \hline \uparrow 33 \\ \downarrow 16 \end{array}$ $\begin{array}{c} 110 \\ \hline 14 \end{array}$	$\begin{array}{c} \uparrow 60 \\ \downarrow 36 \\ \hline \uparrow 20 \\ \downarrow 10 \end{array}$ $\begin{array}{c} 60 \\ \hline 10 \end{array}$
					33 Washington St. & Abella St.	34 Washington St. & Thompson Rd.	35 Washington St. & Benton Rd.
					$\begin{array}{c} \uparrow 24 \\ \downarrow 381 \\ \hline \uparrow 104 \\ \downarrow 67 \end{array}$ $\begin{array}{c} 104 \\ \hline 67 \end{array}$	$\begin{array}{c} \uparrow 23 \\ \downarrow 42 \\ \hline \uparrow 10 \\ \downarrow 100 \end{array}$ $\begin{array}{c} 21 \\ \hline 10 \end{array}$	$\begin{array}{c} \uparrow 23 \\ \downarrow 349 \\ \hline \uparrow 10 \\ \downarrow 10 \end{array}$ $\begin{array}{c} 131 \\ \hline 623 \end{array}$
						36 Washington St. & Auld Rd.	
						$\begin{array}{c} \uparrow 526 \\ \downarrow 326 \\ \hline \uparrow 412 \\ \downarrow 107 \end{array}$ $\begin{array}{c} 412 \\ \hline 107 \end{array}$	

Source: Urban Crossroads, 2013.



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V. MITIGATION MONITORING AND REPORTING PLAN

A. INTRODUCTION

Section 21081.6 of the Public Resources Code requires a Lead Agency to adopt a “reporting or monitoring program for the changes made to the project or conditions of project approval, adopted in order to mitigate or avoid significant effects on the environment” (Mitigation Monitoring Program, Section 15097 of the CEQA Guidelines provides additional direction on mitigation monitoring or reporting). Riverside County (the “County”) is the Lead Agency for the Belle Terre Specific Plan.

An Environmental Impact Report has been prepared to address the potential environmental impacts of the Project. Where appropriate, this environmental document identified Project design features or recommended mitigation measures to avoid or to reduce potentially significant environmental impacts of the Project. This Mitigation Monitoring and Reporting Plan (the “MMRP”) is designed to monitor implementation of the mitigation measures identified for the Project (refer to the MMRP table on the following pages). The MMRP is subject to review and approval by the Lead Agency as part of the certification of the EIR and adoption of project conditions. The required mitigation measures are listed and categorized by impact area, as identified in the Draft EIR and Final EIR, with an accompanying identification of the following:

- Timing/Schedule: Identifies the phase of the project during which the mitigation measure shall be monitored;
 - Pre-Construction, including the design phase
 - Construction
 - Pre-Occupancy (prior to issuance of a Certificate of Occupancy)
 - Occupancy (post-construction)
- Implementation Responsibility: Identifies the agency with the power to enforce the mitigation measure; and
- Implementation and Verification: Allows the Lead Agency to confirm implementation of mitigation.

The Project Applicant shall be responsible for implementing all mitigation measures unless otherwise noted.

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
IV.D Air Quality				
Mitigation Measure D-1: Construction Emissions During the Project’s construction phase, water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes.	On-going through any construction phase	County of Riverside – Building and Safety Division		
Mitigation Measure D-2: Construction Emissions During the Project’s construction phase, the construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road: <ul style="list-style-type: none">• Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;• Pave the surface extending at least 100 feet and at least 20 feet wide;• Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or• Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.	On-going through any construction phase	County of Riverside – Building and Safety Division		
Mitigation Measure D-3: Construction Emissions During the Project’s construction phase, all haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).	On-going through any construction phase	County of Riverside – Building and Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure D-4: Construction Emissions</p> <p>During the Project's construction phase, construction activity on unpaved surfaces shall be suspended when wind speed exceed 25 miles per hour (such as instantaneous gusts).</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-5: Construction Emissions</p> <p>During the Project's construction phase, ground cover in disturbed areas shall be replaced as quickly as possible.</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-6: Construction Emissions</p> <p>During the Project's construction phase, apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-7: Construction Emissions</p> <p>During the Project's construction phase, traffic speeds on all unpaved roads to be reduced to 15 mph or less.</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-8: Construction Emissions</p> <p>During the Project's construction phase, sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-9: Construction Emissions</p> <p>During the Project's construction phase, heavy-duty equipment operations shall be suspended during first and second stage smog alerts.</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
Mitigation Measure D-10: Construction Emissions	On-going through	County of Riverside – Building		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
During the Project's construction phase, equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.	any construction phase	and Safety Division		
Mitigation Measure D-11: Construction Emissions During the Project's construction phase, all diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 4 or higher emissions standards. In addition, all construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.	On-going through any construction phase	County of Riverside – Building and Safety Division		
Mitigation Measure D-12: Construction Emissions During the Project's construction phase, all diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.	On-going through any construction phase	County of Riverside – Building and Safety Division		
Mitigation Measure D-13: Construction Emissions During the Project's construction phase, electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.	On-going through any construction phase	County of Riverside – Building and Safety Division		
Mitigation Measure D-14: Construction Emissions During the Project's construction phase, heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.	On-going through any construction phase	County of Riverside – Building and Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure D-15: Construction Emissions</p> <p>During the Project's construction phase, the Project shall utilize low VOC paints for the interior and exterior of structures.</p>	On-going through any construction phase	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-16: Operation Emissions</p> <p>Prior to issuance of a building permit, the County Building Department shall ensure that the Project does not include hearths or includes only natural gas hearths.</p>	Prior to issuance of any building permit	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-17: Operation Emissions</p> <p>Prior to issuance of a certificate of occupancy, the County Building Department shall ensure that the Project uses low VOC cleaning supplies.</p>	Prior to issuance of any certificate of occupancy	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-18: Operation Emissions</p> <p>Prior to issuance of a certificate of occupancy, the County Waste Management Department shall ensure that the Project incorporates compost and recycling services.</p>	Prior to issuance of any certificate of occupancy	County of Riverside – Building and Safety Division		
<p>Mitigation Measure D-19: Operation Emissions</p> <p>Prior to issuance of a building permit, the County Building Department shall ensure that the Project incorporates water conservation strategies designed to meet CalGreen reductions of 20 percent in indoor water use. This should include incorporating low water, Energy Star-compliant appliances and furniture, dual flush or toilets that use less than 1.6 gallons per flush (gpm), install faucets and showerheads using 2.5 gpm or less, water-saving landscape techniques such as drip irrigation.</p>	Prior to issuance of any building permit	County of Riverside – Building and Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
D-20: The Project shall incorporate light-colored paving and roofing materials.	Prior to issuance of certificate of occupancy	County of Riverside – Building and Safety Division		
D-21: Prior to issuance of a certificate of occupancy, the County Building and Safety Department shall ensure that electric or propane outlets are provided for barbecues in residential areas.	Prior to issuance of certificate of occupancy	County of Riverside – Building and Safety Division		
D-22: Prior to issuance of a certificate of occupancy, the County Planning Department shall ensure that the Project's Homeowner's Association enforces the use of electric lawn mowers and leaf blowers.	Prior to issuance of a certificate of occupancy	County of Riverside – Planning Division		
IV.E Biological Resources				
Mitigation Measure E-1: MSHCP Local Development Mitigation Fee Payment Prior to issuance of a grading permit, the Project Applicant shall pay MSHCP Local Development Mitigation fees as established and implemented by the County.	Prior to issuance of grading permit	County of Riverside – Environmental Programs Division		
Mitigation Measure E-2: SKR HCP Fee Assessment Area Fee Payment Prior to issuance of a grading permit, the Project Applicant shall pay the fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County.	Prior to issuance of grading permit	County of Riverside – Environmental Programs Division		
Mitigation Measure E-3: Burrowing Owl Prior to issuance of a grading permit, a 30-day burrowing owl preconstruction survey shall be conducted immediately prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The survey shall be conducted in compliance with both MSHCP	Prior to issuance of any grading permit	County of Riverside – Environmental Programs Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>and CDFW guidelines. A report of the findings prepared by a qualified biologist shall be submitted to the County prior to any permit or approval for ground disturbing activities.</p> <p>If burrowing owls are detected on-site during the 30-day preconstruction survey, during the breeding season (February 1 to August 31), then construction activities shall be limited to beyond 300 feet of the active burrows until a qualified biologist has confirmed that nesting efforts are complete or not initiated. In addition to monitoring breeding activity, if during the breeding season, a burrowing owl mitigation plan shall be developed based on the County EPD, CDFW, and USFWS requirements for the active relocation of individuals to the Lake Mathews Preserve.</p> <p>Mitigation Measure E-4: Migratory Bird Treaty Act</p> <p>Mitigation for potential direct/indirect impacts to common and MSHCP covered sensitive passerine and raptor species shall require compliance with the federal MBTA. Construction outside the nesting season (between September 1 and January 31) does not require pre-removal nesting bird surveys. If construction is proposed between February 1 and August 31, a qualified biologist shall conduct a nesting bird survey(s) no more than fourteen days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project site.</p> <p>The survey(s) shall focus on identifying any raptors and/or passerines nests that could be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be deterred until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the</p>	Prior to issuance of any grading permit	County of Riverside – Environmental Programs Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the County prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A report of the findings prepared by a qualified biologist shall be submitted to the County prior to construction that has the potential to disturb any active nests during the nesting season. Any nest permanently vacated for the season would not warrant protection pursuant to the MBTA.</p> <p>Mitigation Measure E-5: MSHCP Proposed Conservation Area</p> <p>Prior to issuance of a grading permit, the Project Applicant shall provide the RCA or similar entity with fee title/ownership and management responsibilities for the 106.85-acre MSHCP Proposed Conservation Area designated by the County of Riverside EPD as illustrated on Figure III-1 (refer to Section III [Project Description]).</p> <p>Mitigation Measure E-6: Riparian/Riverine/Vernal Pool Resources</p> <p>To meet the criteria of a biologically equivalent or superior alternative, the Project Applicant shall offset impacts to 1.29 acre of MSHCP riparian/riverine habitat by restoring 2.58 acres of non-riparian/riverine habitat as directed by the RCA, USFWS, CDFW, USACE, and RWQCB. The 2.58 acres of mitigation lands shall be identified, restored and located adjacent to the existing, on-site riparian corridor. Specifically, the proposed restoration shall occur within the on-site MSHCP Proposed Conservation Area, which shall have been conveyed in fee title, or by</p>	<p>Prior to issuance of grading permit</p> <p>Prior to the issuance of grading permit</p>	<p>County of Riverside – Environmental Programs Division</p> <p>County of Riverside – Environmental Programs Division</p>		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>conservation easement, to the RCA. An MSHCP DBESP shall be prepared and submitted to the County, RCA, and wildlife agencies for review and approval prior to issuance of a grading permit.</p> <p>Mitigation Measure E-7: Riparian/Riverine/Vernal Pool Resources</p> <p>Prior to issuance of a grading permit, the Project Applicant shall obtain a 404 Nationwide Permit from the USACE, 1602 SAA from CDFW, and a 401 Certification issued by the RWQCB pursuant to the California Water Code Section 13260. During the permit process a Habitat Mitigation Monitoring Plan (HMMP) shall be developed and approved by the County EPD, RCA, and applicable regulatory and wildlife agencies. As outlined in E-6, mitigation ratios and restoration efforts shall occur on-site within the MSHCP Proposed Conservation Area adjacent to the riparian corridor (French Valley Creek). A total of 2.58 acres shall be restored.</p>	Prior to issuance of a grading permit	<p>California Department of Fish and Wildlife</p> <p>Regional Water Quality Control Board</p> <p>County of Riverside – Environmental Programs Division</p>		
IV.F Cultural Resources				
<p>Mitigation Measure F-1: Cultural Resources</p> <p>Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown historic archaeological resources. During all earthmoving activities, the archaeological monitor should be present to monitor all previously undisturbed soils and to identify, document, and evaluate any potential historic, archaeological, or cultural resources that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and described in detail in the archaeological monitoring report and updated in the appropriate existing or new DPR form. Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and</p>	Prior to issuance of any grading permit	<p>County of Riverside – Planning Department</p> <p>Pechanga Tribe or Soboba Band</p>		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>interpretation of the data should also be carried out by a County-qualified archaeologist.</p> <p>Mitigation Measure F-2: Cultural Resources</p> <p>At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band and Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall require the Applicant to retain a professional Tribal Monitor to monitor all ground-disturbing activities, in an effort to identify any historic, archaeological, and cultural resources. <u>The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.</u></p> <p>Mitigation Measure F-3: Cultural Resources</p> <p>Prior to the beginning of any ground-disturbing activities, the County-qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or</p>	<p>Prior to issuance of any grading permit</p> <p>Prior to issuance of any grading permit</p>	<p>County of Riverside – Planning Department</p> <p>Pechanga Tribe or Soboba Band</p> <p>County of Riverside – Planning Department</p> <p>Pechanga Tribe or Soboba Band</p>		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.</p> <p>The Agreement shall address the appropriate protocols should archaeological, historical, or cultural resources be found; the process for identification, evaluation, and any potential avoidance, preservation, or other mitigation options; protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork that shall take into account traditional Tribal practices; documentation of any new sites and artifacts; and any other appropriate methodology. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.</p>				
<p>Mitigation Measure F-4: Cultural Resources</p> <p>During the Project's construction phase, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) shall be avoided and fenced as appropriate to deter any potential impacts to the area. Fencing shall be installed prior to grading in the area, and the fencing shall be removed after all earthmoving activities have been completed in the area.</p>	On-going during any construction	<p>County of Riverside – Planning Department</p> <p>Pechanga Tribe or Soboba Band</p>		
<p>Mitigation Measure F-5: Cultural Resources</p> <p>The Project Applicant, the Soboba Band or Pechanga Tribe, and the</p>	On-going during any construction	County of Riverside – Planning Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>County-qualified archaeologist shall conduct controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10950/H. The purpose of the controlled grading at and around the site as outlined in the area labeled as "Controlled Grade Area" is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, to collect the resources for appropriate treatment pursuant to Section V(g) of the Agreement and in the Monitoring Plan to be developed by the project archaeologist in consultation with the Soboba Band or Pechanga Tribe. The Developer shall only use a paddle grader, and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the attached land use map. All controlled grading shall be monitored according to the provisions of Mitigation Measure F-2.</p> <p>Mitigation Measure F-6: Cultural Resources</p> <p>If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Soboba Band or Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the Planning Commission and/or Board of Supervisors.</p>	On-going during any construction	<p>Pechanga Tribe or Soboba Band</p> <p>County of Riverside – Planning Department</p> <p>Pechanga Tribe or Soboba Band</p>		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure F-7: Cultural Resources</p> <p>The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.</p>	Prior to issuance of any grading permit	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		
<p>Mitigation Measure F-8: Human Remains</p> <p>If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California 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 disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the “most likely descendant(s)” of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in Mitigation Measure F-2.</p>	On-going during any construction	County of Riverside – Planning Department NAHC		
<p>Mitigation Measure F-9: Cultural Resources</p> <p>All sacred sites, should they be encountered within the Project area, shall be avoided and preserved as the preferred mitigation, if feasible.</p>	On-going during any construction	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		
<p>Mitigation measure F-10: Paleontological Resources</p> <p>Prior to issuance of grading permits, the Project developer shall retain a qualified paleontologist to develop a Paleontological Resource Impact</p>	Prior to issuance of any grading permit	County of Riverside – Planning Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Program (PRIMP) for the excavation phase of the Project. The PRIMP shall conform to the guidelines of the County and the Society of Vertebrate Paleontology and include the following steps:</p> <ul style="list-style-type: none"> • A trained paleontological monitor shall be present during ground-disturbing activities within the Project area in sediments determined likely to contain paleontological resources. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. • Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. • All fossils collected shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. • A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. • All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage. 				

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
IV.G Geology and Soils				
<p>Mitigation Measure G-1: Seismic-related Ground Failure/Liquefaction</p> <p>Prior to issuance of a building permit, it shall be determined by the Project Developer and the County if structural improvements are proposed within the northwestern portion of the Project site where alluvium may extend to a depth of 25 feet. The removal depth within this area may be limited to a maximum of 10 feet (or 2 feet above groundwater level) as opposed to complete removal of alluvium. However, it is recommended that construction of buildings in areas underlain by compressible silt and clays (such as the vicinity of Boring B-7) be delayed at least 4 months after grading and excavation to allow for consolidation settlement to take place. After completion of the recommended removal and prior to placing additional fill, the approved surface should be scarified a minimum of 8 inches, moisture conditioned and compacted to a minimum 90 percent of the maximum dry density in accordance with ASTM D1557. Saturated soils may require drying back to near optimum moisture content or mixing with drier materials.</p>	Prior to issuance of any grading permit	County of Riverside – Building and Safety Division		
<p>Mitigation Measure G-2: Geologic/Soli Instability</p> <p>Prior to issuance of grading permits, a detailed geotechnical investigation report shall be submitted to the County with engineered grading plans that provides site-specific recommendations to allow for development that meets the requirements of the State and County Building Code. The geotechnical report shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. This report shall include site-specific measures such as grading recommendations, foundation design recommendations, and slope stability recommendations, as appropriate.</p>	Prior to issuance of any grading permit	County of Riverside – Building and Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
IV.H Greenhouse Gas Emissions				
Mitigation Measure H-1: GHG Emissions Prior to issuance of building permits, ensure that project design features specified in the Specific Plan are implemented.	Prior to issuance of any building permit	County of Riverside – Planning Department		
Mitigation Measure H-2: GHG Emissions Prior to issuance of building permits, ensure that, through economically feasible installations, the Project achieves a 15 percent reduction in electricity and natural gas energy use beyond the 2008 Title 24 standards.	Prior to issuance of any building permit	County of Riverside – Building and Safety Division		
IV.I Hazards and Hazardous Materials				
Mitigation Measure I-1: Emergency Response Prior to issuance of any grading permits, a detailed traffic control plan shall be prepared to coordinate lane closures, access, and construction work hours in order to minimize potential impacts associated with emergency response. The traffic control plan shall be approved by the County Transportation Department prior to implementation.	Prior to issuance of any building permit	County of Riverside – Transportation Division		
IV.K Land Use and Planning				
Mitigation Measure K-1: Highway 79 Policies Prior to issuance of building permits, the County shall ensure compliance with the Highway 79 Condition of Approval. The allowable number of units shall be determined utilizing the ITE Trip Generation in consideration of: (a) TDM measures; (b) product types; (c) transportation improvements; or (d) a combination of (a), (b), and (c). If the County establishes a fee program to achieve compliance with the Highway 79 policies, the Project Applicant may participate in such program as an alternative to compliance with the Highway 79 Condition of Approval. If the Highway 79 policies	Prior to issuance of any building permit	County of Riverside – Planning Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
are amended, the Highway 79 condition may be amended in a corresponding fashion. If the Highway 79 policies are repealed, the Highway Condition of Approval will terminate. In any such instance, the environmental impacts of developing 1,282 units have been evaluated throughout the Belle Terre Specific Plan EIR.				
IV.L Noise				
<p>Mitigation Measure L-1: Construction Noise</p> <p>Prior to issuance of a grading permit, the Project developer shall prepare and submit for approval by the County a construction-related noise mitigation plan that is consistent with County Ordinance 847 and General Plan Policy N 12.3. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this Project. Examples of potential mitigation methods include the following:</p> <ul style="list-style-type: none"> • Temporary noise attenuation fences (approximately 5 to 10 dBA reduction in noise) • Preferential location of equipment (a reduction of 3dBA for every doubling of distance) • Use of current noise suppression technology (e.g., mufflers and engine shrouds and equipment) • Notification to land uses in the vicinity of construction schedule • Posting of a contact name and number of contractor or County staff to receive complaints 	Prior to issuance of any grading permit	County of Riverside – Environmental Health		
<p>Mitigation Measure L-2: Construction Noise</p> <p>During the Project’s construction phase, all construction activities shall be limited to the following time constraints (as monitored by the County’s</p>	On-going during all construction	County of Riverside - Building and Safety Division		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Building Department):</p> <ul style="list-style-type: none"> During the months of June through September, construction activities shall be limited to between the hours of 6:00 a.m. and 6:00 p.m. During the months of October through May, construction activities shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. <p>Mitigation Measure L-3: Operation Noise</p> <p>The Project Applicant shall have the HVAC systems completely enclosed and surrounded with sound insulation.</p>	On-going during all operation	County of Riverside - Building and Safety Division		
IV.O Transportation/Traffic				
<p>Mitigation Measure O-1: Intersection and Roadway Segment LOS</p> <p><i>Existing-With-Project (2012) – 360 Dwelling Units</i></p> <p>Prior to issuance of a Building Permit, the Project Applicant(s) shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF, TUMF and RBBD fees in the amount and at the time specified for each funding program (refer to Table IV.O-17 in Section IV.O [Transportation/Traffic]) for the following improvements that are outside the County's jurisdiction:</p> <p>Intersection 1: I-215 Southbound Ramps/Scott Road</p> <ul style="list-style-type: none"> Construct a second westbound left-turn lane <p>Intersection 7: Margarita Road/Murrieta Hot Springs Road</p> <ul style="list-style-type: none"> Modify the traffic signal to remove the southbound (west leg) crosswalk <p>Intersection 8: SR-79/Domenigoni Parkway</p>	Prior to issuance of a building permit	County of Riverside – Transportation Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none"> Modify the traffic signal to implement overlap phasing on the northbound right turn lane Modify the traffic signal to remove the eastbound (south leg) crosswalk <p>Intersection 9: SR-79/Holland Road</p> <ul style="list-style-type: none"> Install a traffic signal <p>Intersection 11: SR-79/Keller Road</p> <ul style="list-style-type: none"> Install a traffic signal Construct a northbound left-turn lane Construct a southbound left-turn lane <p>Intersection 15: SR-79/Thompson Road</p> <ul style="list-style-type: none"> Construct a second northbound left-turn lane Modify the traffic signal to implement overlap phasing on the eastbound right-turn lane <p>Intersection 19: SR-79/Murrieta Hot Spring Road</p> <ul style="list-style-type: none"> Construct a second southbound left-turn lane Modify the traffic signal to implement overlap phasing on the southbound right-turn lanes Modify the traffic signal to remove the southbound (west leg) crosswalk <p>Intersection 21: SR-79/Nicolas Road</p>				

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none"> Modify the traffic signal to implement overlap phasing on the northbound right-turn lane Construct a second southbound left-turn lane <p>Intersection 22: SR-79/Margarita Road</p> <ul style="list-style-type: none"> Construct a southbound right-turn lane Modify the traffic signal to implement overlap phasing on the southbound right turn lane <p>Intersection 23: SR-79/Ynez Road</p> <ul style="list-style-type: none"> Modify the traffic signal to implement overlap phasing on the eastbound right-turn lane <p>Intersection 24: SR-79/I-15 Northbound Ramps</p> <ul style="list-style-type: none"> Construct a southbound free-right-turn lane <p>Mitigation Measure O-2: Intersection and Roadway Segment LOS</p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:</p> <p>Intersection 27: Pourroy Road-West/Auld Road</p> <ul style="list-style-type: none"> Install a traffic signal <p>Intersection 33: Washington and Abelia Street</p> <ul style="list-style-type: none"> Install a traffic signal <p>If the improvements would not be completed through the DIF or any other</p>	Prior to issuance of any building permit	County of Riverside – Transportation Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy, subject to reimbursement or fee credit issues by the County.</p> <p>Mitigation Measure O-3: Intersection and Roadway Segment LOS</p> <p><i>Existing-With-Project (2012) – 725 Dwelling Units</i></p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF and RBBD fees (refer to Table IV.O-17) for the following improvements that are outside the County:</p> <p>Intersection 6: Leon Road and Scott Road:</p> <ul style="list-style-type: none"> • Install a traffic signal • Construct a northbound left turn lane • Construct a southbound left turn lane • Construct an eastbound left turn lane • Construct a westbound left-turn lane <p>Intersection 10: SR-79 and Scott Road:</p> <ul style="list-style-type: none"> • Construct a westbound left-turn lane • Construct a westbound right-turn lane 	Prior to issuance of any building permit	County of Riverside – Transportation Department		
<p>Mitigation Measure O-4: Intersection and Roadway Segment LOS</p> <p><i>Existing-Plus-Project (2012) – 1,282 Dwelling Units</i></p> <p>Prior to issuance of building permits, the Project Applicant(s) shall</p>	Prior to issuance of any building permit	County of Riverside – Transportation Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF, and RBBD fees (refer to Table IV.O-17) for the following improvement that is outside the County:</p> <p>Intersection 10: SR-79/Scott Road</p> <ul style="list-style-type: none"> Construct an eastbound left-turn lane. 				
<p>Mitigation Measure O-5: Intersection and Roadway Segment LOS</p> <p><i>Existing-Plus-Project (2012) – 1,282 Dwelling Units</i></p> <p>Prior to issuance of building permits, the Project Applicant shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:</p> <p>Intersection 30: Washington Street/Keller Road (North Street):</p> <ul style="list-style-type: none"> Install a traffic signal Construct a northbound left-turn lane Construct a southbound left-turn lane Construct an eastbound left-turn lane Construct a westbound left-turn lane and a shared through-right-turn lane <p>If the improvements would not be completed through the DIF or any other fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy and may seek a fee credit.</p>	Prior to issuance of any building permit	County of Riverside – Transportation Department		

MMRP Table

Mitigation Measure	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure O-6: Intersection and Roadway Segment LOS</p> <p><i>Near-Term (2014) and Long-Term (2035) Cumulative Conditions</i></p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF, and RBBD fees in the amount and at the time specified for each funding program (refer to Table IV.O-17 in Section IV.O [Transportation/Traffic]).</p>	Prior to issuance of any building permit	County of Riverside – Transportation Department		

APPENDIX

COMMENT LETTERS



City of Temecula

Community Development

41000 Main Street • Temecula, CA 92590

Phone (951) 694-6400 • Fax (951) 694-6477 • www.cityoftemecula.org

September 15, 2014

Matt Straite, Project Planner
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

SUBJECT: Comments Regarding Belle Terre Specific Plan Draft Environmental Impact Report (EIR531) Critique

Dear Mr. Straite:

Thank you for the opportunity to comment on the above referenced Draft Environmental Impact Report (EIR) for the Belle Terre Specific Plan. While the proposed project is located just outside the City's Sphere of Influence, it is located within the Southwest Area Plan and along a transportation corridor that traverses through the City's northern boundary. As such, the City of Temecula reviews proposed projects to determine if there are potential impacts or concerns the City may have with proposed projects.

Section IV. K Land Use and Planning

1. There is an inconsistency between the land use and zoning designations listed in this section and the land use and zoning designations listed in Section II of the Draft EIR. Also, the draft EIR does not discuss the County's Foundation Component designations and whether or not the proposed Specific Plan will result in the need for a Foundation Component General Plan Amendment.
2. There is an inconsistency between the last two sentences within the discussion about of Impact IV.G-a, on Page IV. K-6., regarding the number of dwelling units based on existing land use designations and proposed land use designations. One sentence indicates the project would result in a "substantial alteration of the present or planned land use of the project," whereas the following sentence states the impacts are less than significant.
3. The discussion regarding the consistency with Highway 79 Policies (pages IV.K-8 through IV. K-57) is misleading and results in the determination that land use impacts from the project are mitigated to less than significant levels with the implementation of Mitigation Measure K-1.

This section goes on to describe each of the Highway 79 Policies. Generally speaking, Circulation Policy C 2.6 and SWAP Policy 9.1 are intended to accelerate the construction of transportation infrastructure in the Highway 79 Policy Area by requiring all new development projects demonstrate adequate transportation infrastructure capacity to accommodate the added traffic growth of the project. Circulation Policy C 2.7 and SWAP Policy 9.2 are intended to ensure that overall trip generation does not exceed system capacity and that the system operation

continues to meet Level of Service standards. This would be accomplished by creating a trip cap on residential development within this policy area which would result in a net reduction in overall trip generation of 70,000 vehicle trips per day from that which would be anticipated from the General Plan Land Use designations as currently recommended, and for guidelines to be incorporated into individual Traffic Impact Analysis that would monitor overall trip generation from residential development to ensure that overall within the Highway 79 Policy Area, development projects produce traffic generation at a level that is nine percent less than the trips projected from the General Plan traffic model residential land use designations.

This section continues to explain that since the policies were adopted, the Transportation Uniform Mitigation Fee (TUMF) has been adopted. A similar discussion is made regarding the County's Developer Impact Fees (DIF). It is then stated that, "the Project's payment of fees would also help accelerate improvements to Highway 79 infrastructure." However, there is no guarantee for when or if either the TUMF or County DIF fees will be available for transportation improvements related to the implementation of the proposed project. And, while a portion of the TUMF fees paid are directed into the zone from which they came from, a portion of the TUMF fees paid are also placed into a regional pot of money for other transportation improvements outside of the TUMF zone in which they were generated. This is also similar to the allocation of the County DIF. As a result, payment of the TUMF or County DIF in lieu of constructing necessary transportation improvements to mitigate project impacts in the Highway 79 Policy area is in conflict with Circulation Policy C 2.6 and SWAP Policy 9.1, both of which are intended to accelerate the construction of transportation infrastructure by requiring new development projects demonstrate adequate transportation infrastructure capacity to accommodate the added traffic growth of the project. Given the uncertainty of the allocation of TUMF and DIF funds, relying on TUMF and DIF is not adequate for meeting the intent of Circulation Policy C 2.6 and SWAP Policy 9.1.

The mitigation measure identified for the Land Use and Planning section is Mitigation Measure K.1, which is intended to mitigate project inconsistencies with Highway 79 Policies through a "Highway 79 Condition of Approval" by establishing a means for determining the allowable number of units that may be constructed using the Institute of Transportation Engineers (ITE) Trip Generation in consideration of (a) transportation demand management (TDM) measures; (b) product types; (c) transportation improvements; or (d) a combination of (a), (b), and (c). This part of the mitigation measure is consistent with Circulation Policy C 2.7 and SWAP Policy 9.2, which requires all new residential developments to reduce trip generation proportionally and requires that residential projects demonstrate adequate transportation infrastructure capacity to accommodate the added growth, and ensures that development projects produce traffic generation at a level that is nine percent less than the trips projected from the General Plan traffic model residential land use designations. However, Mitigation Measure K-1 also states that, "If the County establishes a fee program to achieve compliance with the Highway 79 policies, the Project Applicant may participate in such program as an alternative to compliance with the Highway 79 Condition of Approval."

As previously mentioned the payment of TUMF or County DIF does not ensure acceleration and construction of transportation infrastructure within the Highway 79 Policy Area and it does not ensure overall trip generation does not exceed system capacity and that the system operation continues to meet Level of Service standards. Furthermore, it does not ensure that project produces traffic generation at a level that is nine percent less than the trips projected from the General Plan traffic model residential land use designations. As such Mitigation Measure K-1 does not adequately mitigate land use impacts of the project.

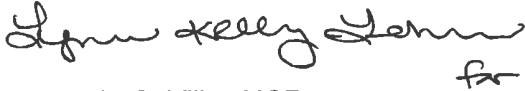
Section IV. O Transportation/ Traffic

In addition to the above comments, please see the attached memorandum from Tom Garcia, Director of Public Works, dated August 28, 2014.

The City of Temecula desires these issues be adequately addressed. The City would be happy to arrange a meeting to discuss these issues further.

If you have any questions or comments, please contact me at (951) 506-5173 or e-mail me at Armando.villa@cityoftemecula.org.

Sincerely,



Armando G. Villa, AICP
Director of Community Development

Attachment

cc: Aaron Adams, City Manager
Greg Butler, Assistant City Manager
Tom Garcia, Director of Public Works
Stuart Fisk, Senior Planner
Dale West, Associate Planner

5
(Cont.)



MEMORANDUM

TO: Dale West, Associate Planner
FROM: *TG* Tom Garcia, Director of Public Works/City Engineer
DATE: August 28, 2014
SUBJECT: Belle Terre Specific Plan Draft Environmental Impact Report No. 531 - County of Riverside

Prepared By: Jerry Gonzalez, Associate Engineer – Traffic

The Draft Environmental Impact Report (EIR) Traffic Impact Analysis indicates the proposed project is located on Washington Street south of Keller Road in the County of Riverside. The proposed project is a one thousand two hundred eighty-two single family residential development, which is expected to generate approximately nine hundred sixty-two (962) AM weekday peak hour trips and one thousand two hundred eighty-two (1,282) PM weekday peak hour trips.

1. The Traffic Impact Analysis prepared for the project evaluated Level of Service (LOS) at the six (6) intersections shown below, which are located within the City of Temecula.

- Winchester Road at Willows Avenue
- Winchester Road at Nicolas Road
- Winchester Road at Margarita Road
- Winchester Road at Ynez Road
- Winchester Road at Interstate 15 Southbound Ramps
- Winchester Road at Interstate 15 Northbound Ramps

The LOS was analyzed at each intersection assuming the following scenarios:

- Existing Conditions
- Existing with Project Conditions
- Near-Term Ambient with Project Conditions
- Near-Term Cumulative Conditions
- Long-Term (2035) Cumulative Conditions Without and With Project

The LOS analysis indicates the intersections of Winchester Road at Nicolas Road, Margarita Road, Ynez Road, and I-15 Northbound Ramps operate at LOS "E" or worse under Existing Conditions. Moreover, the analysis indicates the project is expected to have a significant impact at Nicolas Road, Margarita Road, Ynez Road, and I-15 Northbound Ramps under each of the scenarios analyzed by exceeding the City's delay threshold of 2.0 seconds or more at intersections operating at LOS "E" or "F".

2. Based on the results of the Traffic Impact Analysis the project will be responsible for participating in the development and implementation of system improvements identified in the document's Mitigation Measures. The mitigation measures (shown below) identified within the City may not be feasible. See attached document for comments.

1

2

Existing with Project Conditions

- Winchester Road at Margarita Road - Additional right-of-way will be required to construct southbound right turn lane. The project will be responsible for acquiring the necessary right-of-way to construct roadway improvements required to implement this mitigation measure.
- Winchester Road at Ynez Road – Implementation of eastbound right-turn overlap is not feasible. The northbound U-turn movement must be maintained and cannot be restricted to accommodate overlap movement.
- Winchester Road (E/W) at I-15 Northbound Ramps – The French Valley Parkway is slated to construct and complete dual westbound right-turn lanes by 2019. The project may be required to construct this improvement or provide its “fair-share” contribution to implement this mitigation measure.

Near-Term Cumulative with Project Conditions

- Winchester Road at Margarita Road – The acquisition of right-of-way to construct 4th northbound and southbound through lanes and 2nd westbound right-turn lane may not be feasible. In lieu of the improvement and right-of-way acquisitions costs, the project may be required to provide a “fair-share” contribution for construction of future parallel improvements to mitigate the project’s traffic impacts.
- Winchester Road at Ynez Road – Implementation of eastbound right-turn overlap is not feasible. The northbound U-turn movement must be maintained and cannot be restricted to accommodate overlap movement. Additional right-of-way will be required to construct the 2nd northbound right-turn lane. The acquisition of additional right-of-way may not be feasible.
- Winchester Road (E/W) at I-15 Northbound Ramps – The French Valley Parkway is slated to construct and complete dual westbound right-turn lanes by 2019. The project may be required to construct this improvement or provide its “fair-share” contribution to implement this mitigation measure.

Long-Term (2035) Cumulative Conditions with Project

- Winchester Road at Margarita Road – The improvements identified may not be feasible due to right-of-way constraints. In lieu of the improvement and right-of-way acquisitions costs, the project may be required to provide a “fair-share” contribution for construction of future parallel improvements to mitigate the project’s traffic impacts.
 - Winchester Road at Ynez Road - The improvement identified may not be feasible due to right-of-way constraints. In lieu of the improvement and right-of-way acquisitions costs, the project may be required to provide a “fair-share” contribution for construction of future parallel improvements to mitigate the project’s traffic impacts.
 - Winchester Road (E/W) at I-15 Northbound Ramps – The French Valley Parkway is slated to construct and complete dual westbound right-turn lanes by 2019. The project may be required to construct this improvement or provide its “fair-share” contribution to implement this mitigation measure.
 - Winchester Road at I-15 Southbound Ramps - The improvement identified may not be feasible due to right-of-way constraints. In lieu of the improvement and right-of-way acquisitions costs, the project may be required to provide a “fair-share” contribution for construction of future parallel improvements to mitigate the project’s traffic impacts.
3. The existing (2012) Average Daily Traffic volumes shown in Figure IV.O-11, within the City of Temecula are substantially lower than the City’s data for the same segments. This inconsistency may affect the turning movement volumes and level of service analysis for all scenarios. Please revise data so that it is consistent with the City’s volume data. See attached document for comments.

2
(Cont.)

3

4. The Traffic Impact Analysis indicates that the Traffix software program was used to evaluate Level of Service at study intersections within the City of Temecula. The City of Temecula requires that Synchro be used to evaluate intersection performance at City intersections. See attached document for comments.

4

5. The Traffic Impact Analysis should include the extension of Butterfield Stage Road between La Serena Way and Murrieta Hot Springs Road and the I-15 at French Valley Parkway southbound off-ramp under the Near-Term (2014) assumed roadway improvements. See attached document for comments.

5

6. In addition to the above, please provide the following revision/additions:

- Please provide correct date of Traffic Impact Analysis. Was study performed in 2012 or 2014? See attached document for comments.
- Revise Table IV.O-1, Study Intersections as shown. See attached document for comments.
- Please revise reference to "Butterfield Ranch Road" to Butterfield Stage Road.
- Please revise reference to "SR79" within the City to Winchester Road.
- Please provide correct date of existing condition analysis. Is the date 2013, 2012 or 2014? See attached document for comments.
- Since the City of Temecula is responsible for providing timing to Caltrans, please revise second paragraph on page IV.O-34, to include Interstate 15 Ramps at Winchester Road. See attached document for comments.
- Please explain the need for the two ADT volumes shown on Figure IV.O-19 and all subsequent Figures. See attached document for comments.
- Please revise Figure IV.O-47 and Figure IV-48 as shown. See attached document for comments.
- Please revise Page IV.O-122 as shown. See attached document for comments.
- Please revise Page IV.O-123 as shown. See attached document for comments.
- Please revise Page IV.O-124 as shown. See attached document for comments.

6

We would appreciate the opportunity to review the response to our comments. If you have any questions, please contact Jerry Gonzalez, Associate Engineer – Traffic, or me.

Attachments

CC Armando Villa, Director of Community Development
Annie Bostre-Le, Special Projects Engineer

IV. ENVIRONMENTAL IMPACT ANALYSIS

O. TRANSPORTATION/TRAFFIC

ENVIRONMENTAL SETTING

The analysis and information in this section is based primarily on the following documents (refer to Appendix IV.O):

- *Traffic Impact Analysis*, Urban Crossroads, December 2, 2014.
- *Supplemental Freeway Analysis*, Urban Crossroads, January 29, 2014.

2012 or 2013 ?

7

Study Area

Study Intersections

To ensure that the Traffic Impact Analysis (the “TIA”) prepared for the Project satisfies the needs of the County of Riverside (the “County”) and complies with the County’s traffic study preparation guidelines, Urban Crossroads, Inc. prepared a TIA scoping package (i.e., Memorandum of Understanding [MOU]) for review by County staff prior to the preparation of the TIA. The MOU provides an outline of the Project study area, trip generation, trip distribution, and analysis methodology. The MOU approved by the County is included in Appendix 1.1 to the TIA included in Appendix IV.O to the Draft EIR.

Table IV.O-1 and Figure IV.O-1 show the 36 study area intersection locations shown that were selected for Project’s TIA based on the County’s TIA guidelines that require analysis of intersection locations at which a proposed project is anticipated to contribute 50 or more peak-hour trips. Figure IV.O-2 illustrates the number of through traffic lanes for existing roadways and intersection traffic controls for the study intersections.

It should be noted that the “50 peak-hour trip” criterion used by the County is consistent with the methodology employed by other jurisdictions throughout Southern California, and generally represents a threshold of trips at which an intersection could have the potential to be impacted.

County of Riverside

August 2014

Table IV.O-1
Study Intersections

ID	Intersection Location	Jurisdiction
1	I-215 Southbound Ramps / Scott Road	Caltrans, Menifee, Murrieta
2	I-215 Northbound Ramps / Scott Road	Caltrans, Menifee, Murrieta
3	Antelope Road / Scott Road	Menifee, Murrieta
4	Menifee Road / Scott Road	Riverside County, Menifee
5	Briggs Road / Scott Road	Riverside County, Menifee
6	Leon Road / Scott Road	Riverside County, Menifee
7	Margarita Road / Murrieta Hot Springs Road	Murrieta
8	Winchester Road (SR-79) / Domenigoni Parkway	Caltrans, Riverside County
9	Winchester Road (SR-79) / Holland Road	Caltrans, Riverside County
10	Winchester Road (SR-79) / Scott Road	Caltrans, Riverside County
11	Winchester Road (SR-79) / Keller Road	Caltrans, Riverside County
12	Winchester Road (SR-79) / Abelia Street	Caltrans, Riverside County
13	Winchester Road (SR-79) / Pourroy Road	Caltrans, Riverside County
14	Winchester Road (SR-79) / Skyview Road	Caltrans, Riverside County
15	Winchester Road (SR-79) / Thompson Road	Caltrans, RivCo, Murrieta
16	Winchester Road (SR-79) / Benton Road	Caltrans, RivCo, Murrieta
17	Winchester Road (SR-79) / Auld Road	Caltrans, RivCo, Murrieta
18	Winchester Road (SR-79) / Hunter Road	Caltrans, RivCo, Murrieta
19	Winchester Road (SR-79) / Murrieta Hot Springs Road	Caltrans, RivCo, Murrieta
20	Winchester Road (SR-79) / Willows Avenue	Caltrans, RivCo, Temecula
21	Winchester Road (SR-79) / Nicolas Road	Caltrans , Temecula
22	Winchester Road (SR-79) / Margarita Road	Caltrans , Temecula
23	Winchester Road (SR-79) / Ynez Road	Caltrans , Temecula
24	I-15 Northbound Ramps / Winchester Road (SR-79)	Caltrans, Temecula
25	I-15 Southbound Ramps / Winchester Road (SR-79)	Caltrans, Temecula
26	Calistoga Drive / Murrieta Hot Springs Road	Riverside County
27	Pourroy Road-West / Auld Road	Riverside County
28	Pourroy Road-East / Auld Road	Riverside County
29	Pourroy Road / Murrieta Hot Springs Road	Riverside County, Temecula
30	Washington Street / Keller Road (North Street)	Riverside County
31	Washington Street / Fields Drive	Riverside County
32	Washington Street / Autumn Glen Circle (South Street)	Riverside County
33	Washington Street / Abelia Street	Riverside County
34	Washington Street / Thompson Road	Riverside County

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8

*County of Riverside**August 2014*

Cumulative conditions. The initial estimate of the future Long-Term (2035) Cumulative-With-Project peak-hour turning movements was then reviewed by the preparers of the Project's Traffic Study (i.e., Urban Crossroads) for reasonableness at intersections where model results showed unreasonable turning movements. The initial raw model estimates were adjusted to achieve flow conservation (where applicable), reasonable growth, and reasonable diversion between parallel routes.

The new facilities and parallel routes anticipated to be in place by Long-Term (2035) Cumulative traffic conditions include, but are not limited to, the following:

- SR-79 Freeway (Realignment Project)
- Holland Road Overcrossing at the I-215 Freeway
- Keller Road Extension between SR-79 and the I-215 Freeway
- Keller Road Interchange at the I-215 Freeway
- Clinton Keith Road Extension west of SR-79
- French Valley Parkway (new roadway in the City of Temecula)
- French Valley Parkway Interchange at Interstate 15 (the "I-15 Freeway")
- ~~Butterfield Ranch~~ ^{STAGE} Road Extension through the City of Temecula
- SR-79 Bypass (along Washington Avenue)

9

Methodologies

Level of Service

Traffic operations of roadway facilities are described using the term LOS. LOS is a qualitative description of traffic flow based on several factors such as speed, travel time, delay, and freedom to maneuver. Six levels are typically defined ranging from LOS A, representing completely free-flow conditions, to LOS F, representing breakdown in flow resulting in stop-and-go conditions. LOS E represents operations at or near capacity, an unstable level where vehicles are operating with the minimum spacing for maintaining uniform flow.

Intersection Capacity Analysis

The definitions of LOS for interrupted traffic flow (flow restrained by the existence of traffic signals and other traffic control devices) differ slightly depending on the type of traffic control. The LOS is typically

County of Riverside

August 2014

Per the Caltrans *Guide for the Preparation of Traffic Impact Studies*, the traffic modeling and signal timing optimization software package Synchro (Version 7 Build 759) has been utilized to analyze signalized intersections under Caltrans' jurisdiction, which include interchange to arterial ramps (i.e. I-215 Freeway ramps at Scott Road and I-15 Freeway Ramps at SR-79) and signalized intersections along SR-79. Synchro is a macroscopic traffic software program that is based on the signalized intersection capacity analysis as specified in the Chapter 16 of the HCM. Macroscopic level models represent traffic in terms of aggregate measures for each movement at the study intersections. Equations are used to determine measures of effectiveness such as delay and queue length. The LOS and capacity analysis performed by Synchro takes into consideration optimization and coordination of signalized intersections within a network. All other study area intersections within the County, City of Murrieta, and the City of Temecula have ~~been analyzed using the software package Traffix (Version 8.0 R1, 2008).~~

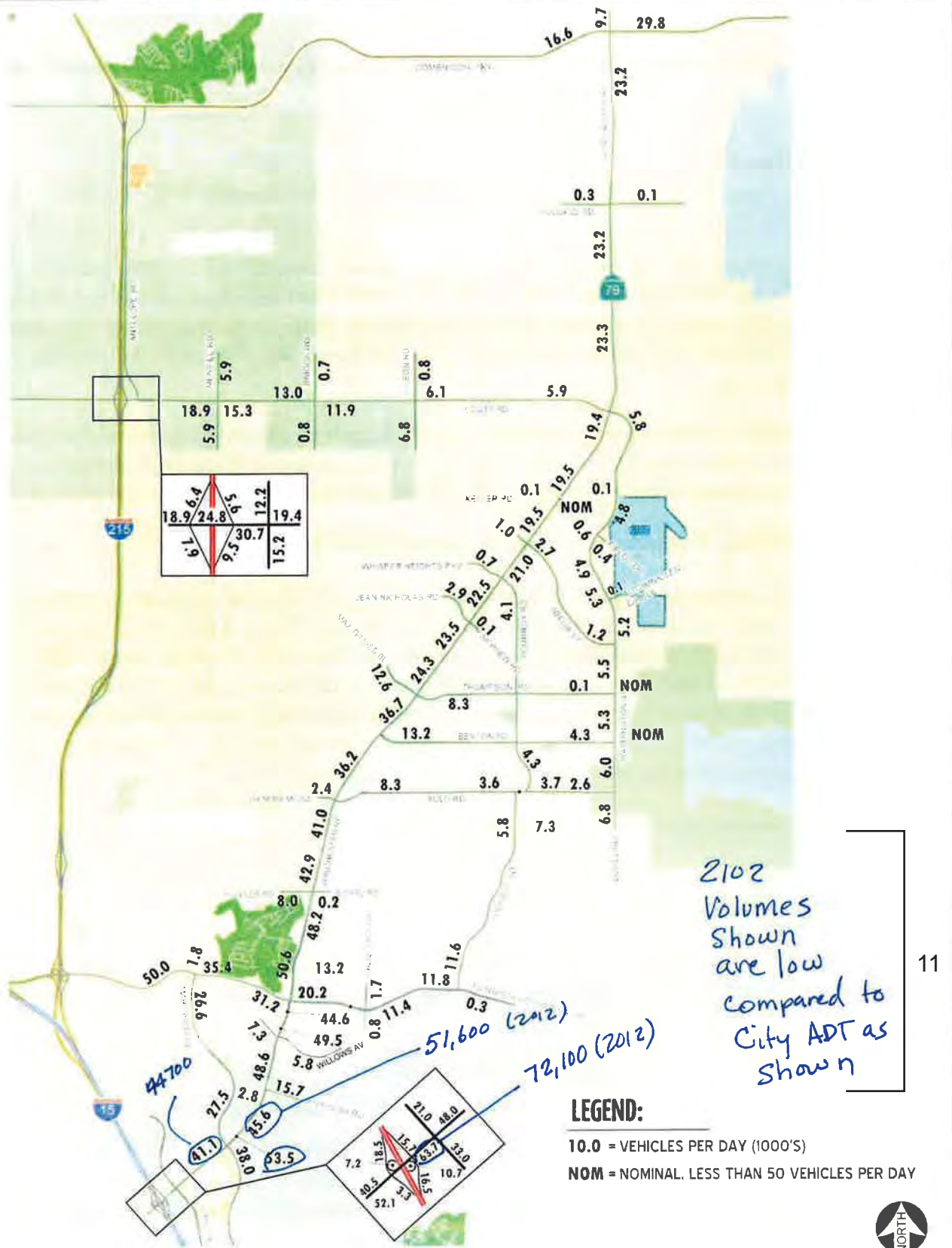
City
requires
Synchro
analysis
not
Traffix

10

The peak-hour traffic volumes have been adjusted using a peak-hour factor (PHF) to reflect peak 15-minute volumes. Common practice for LOS analysis is to use a peak 15-minute rate of flow. However, flow rates are typically expressed in vehicles per hour. The PHF is the relationship between the peak 15-minute flow rate and the full hourly volume (e.g. $PHF = [Hourly\ Volume] / [4 \times Peak\ 15\text{-minute}\ Flow\ Rate]$). The use of a 15-minute PHF produces a more detailed analysis as compared to analyzing vehicles per hour. Existing PHFs have been used for Existing (2012), Existing-With-Project (2012), and Near-Term (2014) Cumulative-With-Project traffic conditions. A PHF of 0.92 or higher has been used for all intersection for Near-Term (2014) Cumulative-With-Project and Long-Term (2035) Cumulative-Without-and With-Project traffic conditions, with the exception of study intersections 26 through 36 (refer to Table IV.O-1) where the Existing (2012) PHFs are utilized.

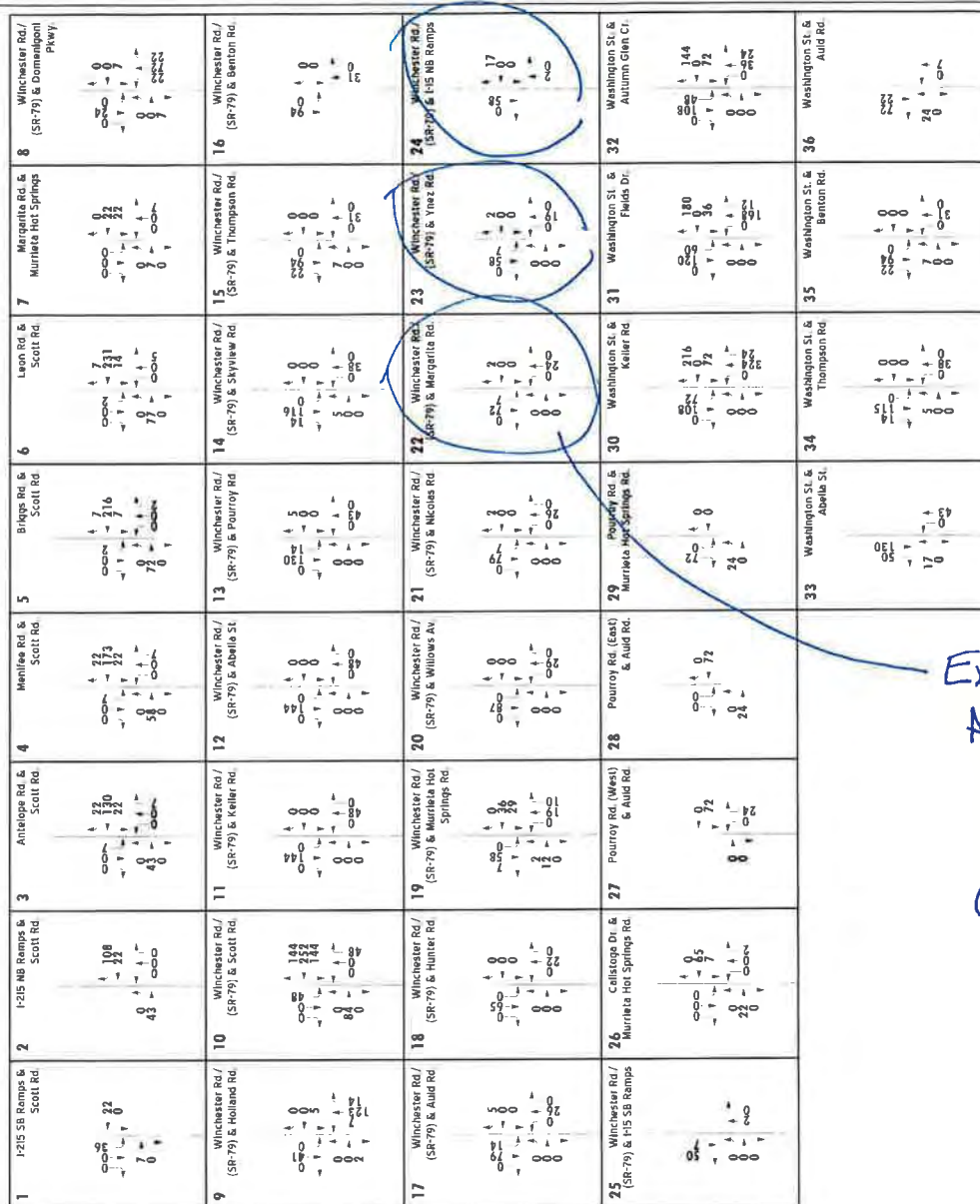
Unsignalized Intersections

The County requires the operations of unsignalized intersections be evaluated using the methodology described in Chapter 17 of the HCM. The LOS rating is based on the weighted average control delay expressed in seconds per vehicle (refer to Table IV.O-3). At two-way or side-street stop-controlled intersections, LOS is calculated for each controlled movement and for the left-turn movement from the major street, as well as for the intersection as a whole. For approaches composing a single lane, the delay is computed as the average of all movements in that lane. For all-way-stop-controlled intersections, LOS is computed for the intersection as a whole. All unsignalized study area intersections have utilized the Traffix software (Version 8.0 R1, 2008).



Source: Urban Crossroads, 2013.

Not to Scale



Existing AM/PM
AM may be
low based
on City
Counts

Not to Scale

Figure IV.O-12
Existing Project Only AM Peak-Hour
Intersection Volumes

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC

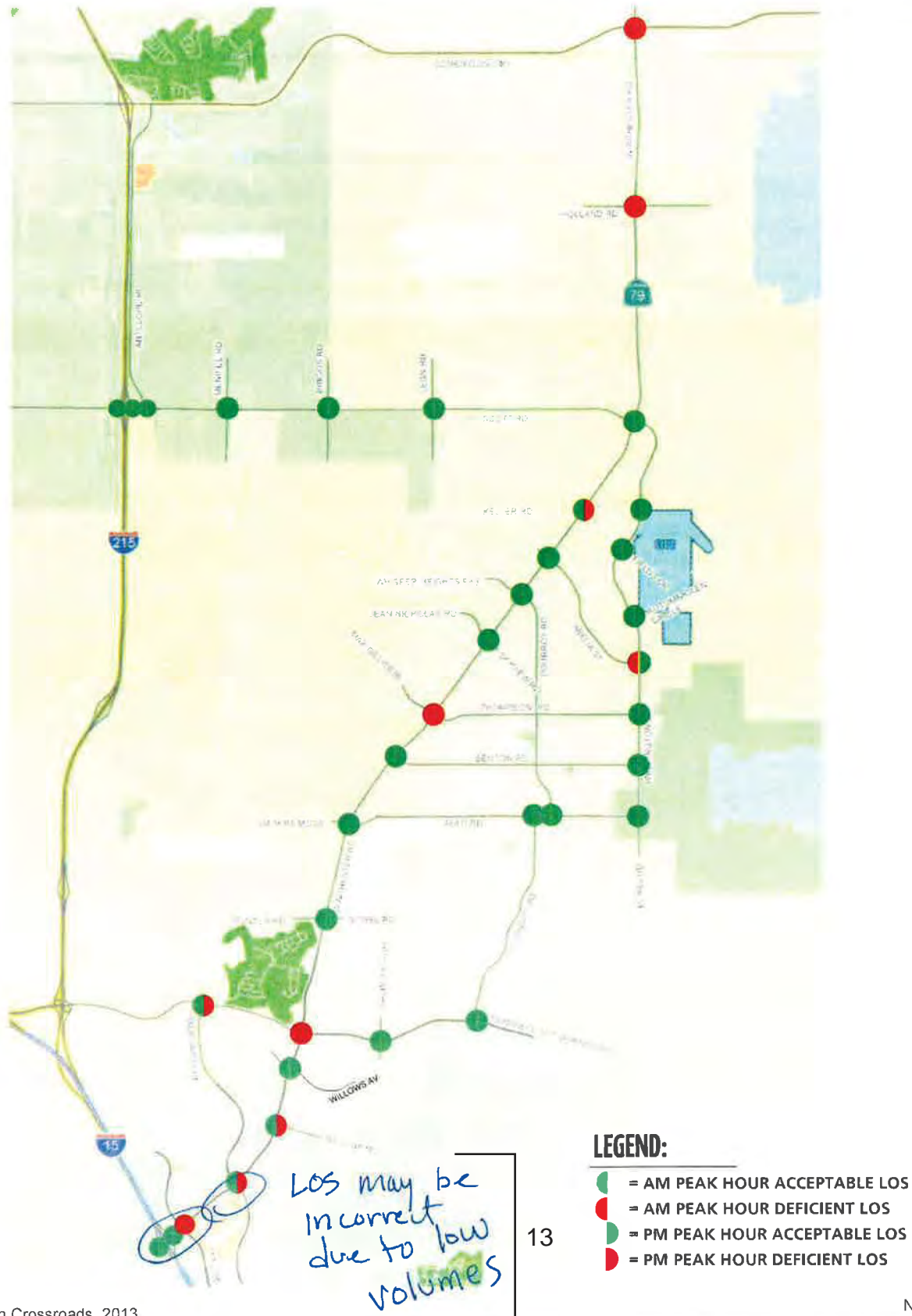


Table IV.O-4
Intersection Operations Analysis Summary for Existing (2012) Conditions

#	Intersection	Traffic Control ³	Intersection Approach Lanes ¹												Delay ² (Secs.)				Level of Service	
			Northbound				Southbound				Eastbound									
			L		R		L		R		L		R		L		R			
			L	T	R	L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	
1	I-215 SB Ramps / Scott Rd.	TS	0	0	0	0	1	1	1	1	1	1	1	1	0	31.3	46.8	C	D	
2	I-215 NB Ramps / Scott Rd.	TS	0	1	1	1	0	0	1	1	1	0	1	1	1	19.0	31.7	B	C	
3	Antelope Rd. / Scott Rd.	TS	2	1	1	1	1	1	1	1	2	0	1	2	0	34.7	38.6	C	D	
4	Menifee Rd. / Scott Rd.	TS	1	1	1	1	1	1	0	1	2	0	1	2	0	27.3	30.2	C	C	
5	Briggs Rd. / Scott Rd.	TS	0	1	0	0	1	1	1	1	2	0	1	2	1	20.0	20.5	B	C	
6	Leon Rd. / Scott Rd.	AWS	0	1	0	0	1	0	1	0	0	1	0	0	1	13.4	16.0	B	C	
7	Margarita Rd. / Murrieta Hot Springs Rd	TS	2	1	1	1	0	1	1	1	2	1	3	0	49.9	111.6	D	F		
8	Winchester Rd. (SR-79) / Domenigoni Pwy.	TS	1	2	1	1	2	1	2	2	1	2	3	1	>200.0	179.0	F	F		
9	Winchester Rd. (SR-79) / Holland Rd.	CSS	1	1	0	1	1	0	0	1	0	1	0	1	0	41.2	69.6	E	F	
10	Winchester Rd. (SR-79) / Scott Rd.	TS	1	2	0	1	2	0	0	1	0	0	1	0	21.9	22.7	C	C		
11	Winchester Rd. (SR-79) / Keller Rd.	CSS	0	1	0	0	1	0	0	1	0	0	1	0	34.4	52.1	D	F		
12	Winchester Rd. (SR-79) / Abelia St.	TS	1	2	1	1	2	1	1	2	0	1	2	0	21.8	19.1	C	B		
13	Winchester Rd. (SR-79) / Pourroy Rd.	TS	1	2	1	2	2	1	1	1	1	1	1	1	11.5	14.5	B	B		
14	Winchester Rd. (SR-79) / Skyview Rd.	TS	1	2	1	1	2	1	1	2	0	1	1	1	14.7	14.7	B	B		
15	Winchester Rd. (SR-79) / Thompson Rd.	TS	1	2	0	1	2	1	1	1	1	1	1	0	78.2	65.5	F4	E		
16	Winchester Rd. (SR-79) / Benton Rd.	TS	0	2	1	1	2	0	0	0	0	2	0	1	17.9	26.1	B	C		
17	Winchester Rd. (SR-79) / Auld Rd.	TS	1	2	1	1	2	0	1	1	0	1	1	0	29.5	33.6	C	C		
18	Winchester Rd. (SR-79) / Hunter Rd.	TS	1	2	0	1	2	0	0	1	0	1	0	1	12.6	20.3	B	C		
19	Winchester Rd. (SR-79) / Murrieta Hot Springs Rd.	TS	2	3	1	2	3	1	2	3	1	2	2	1	75.0	135.2	E	F		
20	Winchester Rd. (SR-79) / Willows Av.	TS	1	3	d	1	3	d	1	1	d	1	1	1	29.4	33.4	C	C		
21	Winchester Rd. (SR-79) / Nicholas Rd.	TS	1	3	1	1	3	1	1	1	0	2	1	1	43.5	99.5	D	F		
22	Winchester Rd. (SR-79) / Margarita Rd.	TS	2	3	1	2	3	D	2	2	1	2	2	1	28.8	178.9	C	F		
23	Winchester Rd. (SR-79) / Ynez Rd.	TS	2	4	1	2	4	0	2	2	1	3	2	1	56.3	82.1	E	F		

verify
due to
low
peak
vols.

Table IV.O-4
Intersection Operations Analysis Summary for Existing (2012) Conditions

#	Intersection	Traffic Control ³	Intersection Approach Lanes ¹												Delay ² (Secs.)				Level of Service	
			Northbound				Southbound				Eastbound									
			L	T	R	L	T	R	L	T	R	L	T	R	L	T	R	AM	PM	
24	Winchester Rd. (SR-79) / I-15 NB Ramps	TS	0	3	1	0	3	2	0	0	0	1	1	1	28.1	62.9	C	E		
25	Winchester Rd. (SR-79) / I-15 SB Ramps	TS	0	3	1	0	.	0	2	1	1	0	0	0	23.8	22.5	C	C		
26	Calistoga Dr. / Murrieta Hot Springs Rd.	TS	1	1	d	1	1	1	2	2	d	1	2	d	27.3	27.5	C	E		
27	Pourroy Rd.-West / Auld Rd.	AWS	0	1	0	0	0	0	0	1	1	1	2	0	32.4	10.0	D	A		
28	Pourroy Rd.-East / Auld Rd.	CSS	0	0	0	1	0	1	0	1	0	0	1	0	25.5	15.8	D	C		
29	Pourroy Rd. / Murrieta Hot Springs Road	AWS	0	0	0	1	0	2	2	1	0	1	2	D	13.3	13.7	B	B		
30	Washington St. / Keller Rd.	CSS	0	1	0	0	1	0	0	1	0	0	0	0	11.1	10.1	B	B		
31	Washington St. / Fields Dr.	TS	1	3	0	1	3	d	1	1	0	1	1	0	27.8	26.5	C	C		
32	Washington St. Autumn Glen Cir.	CSS	1	1	0	0	1	0	1	0	d	0	0	0	11.9	11.6	B	B		
33	Washington St. / Abelia St.	Css	1	1	0	0	1	1	1	0	1	0	0	0	44.9	12.1	E	B		
34	Washington St. / Thompson Rd.	CSS	0	1	0	0	1	0	0	1	0	0	1	0	17.5	12.2	C	B		
35	Washington St. / Benton Rd.	AWS	0	1	0	0	1	0	0	1	0	0	1	0	13.6	9.7	B	A		
36	Washington St. Auld Rd.	CSS	0	1	0	0	1	0	0	1	0	0	0	0	17.3	11.5	C	B		

BOLD – LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

¹ When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be significant width for right turning vehicles to travel outside the through lanes (minimum of 19-feet). These lanes have been designated as defacto (d) right turn lanes.

L = Left, T = Through; R = Right, > = Right-Turn Overlap Phasing; > > = Free Right Turn Lane

² Delay and LOS calculated using the TRAFFIX operation analysis software, Traffix Version 8.0 (2008), based on the 2000 Highway Capacity Manual (HCM) Method. Synchro 8 (Version 8, 2011) has been utilized to calculate delay and LOS for intersections along Winchester Road (SR-79), the I-215 Freeway ramps at Scott Road, and the I-15 Freeway ramps at Winchester Road (SR-79).

³ TS = Traffic Signal; CSS = Cross Street Stop; AWS = All-Way Stop

⁴ Volume-to-Capacity ratio is greater than 1.00; Intersection unstable, Level of Service “F.”

BOLD – LOS does not meet the applicable jurisdictional requirements (i.e., unacceptable LOS).

¹ When a right turn is designated, the lane can either be striped or unstriped. To function as a right turn lane there must be significant width for right turning vehicles to travel outside the through lanes (minimum of 19-feet). These lanes have been designated as *défacto* (d) right turn lanes.

L = Left, T = Through, R = Right, > = Right-Turn Overlap Phasing, >> = Free Right Turn Lane

² Delay and LOS calculated using the TRAFFIX operation analysis software, Traffic Version 8.0 (2008), based on the 2000 Highway Capacity Manual (HCM) Method. Synchro 8 (Version 8, 2011) has been utilized to calculate delay and LOS for intersections along Winchester Road (SR-79), the I-215 Freeway ramps at Scott Road, and the I-15 Freeway ramps at Winchester Road (SR-79).

³ TS = Traffic Signal; CSS = Cross Street Stop; AWS = All-Way Stop

⁴ Volume-to-Capacity ratio is greater than 1.00; Intersection unstable, Level of Service "F."

Intersection 22: SR-79/Margarita Road – LOS F, PM peak hour

Intersection 23: SR-79/Ynez Road – ~~LOS E, AM peak hour~~; ~~LOS F, PM peak hour~~

Intersection 24: SR-79/I-15 Northbound Ramps – ~~LOS E, PM peak hour~~

Intersection 33: Washington Street/Abelia Street – LOS E, AM peak hour

Verify
per
comments

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ENVIRONMENTAL IMPACT ANALYSIS

Threshold of Significance

In accordance with the County's Environmental Assessment Checklist, a project could have a significant environmental impact if the project would result in the following:

- a) Conflict with an applicable plan, ordinance or policy establishing a measure of effectiveness for the performance of the circulation system, taking into account all modes of transportation including mass transit and non-motorized travel and relevant components of the circulation system, including but not limited to intersections, streets, highways and freeways, pedestrian and bicycle paths, and mass transit;
- 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) Result in a change in air traffic patterns, including either an increase in traffic levels or a change in location that results in substantial safety risks;
- d) Alter waterborne, rail, or air traffic;
- e) Substantially increase hazards due to a design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g., farm equipment);
- f) Cause an effect upon or need for new or altered maintenance of roads;
- g) Cause an effect upon circulation during project construction;
- h) Result in inadequate emergency access or access to nearby uses; or
- i) Conflict with adopted policies, plans, or programs regarding public transit, bikeways, or pedestrian facilities, or otherwise substantially decrease the performance or safety of such facilities.

As discussed in Section IV.A (Impacts Found to be Less Than Significant), the Project would not result in significant impacts related to issues "c," "d," and "h." Thus, no further analysis of these issues is required.

*County of Riverside**August 2014***Discussion of Threshold of Significance*****Intersection LOS****County of Riverside*

To determine whether the addition of Project traffic at a study intersection would result in a significant impact, the following thresholds of significance have been used:

- 2012, 2013 or 2014 not consistent in report*
- If an intersection is projected to operate at an acceptable LOS (i.e., LOS D or better) under Existing (2013) traffic conditions and the addition of Project traffic, as measured by 50 or more peak-hour trips, is expected to cause the intersection to operate at an unacceptable LOS (i.e., LOS E or F), the impact is considered significant.
 - If an intersection is projected to operate at LOS E or LOS F under Existing (2012), and the addition of Project traffic, as measured by 50 or more peak-hour trips, the impact is considered significant.

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Cumulative traffic impacts are created as a result of a combination of the proposed Project together with other future developments contributing to the overall traffic impacts requiring additional improvements to maintain acceptable LOS operations with or without the Project. A Project's contribution to a cumulatively considerable impact could be reduced to less than significant, if the Project is required to implement or fund its fair share of improvements designed to alleviate the potential cumulative impact. If full funding of future cumulative improvements is not reasonably assured, a temporary unmitigated cumulative impact may occur until the needed improvement is fully funded and constructed.

City of Menifee

For intersections under the jurisdiction of the City of Menifee, the City of Menifee uses the same significance threshold as the County.

Caltrans

For intersections under the jurisdiction of Caltrans, Caltrans uses the same significance threshold as the County.

City of Murrieta

Based on the City of Murrieta traffic study guidelines, a "significant" impact under CEQA occurs when the addition of project traffic as defined by the Existing-Plus-Ambient-Growth-Plus-Project scenario causes an intersection that operates at an acceptable LOS under Existing traffic conditions (i.e., LOS D or better) to fall to an unacceptable LOS (i.e., LOS E or F). Thus, the Existing-Plus-Ambient-Growth-Plus-

more than 2.0 seconds, the impact is considered significant. Per the City's traffic study guidelines, the project is required to mitigate its fair share of the impact by implementing improvements that would reduce the delay to pre-project traffic conditions. In other words, a project would not be required to implement improvements to bring an intersection that is currently operating at LOS "E" or "F" to acceptable LOS as this would result in the project mitigating beyond its fair share.

It should be noted that the City of Temecula significance thresholds have been applied to only the following intersections, which are located within the City of Temecula:

Intersection 20: SR-79/Willows Avenue

Intersection 21: SR-79/Nicolas Road

Intersection 22: SR-79/Margarita Road

Intersection 23: SR-79/Ynez Road

Project Design Features

Site Access Improvements

Regional access to the Project site would be provided by the I-215 Freeway at Scott Road via Washington Street or SR-79. Local access to the Project site would be provided at Washington Street via Keller Road (North Street), Fields Drive, and Autumn Glen Circle (South Street) (refer to Figure III-5 in Section III [Project Description]). All three driveways would allow for full turning movements.

The Project's site access driveway improvements are described below. These improvements and would be constructed in conjunction with site development and in place prior to Project occupancy. Figure III-6 in Section III (Project Description) illustrates the on-site and site-adjacent roadway lane improvements. Construction of on-site and site-adjacent improvements shall occur in conjunction with adjacent Project development activity or as needed for Project access purposes. The **bold** text represents new improvements for each of the Project driveways. It should be noted that the minimum lane geometrics necessary for acceptable peak-hour operations are shown below.

Washington Street at Keller Road (North Street) – Install a traffic signal and construct the intersection with the following geometrics:

- Northbound Approach: **One left-turn lane** and one shared through-right-turn lane
- Southbound Approach: **One left-turn lane** and one shared through-right-turn lane
- Eastbound Approach: **One left-turn lane** and one shared through-right-turn lane
- Westbound Approach: **One left-turn lane and one shared through-right-turn lane**

I-15 NB/SB Ramps at Winchester
Signal timing is provided by
City. Apply Thresholds

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County of Riverside

August 2014

more than 2.0 seconds, the impact is considered significant. Per the City's traffic study guidelines, the project is required to mitigate its fair share of the impact by implementing improvements that would reduce the delay to pre-project traffic conditions. In other words, a project would not be required to implement improvements to bring an intersection that is currently operating at LOS "E" or "F" to acceptable LOS as this would result in the project mitigating beyond its fair share.

It should be noted that the City of Temecula significance thresholds have been applied to only the following intersections, which are located within the City of Temecula:

Intersection 20: SR-79/Willows Avenue

Intersection 21: SR-79/Nicolas Road

Intersection 22: SR-79/Margarita Road

Intersection 23: SR-79/Ynez Road

Project Design Features

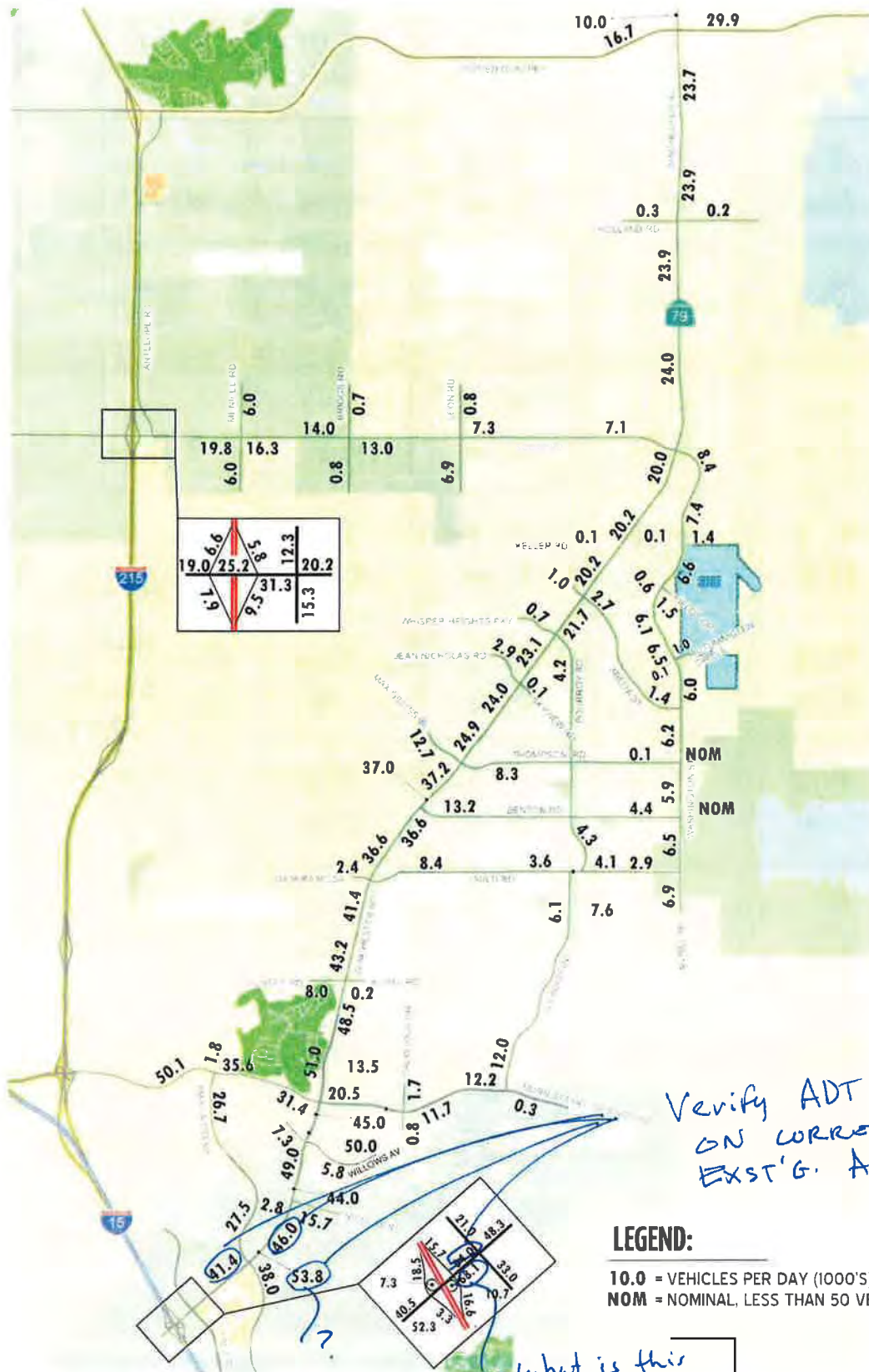
Site Access Improvements

Regional access to the Project site would be provided by the I-215 Freeway at Scott Road via Washington Street or SR-79. Local access to the Project site would be provided at Washington Street via Keller Road (North Street), Fields Drive, and Autumn Glen Circle (South Street) (refer to Figure III-5 in Section III [Project Description]). All three driveways would allow for full turning movements.

The Project's site access driveway improvements are described below. These improvements and would be constructed in conjunction with site development and in place prior to Project occupancy. Figure III-6 in Section III (Project Description) illustrates the on-site and site-adjacent roadway lane improvements. Construction of on-site and site-adjacent improvements shall occur in conjunction with adjacent Project development activity or as needed for Project access purposes. The **bold** text represents new improvements for each of the Project driveways. It should be noted that the minimum lane geometrics necessary for acceptable peak-hour operations are shown below.

Washington Street at Keller Road (North Street) – Install a traffic signal and construct the intersection with the following geometrics:

- Northbound Approach: **One left-turn lane** and one shared through-right-turn lane
- Southbound Approach: **One left-turn lane** and one shared through-right-turn lane
- Eastbound Approach: **One left-turn lane** and one shared through-right-turn lane
- Westbound Approach: **One left-turn lane and one shared through-right-turn lane**



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Not to Scale

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC

Figure IV.O-19
 Existing-With-Project
 (360 Dwelling Units) ADT



1	1-215 SB Ramps & Scott Rd.	2	1-215 NB Ramps & Scott Rd.	3	Antelope Rd & Scott Rd.	4	Menlie Rd & Scott Rd.	5	Biggs Rd & Scott Rd.	6	Leon Rd & Scott Rd.	7	Margaret Rd & Murieta Hot Springs	8	Winchester Rd / (SR-79) & Donnellon Pkwy		
9	Winchester Rd / (SR-79) & Holland Rd	10	Winchester Rd / (SR-79) & Scott Rd.	11	Winchester Rd / (SR-79) & Keller Rd.	12	Winchester Rd / (SR-79) & Abella St.	13	Winchester Rd / (SR-79) & Pourroy Rd.	14	Winchester Rd / (SR-79) & Skyview Rd.	15	Winchester Rd / (SR-79) & Thompson Rd.	16	Winchester Rd / (SR-79) & Benton Rd.		
17	Winchester Rd / (SR-79) & Auld Rd.	18	Winchester Rd / (SR-79) & Hunter Rd.	19	Winchester Rd / (SR-79) & Murieta Hot Springs Rd.	20	Winchester Rd / (SR-79) & Willows Av.	21	Winchester Rd / (SR-79) & Nicolas Rd.	22	Winchester Rd / (SR-79) & Margaret Rd.	23	Winchester Rd / (SR-79) & Ynez Rd.	24	Winchester Rd / (SR-79) & I-15 NB Ramps		
25	Winchester Rd / (SR-79) & I-15 SB Ramps	26	Calistoga Dr. & Murieta Hot Springs Rd.	27	Pourroy Rd. (West) & Auld Rd.	28	Pourroy Rd. (East) & Auld Rd.	29	Pourroy Rd. & Murieta Hot Springs Rd.	30	Washington St. & Keller Rd.	31	Washington St. & Fields Dr.	32	Washington St. & Autumn Glen Ct.	33	Washington St. & Auld Rd.
34	Washington St. & Abella St.	35	Washington St. & Thompson Rd.	36	Washington St. & Benton Rd.	37	Washington St. & Auld Rd.	38	Washington St. & Auld Rd.	39	Washington St. & Auld Rd.	40	Washington St. & Auld Rd.	41	Washington St. & Auld Rd.	42	Washington St. & Auld Rd.

Verify TM data based on correct ADT (2012)



Not to Scale

Figure IV.O-20
Existing-With-Project
(360 Dwelling Units) AM Peak-Hour Intersection Volumes

20

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC

1 Winchester Rd / (SR-79) & Scott Rd	2 I-215 SR Ramps & Scott Rd	3 Antelope Rd. & Scott Rd	4 Menifee Rd. & Scott Rd	5 Bridges Rd. & Scott Rd	6 Leon Rd. & Scott Rd	7 Margarita Rd. & Murietta Hot Springs Pkwy	8 Winchester Rd / (SR-79) & Bonington Pkwy
9 Winchester Rd / (SR-79) & Holland Rd	10 Winchester Rd / (SR-79) & Scott Rd	11 Winchester Rd / (SR-79) & Keller Rd	12 Winchester Rd / (SR-79) & Abella St	13 Winchester Rd / (SR-79) & Pourroy Rd	14 Winchester Rd / (SR-79) & Skyview Rd	15 Winchester Rd / (SR-79) & Thompson Rd	16 Winchester Rd / (SR-79) & Benton Rd
17 Winchester Rd / (SR-79) & Auld Rd	18 Winchester Rd / (SR-79) & Hunter Rd	19 Winchester Rd / (SR-79) & Murietta Hot Springs Rd	20 Winchester Rd / (SR-79) & Willows Av	21 Winchester Rd / (SR-79) & Nicolas Rd	22 Winchester Rd / (SR-79) & Margarita Rd	23 Winchester Rd / (SR-79) & Ynez Rd	24 Winchester Rd / (SR-79) & I-15 NB Ramps
25 Winchester Rd / (SR-79) & I-15 SB Ramps	26 Callisto Dr. & Murietta Hot Springs Rd	27 Pourroy Rd (West) & Auld Rd	28 Pourroy Rd (East) & Auld Rd	29 Murietta Hot Springs Rd	30 Washington St. & Keller Rd	31 Washington St. & Fields Dr	32 Washington St. & Aulnham Glen Cr.
33 Washington St. & Abella St	34 Washington St. & Thompson Rd	35 Washington St. & Benton Rd	36 Washington St. & Auld Rd				

Verify

21



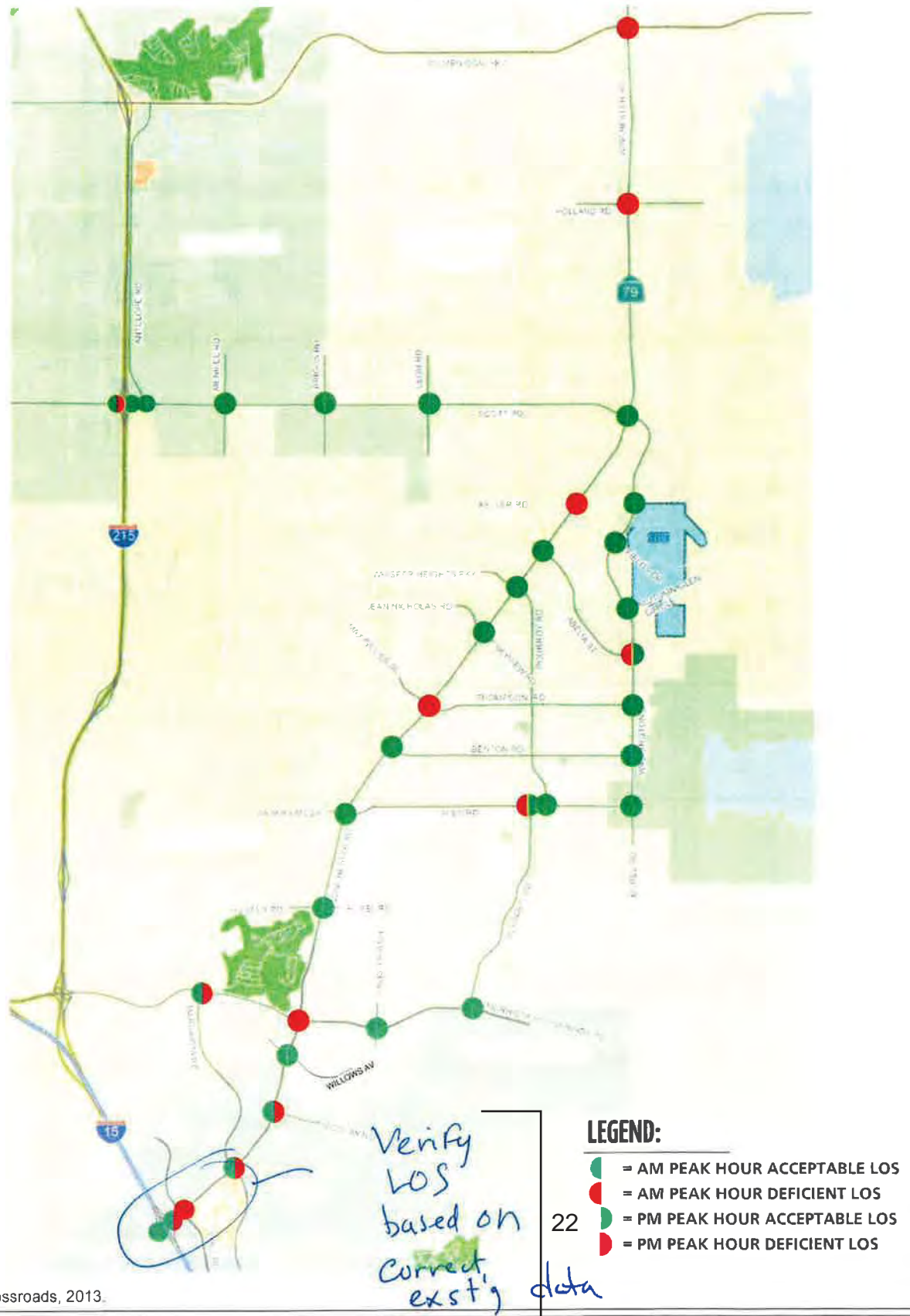
Not to Scale

Figure IV.O-21
Existing-With-Project
Intersection Volumes

(360 Dwelling Units) PM Peak-Hour Intersection Volumes

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC



Not to Scale

Source: Urban Crossroads, 2013.

 CAJA Environmental Services, LLC

Figure IV.O-22
Existing-With-Project
(360 Dwelling Units) Summary of
Peak-Hour Intersection LOS

August 2014

Verify data

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IV.O Transportation Traffic
Page IV.O-19IV.O-7
Intersection Operations Analysis Summary for Existing-With-Project (2012) Conditions

#			Intersection			Existing (2012)										E+P (2015 DUC)										E+P (2025 DUC)										E+P (2035 DUC)																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																														
						Traffic Control		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service		Delay (Secs)		Level of Service																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																												
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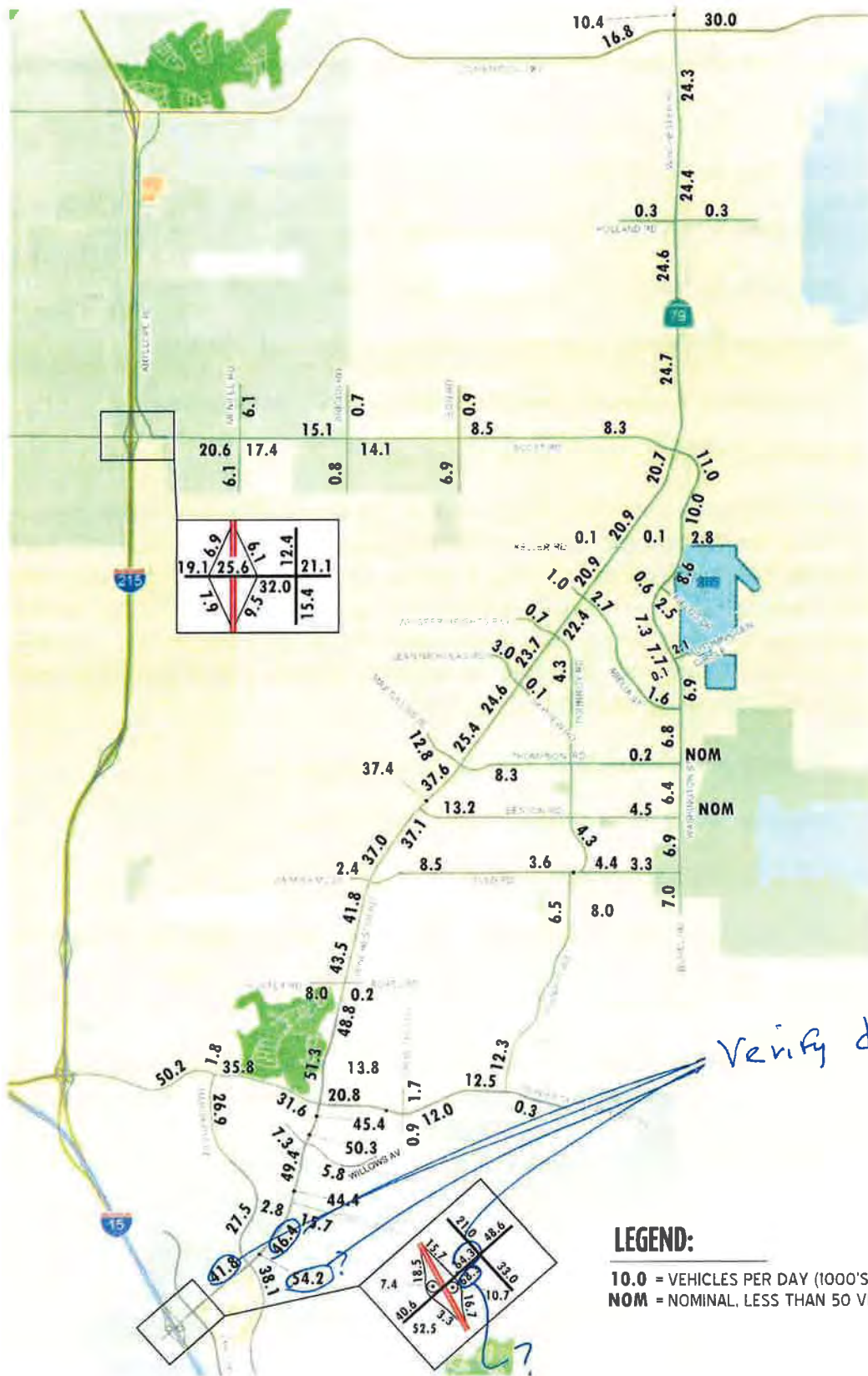
contribution to the impact less-than-significant. Delay and LOS calculated using the TRAFIX operation analysis software (Version 8.0 (2008), based on the 2004 Highway Capacity Manual (HCM) Method Synchro 8 (Version 8.1)) has been utilized to calculate delay and LOS for intersections along Winchester Road (ENR-79). The 2-15 Freeway ramps at Seaton Road, and the I-15 Freeway ramps at Winchester Road (ENR-79).

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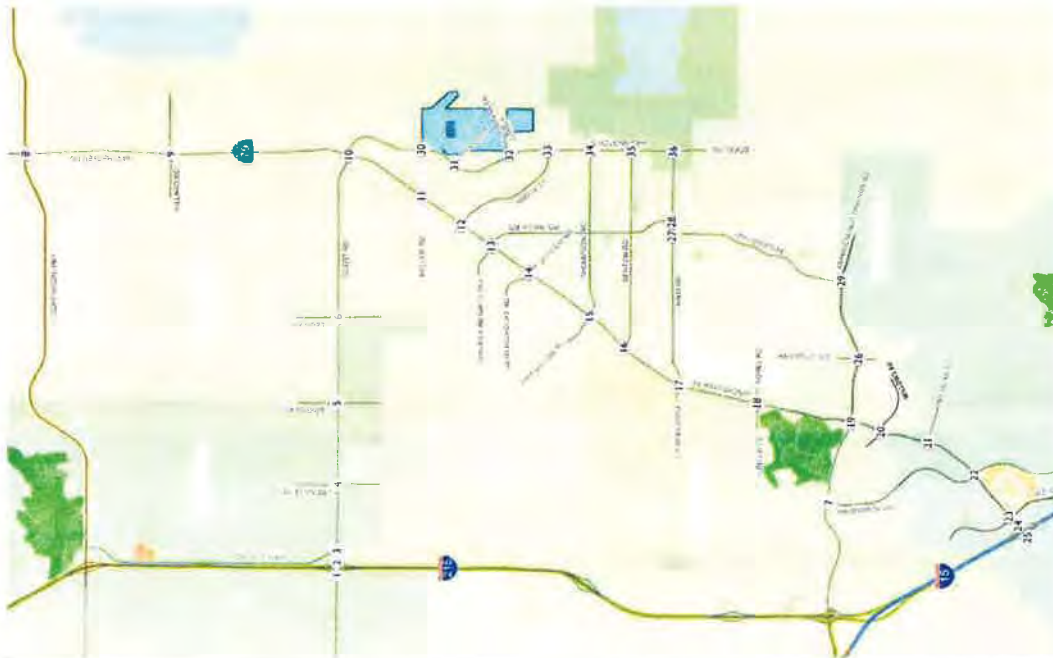


24



Not to Scale

Source: Urban Crossroads, 2013.



1	F215 SB Ramps & Scott Rd.	$\begin{array}{r} 501 \\ - 102 \\ \hline 399 \\ - 464 \\ \hline 408 \\ - 344 \\ \hline 64 \end{array}$	2	F215 NB Ramps & Scott Rd.	$\begin{array}{r} 415 \\ - 850 \\ \hline 99 \\ - 611 \\ \hline 115 \\ - 286 \\ \hline 611 \end{array}$	3	Antelope Rd. & Scott Rd.	$\begin{array}{r} 45 \\ - 95 \\ \hline 132 \\ - 461 \\ \hline 304 \\ - 551 \\ \hline 304 \end{array}$	4	Murietta Rd. & Scott Rd.	$\begin{array}{r} 87 \\ - 85 \\ \hline 42 \\ - 386 \\ \hline 41 \\ - 509 \\ \hline 41 \end{array}$	5	Blipps Rd. & Scott Rd.	$\begin{array}{r} 562 \\ - 62 \\ \hline 12 \\ - 40 \\ \hline 481 \\ - 20 \\ \hline 40 \end{array}$	6	Leon Rd. & Scott Rd.	$\begin{array}{r} 18 \\ - 340 \\ \hline 39 \\ - 266 \\ \hline 202 \\ - 22 \\ \hline 202 \end{array}$	7	Murietta Rd. & Murietta Hot Springs Hwy.	$\begin{array}{r} 1089 \\ - 259 \\ \hline 56 \\ - 800 \\ \hline 569 \\ - 385 \\ \hline 184 \end{array}$	8	Winchester Rd./ (SR-79) & Domingan Hwy.	$\begin{array}{r} 855 \\ - 358 \\ \hline 497 \\ - 579 \\ \hline 606 \\ - 31 \\ \hline 575 \end{array}$	9	Winchester Rd./ (SR-79) & Holland Rd.	$\begin{array}{r} 501 \\ - 102 \\ \hline 408 \\ - 344 \\ \hline 64 \end{array}$	10	Winchester Rd./ (SR-79) & Scott Rd.	$\begin{array}{r} 193 \\ - 286 \\ \hline 115 \\ - 611 \\ \hline 286 \\ - 115 \\ \hline 611 \end{array}$	11	Winchester Rd./ (SR-79) & Keller Rd.	$\begin{array}{r} 45 \\ - 95 \\ \hline 132 \\ - 461 \\ \hline 304 \\ - 551 \\ \hline 304 \end{array}$	12	Winchester Rd./ (SR-79) & Abella St.	$\begin{array}{r} 42 \\ - 116 \\ \hline 41 \\ - 18 \\ \hline 59 \\ - 321 \\ \hline 60 \end{array}$	13	Winchester Rd./ (SR-79) & Pourroy Rd.	$\begin{array}{r} 61 \\ - 105 \\ \hline 12 \\ - 40 \\ \hline 481 \\ - 20 \\ \hline 40 \end{array}$	14	Winchester Rd./ (SR-79) & Skyview Rd.	$\begin{array}{r} 25 \\ - 208 \\ \hline 18 \\ - 489 \\ \hline 489 \\ - 52 \\ \hline 52 \end{array}$	15	Winchester Rd./ (SR-79) & Thompson Rd.	$\begin{array}{r} 25 \\ - 208 \\ \hline 18 \\ - 489 \\ \hline 489 \\ - 52 \\ \hline 52 \end{array}$	16	Winchester Rd./ (SR-79) & Benton Rd.	$\begin{array}{r} 174 \\ - 317 \\ \hline 181 \\ - 081 \\ \hline 081 \end{array}$	17	Winchester Rd./ (SR-79) & Aud Rd.	$\begin{array}{r} 38 \\ - 265 \\ \hline 132 \\ - 16 \\ \hline 25 \end{array}$	18	Winchester Rd./ (SR-79) & Hunter Rd.	$\begin{array}{r} 0 \\ - 0 \\ \hline 48 \\ - 194 \\ \hline 194 \end{array}$	19	Winchester Rd./ (SR-79) & Murietta Hot Springs Rd.	$\begin{array}{r} 49 \\ - 100 \\ \hline 521 \\ - 116 \\ \hline 116 \end{array}$	20	Winchester Rd./ (SR-79) & Willows Av.	$\begin{array}{r} 56 \\ - 205 \\ \hline 107 \\ - 13 \\ \hline 38 \end{array}$	21	Winchester Rd./ (SR-79) & Nicholas Rd.	$\begin{array}{r} 110 \\ - 279 \\ \hline 112 \\ - 58 \\ \hline 58 \end{array}$	22	Winchester Rd./ (SR-79) & Murietta Rd.	$\begin{array}{r} 369 \\ - 372 \\ \hline 60 \\ - 483 \\ \hline 203 \end{array}$	23	Winchester Rd./ (SR-79) & Winchester Rd.	$\begin{array}{r} 109 \\ - 102 \\ \hline 266 \\ - 181 \\ \hline 483 \end{array}$	24	Winchester Rd./ (SR-79) & F5 SB Ramps	$\begin{array}{r} 603 \\ - 176 \\ \hline 442 \\ - 325 \\ \hline 325 \end{array}$	25	Winchester Rd./ (SR-79) & F5 SB Ramps	$\begin{array}{r} 38 \\ - 265 \\ \hline 132 \\ - 16 \\ \hline 25 \end{array}$	26	Collings Dr. & Murietta Hot Springs Rd.	$\begin{array}{r} 736 \\ - 236 \\ \hline 26 \\ - 214 \\ \hline 14 \end{array}$	27	Pourroy Rd. (West) & Aud Rd.	$\begin{array}{r} 117 \\ - 435 \\ \hline 187 \\ - 187 \\ \hline 0 \end{array}$	28	Pourroy Rd. (East) & Aud Rd.	$\begin{array}{r} 17 \\ - 286 \\ \hline 210 \\ - 100 \\ \hline 110 \end{array}$	29	Pourroy Rd. & Murietta Hot Springs Rd.	$\begin{array}{r} 5 \\ - 22 \\ \hline 309 \\ - 309 \\ \hline 0 \end{array}$	30	Washington St. & Keller Rd.	$\begin{array}{r} 122 \\ - 41 \\ \hline 0 \\ - 12 \\ \hline 12 \end{array}$	31	Washington St. & Fields Dr.	$\begin{array}{r} 104 \\ - 41 \\ \hline 18 \\ - 12 \\ \hline 12 \end{array}$	32	Washington St. & Autumn Glen Cr.	$\begin{array}{r} 82 \\ - 41 \\ \hline 0 \\ - 0 \\ \hline 0 \end{array}$	33	Washington St. & Abella St.	$\begin{array}{r} 266 \\ - 105 \\ \hline 161 \\ - 263 \\ \hline 263 \end{array}$	34	Washington St. & Thompson Rd.	$\begin{array}{r} 480 \\ - 5 \\ \hline 0 \\ - 1510 \\ \hline 1510 \end{array}$	35	Washington St. & Benton Rd.	$\begin{array}{r} 0 \\ - 0 \\ \hline 136 \\ - 87 \\ \hline 87 \end{array}$	36	Washington St. & Aud Rd.	$\begin{array}{r} 265 \\ - 60 \\ \hline 87 \\ - 13 \\ \hline 13 \end{array}$
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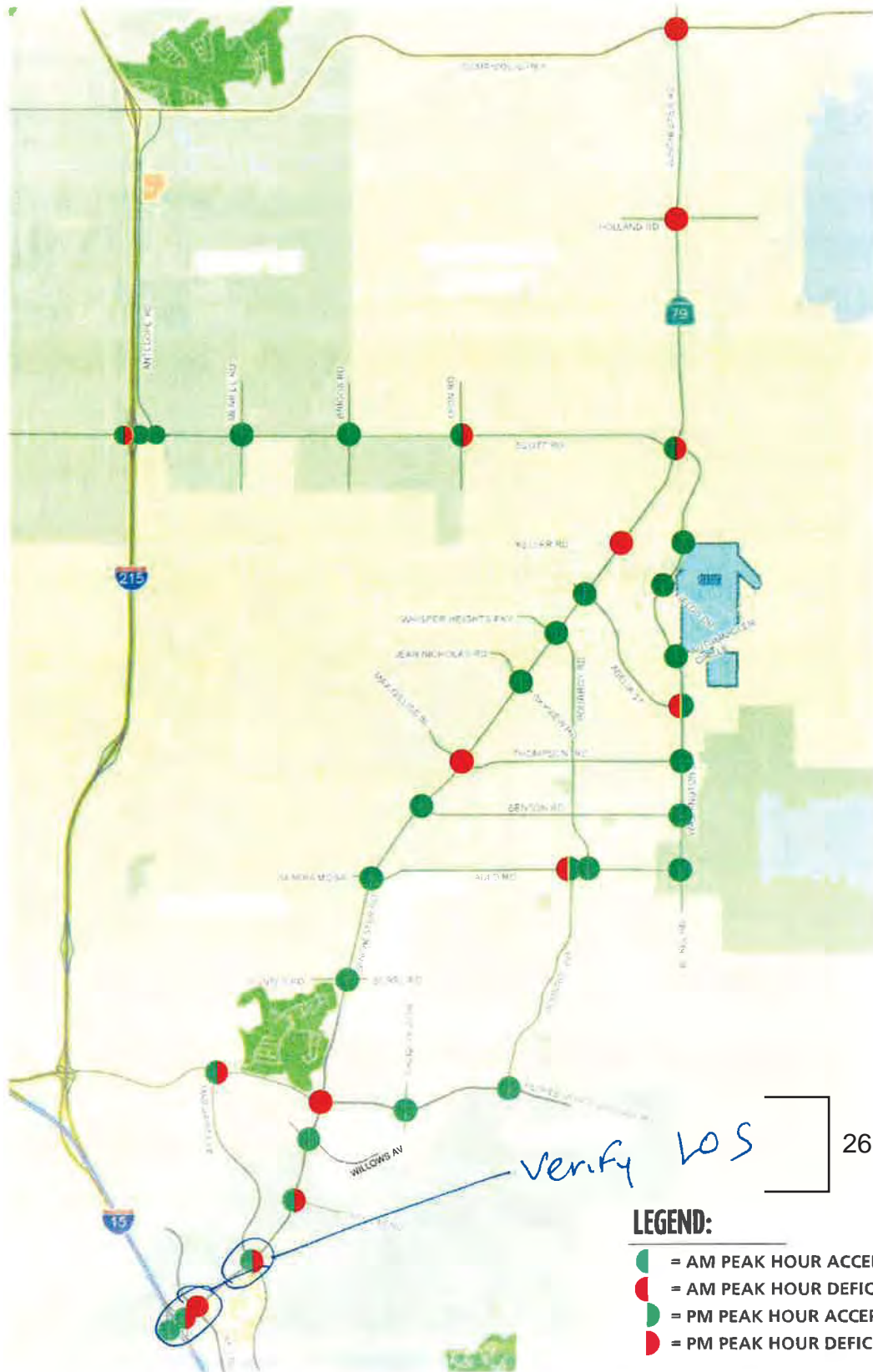
Not to Scale

25

Source: Urban Crossroads, 2013.

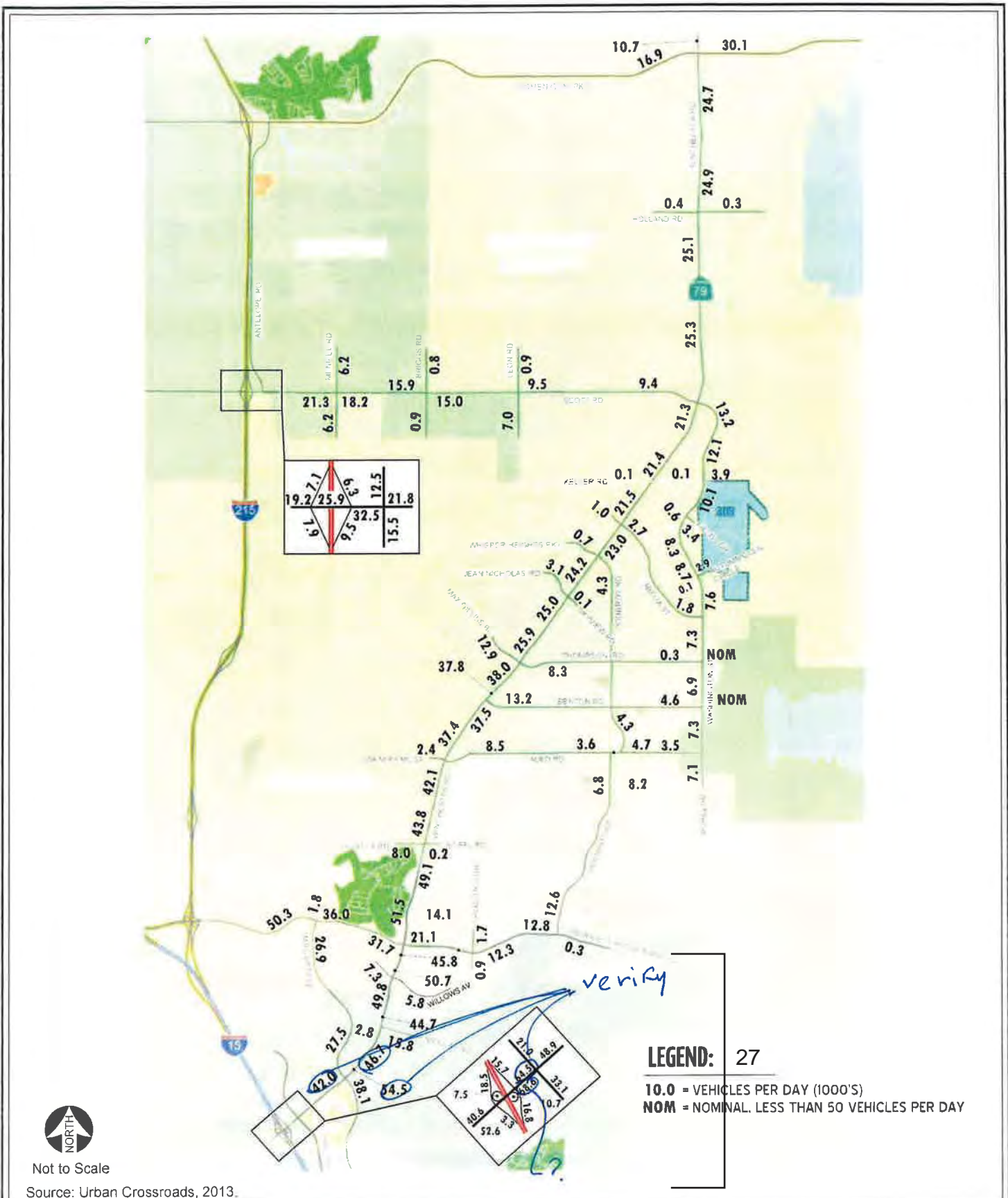
Figure IV.O-24
Existing-With-Project
(725 Dwelling Units) AM Peak-Hour Intersection Volumes

CAJA Environmental Services, LLC



Not to Scale

Source: Urban Crossroads, 2013.





1	1-25 SB Ramps & Scott Rd.	2	1-25 NB Ramps & Scott Rd.	3	Antelope Rd. & Scott Rd.	4	Marine Rd. & Scott Rd.	5	Briggs Rd. & Scott Rd.	6	Leon Rd. & Scott Rd.	7	Mariposa Rd. & Murrieta Hot Springs Pkwy.	8	Winchester Rd. / (SR-79) & Dominguez Pkwy.
9	Winchester Rd. / (SR-79) & Holland Rd.	10	Winchester Rd. / (SR-79) & Scott Rd.	11	Winchester Rd. / (SR-79) & Keller Rd.	12	Winchester Rd. / (SR-79) & Abella St.	13	Winchester Rd. / (SR-79) & Pourroy Rd.	14	Winchester Rd. / (SR-79) & Skyway Rd.	15	Winchester Rd. / (SR-79) & Thompson Rd.	16	Winchester Rd. / (SR-79) & Benton Rd.
17	Winchester Rd. / (SR-79) & Auld Rd.	18	Winchester Rd. / (SR-79) & Hunter Rd.	19	Winchester Rd. / (SR-79) & Murrieta Hot Springs Rd.	20	Winchester Rd. / (SR-79) & Willows Av.	21	Winchester Rd. / (SR-79) & Nicolas Rd.	22	Winchester Rd. / (SR-79) & Mariposa Rd.	23	Winchester Rd. / (SR-79) & Ynez Rd.	24	Winchester Rd. / (SR-79) & H5 NB Ramps
25	Winchester Rd. / (SR-79) & H5 SB Ramps	26	Collins Dr. & Murrieta Hot Springs Rd.	27	Pourroy Rd. (West) & Auld Rd.	28	Pourroy Rd. (East) & Auld Rd.	29	Pourroy Rd. & Murrieta Hot Springs Rd.	30	Washington St. & Keller Rd.	31	Washington St. & Fields Dr.	32	Washington St. & Autumn Glen Ct.
33	Washington St. & Abella St.	34	Washington St. & Thompson Rd.	35	Washington St. & Benton Rd.	36	Washington St. & Auld Rd.	<div>Verify AM/PM</div> <div>28</div>							



Not to Scale

Figure IV.O-28
Existing-With-Project
(1,026 Dwelling Units) AM Peak-Hour Intersection Volumes

Source: Urban Crossroads, 2013.



Not to Scale

Source: Urban Crossroads, 2013.

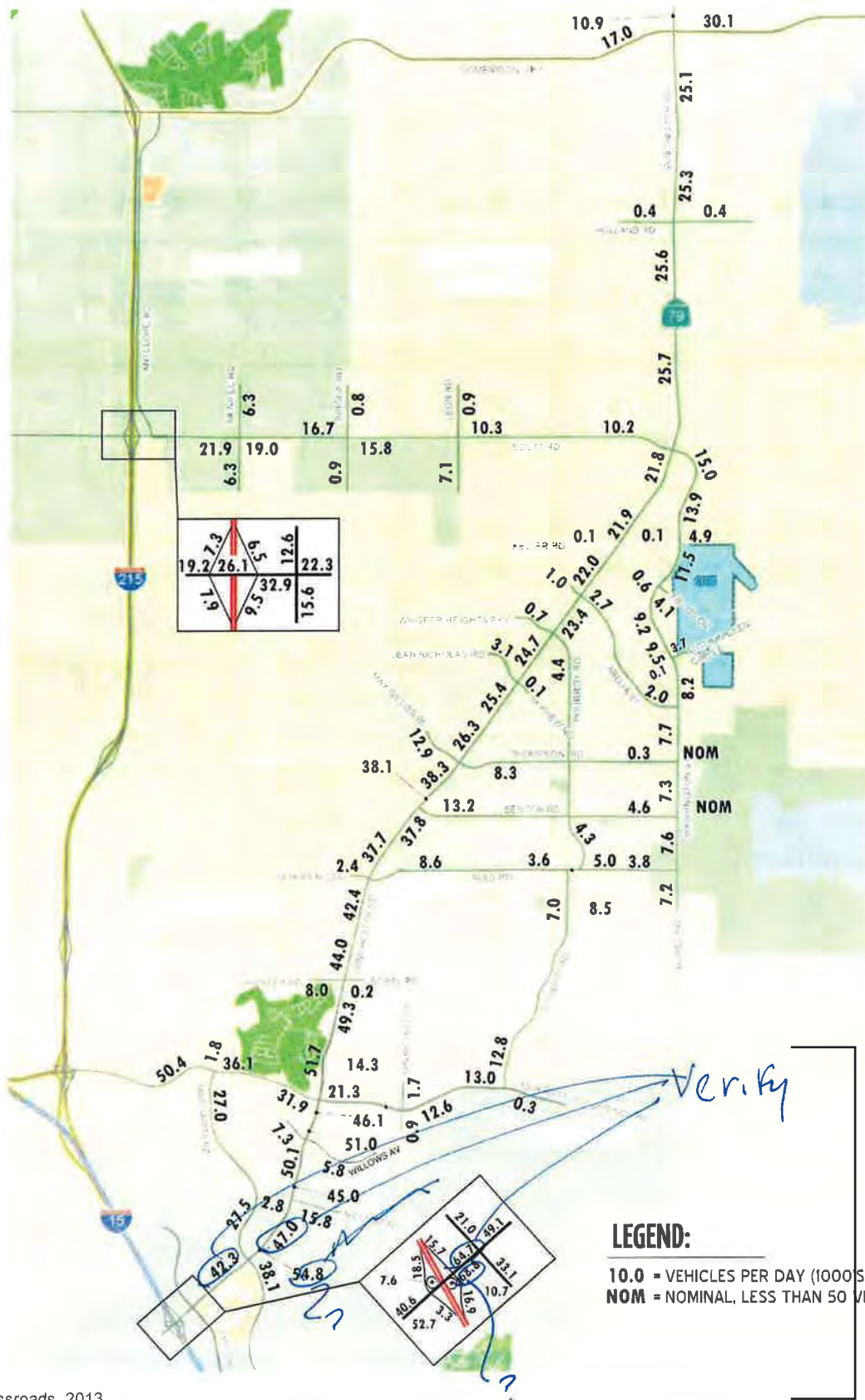
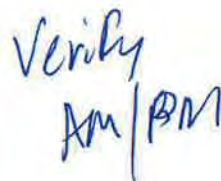


Figure IV.O-31
Existing-With-Project
(1,282 Dwelling Units) ADT



Not to Scale

Figure IV.O-32
Existing-With-Project
(1,282 Dwelling Units) AM Peak-Hour Intersection Volumes

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC

1	I-215 SB Ramps & Scott Rd	2	I-215 NB Ramps & Scott Rd	3	Antelope Rd & Scott Rd	4	Merrilee Rd & Scott Rd	5	Briggs Rd & Scott Rd	6	Leon Rd & Scott Rd	7	Margaret Rd & Murietta Hot Springs	8	Winchester Rd / (SR-79) & Dominguez Pkwy
9	Winchester Rd / (SR-79) & Holland Rd	10	Winchester Rd / (SR-79) & Scott Rd	11	Winchester Rd / (SR-79) & Keller Rd	12	Winchester Rd / (SR-79) & Abella St	13	Winchester Rd / (SR-79) & Pourroy Rd	14	Winchester Rd / (SR-79) & Skyview Rd	15	Winchester Rd / (SR-79) & Thompson Rd	16	Winchester Rd / (SR-79) & Benton Rd
17	Winchester Rd / (SR-79) & Auld Rd	18	Winchester Rd / (SR-79) & Hunter Rd	19	Winchester Rd / (SR-79) & Murietta Hot Springs Rd	20	Winchester Rd / (SR-79) & Willows Av	21	Winchester Rd / (SR-79) & Nicholas Rd	22	Winchester Rd / (SR-79) & Margaret Rd	23	Winchester Rd / (SR-79) & Vine Rd	24	Winchester Rd / (SR-79) & I-15 NB Ramps
25	Winchester Rd / (SR-79) & I-15 SB Ramps	26	Coltspace Dr & Murietta Hot Springs Rd	27	Pourroy Rd (West) & Auld Rd	28	Pourroy Rd (East) & Auld Rd	29	Pourroy Rd & Murietta Hot Springs Rd	30	Washington St & Keller Rd	31	Washington St & Fields Dr	32	Washington St & Autumn Glen Cr.
33	Washington St & Abella St	34	Washington St & Thompson Rd	35	Washington St & Benton Rd	36	Washington St & Auld Rd								



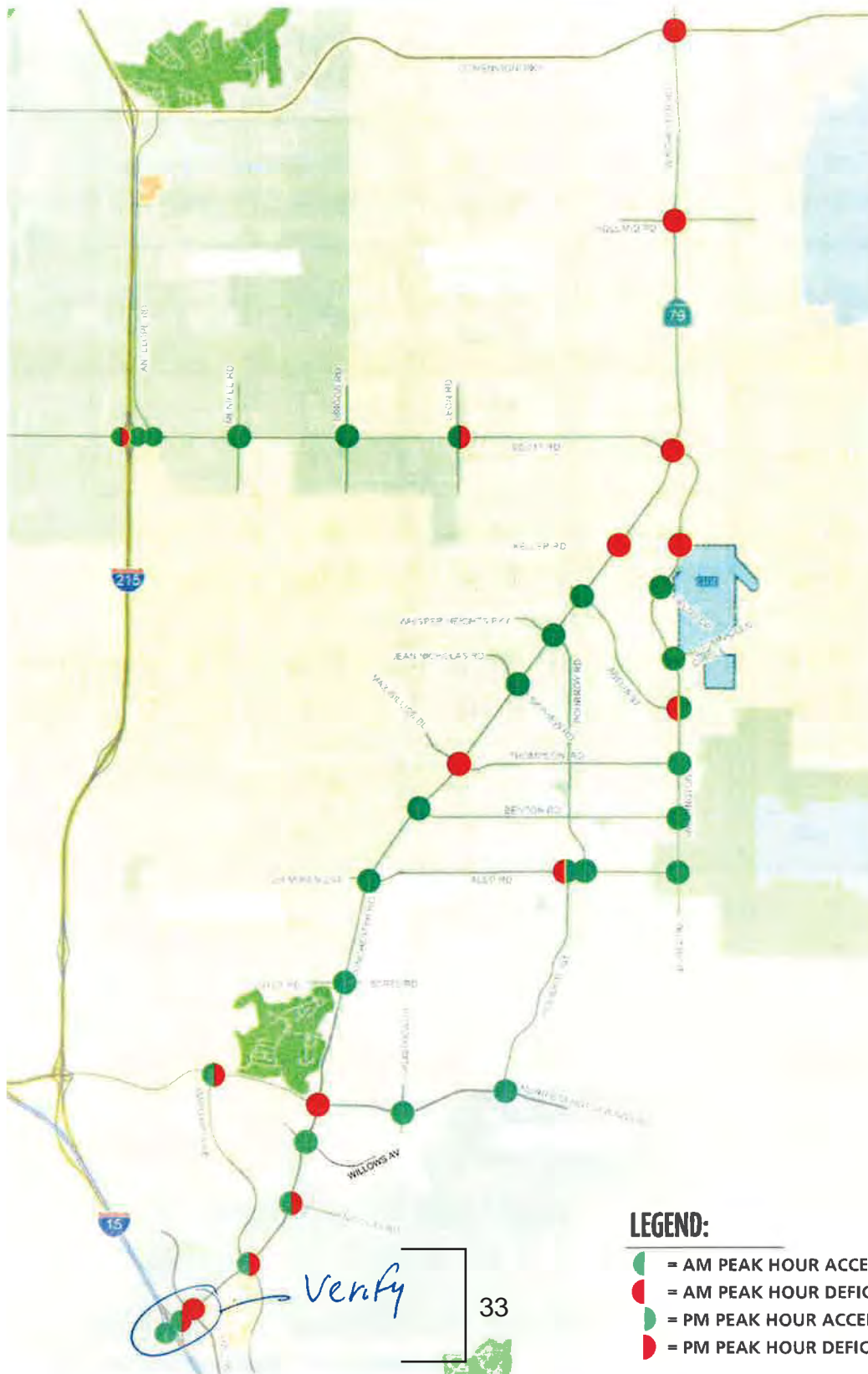
Not to Scale

Figure IV.O-33
Existing-With-Project
(1,282 Dwelling Units) PM Peak-Hour Intersection Volumes

32

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC



Not to Scale

Source: Urban Crossroads, 2013.

Table IV.O-13
Cumulative Development Land Use Summary

TAZ	Project			2014	2035
16	Specific Plan 312 A-1	Single Family Housing	1,671 DU	505	100%
		Elementary School	600 STU		
		Parks	32.1 AC		
17	Keller Crossing Specific Plan	Single Family Housing	98 DU	50%	100%
		Continuing Care Retirement Community	225 DU		
		General Office	250.000 TSF		
		Shopping Center	400.000 TSF		
18	Murrieta Marketplace	Commercial Retail	548.055 TSF	100%	100%
19	Harveston Commercial	Neighborhood Commercial	12.000 SF	100%	100%
		Service Commercial	92.65 AC		
20	Mosque	Church	24.943 TSF	100%	100%
21	Roripaugh Ranch	Single Family Housing	290 DU	100%	100%
	Walcott Estates	Single Family Housing	45 DU	100%	100%
22	Mountain View Church	Church	101.619 TSF	100%	100%

Source: Urban Crossroads, 2013.

Near-Term (2014) Traffic Conditions

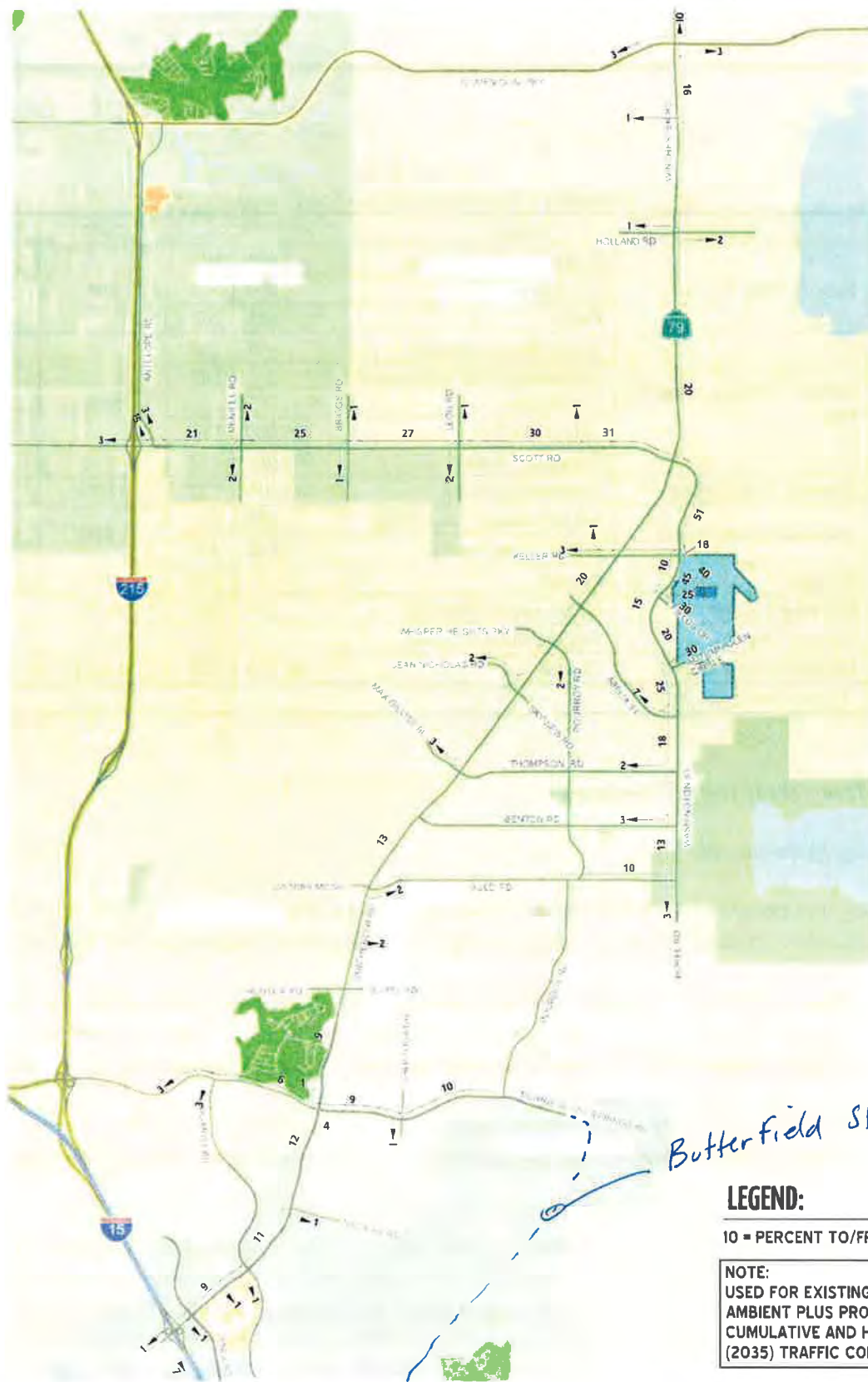
Roadway Improvements

The lane configurations and traffic controls assumed to be in place for near-term (2014) traffic conditions are consistent with those shown previously on Figure IV.O-2, with the exception of the following:

- Project driveways and those facilities assumed to be constructed by the Project to provide site access (e.g., site access improvements at Washington Street at Keller Road and Washington Street at Autumn Glenn Circle) are also assumed to be in place for near-term (2014) conditions
- Four-leg intersection configurations assumed at the intersections of SR-79 at Benton Road and Pourroy Road at Murrieta Hot Springs Road to accommodate access for cumulative development projects

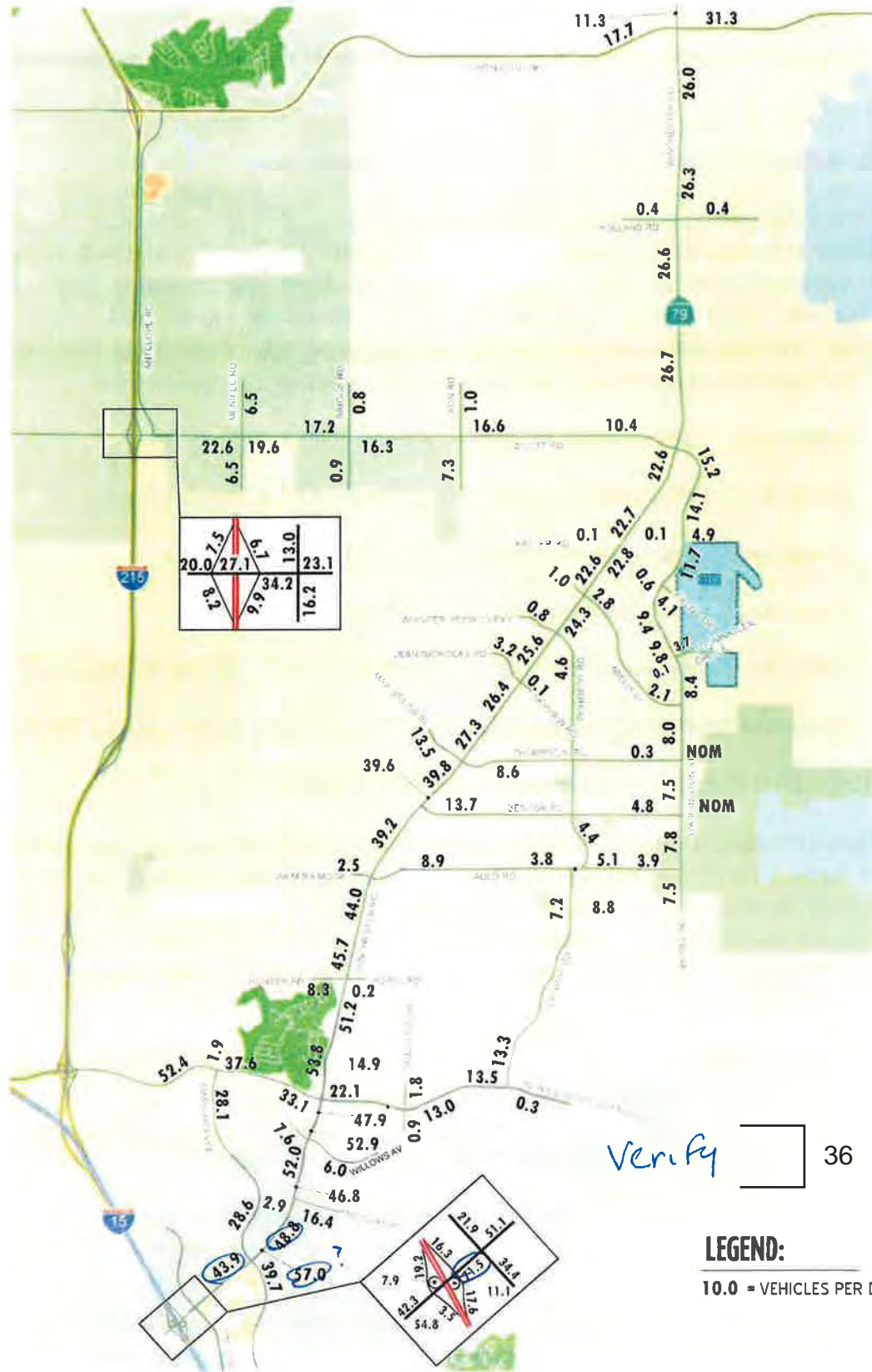
Due to the uncertainty of the completion of the planned Clinton Keith Road extension, a two-lane extension of Clinton Keith Road between the I-215 Freeway and SR-79, analyses has been performed for the scenario "without the Clinton Keith Road extension" only for near-term (2014) traffic conditions in an effort to conduct a conservative analysis and overstate as opposed to understate potential traffic impacts.

What about extension of Butterfield Stage Road - Murrieta Hot Springs to La Serena Way? Include French Valley Parkway SB off-ramps at I-15



Not to Scale

Source: Urban Crossroads, 2013.



Not to Scale

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC

Figure IV.O-38
Near-Term (2014)
Ambient-With-Project ADT

1	I-215 SB Ramps & Scott Rd.	2	I-215 NB Ramps & Scott Rd.	3	Antelope Rd & Scott Rd.	4	Menifee Rd & Scott Rd.	5	Biola Rd & Scott Rd.	6	Leon Rd & Scott Rd.	7	Mariposa Rd & Murrieta Hot Springs	8	Winchester Rd / (SR-79) & Dominguez Pkwy.
9	Winchester Rd / (SR-79) & Holland Rd.	10	Winchester Rd / (SR-79) & Scott Rd.	11	Winchester Rd / (SR-79) & Keller Rd.	12	Winchester Rd / (SR-79) & Abella St.	13	Winchester Rd / (SR-79) & Pourroy Rd.	14	Winchester Rd / (SR-79) & Skyview Rd.	15	Winchester Rd / (SR-79) & Thompson Rd.	16	Winchester Rd / (SR-79) & Benton Rd.
17	Winchester Rd / (SR-79) & Auld Rd.	18	Winchester Rd / (SR-79) & Hunter Rd.	19	Winchester Rd / (SR-79) & Murrieta Hot Springs Rd.	20	Winchester Rd / (SR-79) & Williams Av.	21	Winchester Rd / (SR-79) & Nicholas Rd.	22	Winchester Rd / (SR-79) & Mariposa Rd.	23	Winchester Rd / (SR-79) & Ynez Rd.	24	Winchester Rd / (SR-79) & I-15 NB Ramps
25	Winchester Rd / (SR-79) & I-15 SB Ramps	26	Calliope Dr. & Murrieta Hot Springs Rd.	27	Pourroy Rd. (West) & Auld Rd.	28	Pourroy Rd. (East) & Auld Rd.	29	Pourroy Rd. & Murrieta Hot Springs Rd.	30	Washington St. & Keller Rd.	31	Washington St. & Fields Dr.	32	Washington St. & Autumn Glen Cr.
33	Washington St. & Abella St.	34	Washington St. & Thompson Rd.	35	Washington St. & Benton Rd.	36	Washington St. & Auld Rd.								

Verify
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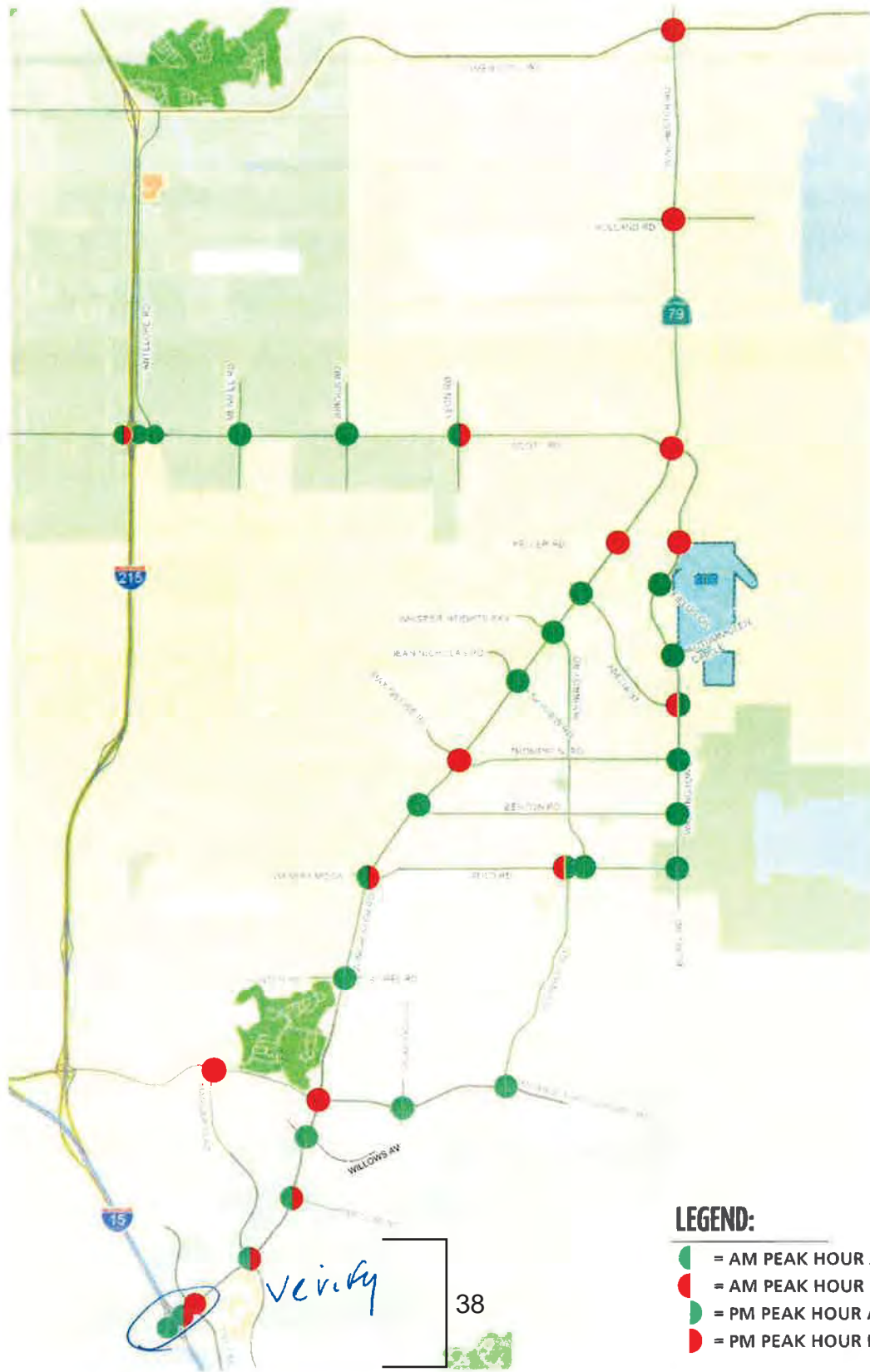


Not to Scale

Figure IV.O-39
Near-Term (2014)
Ambient-With-Project AM Peak-Hour Intersection Volumes

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC



Not to Scale

Source: Urban Crossroads, 2013.

August 2014

Coun. of Riverside

Table IV-O-14
Intersection Operations Analysis Summary For Near-Term (2014) Ambient-With-Project Conditions

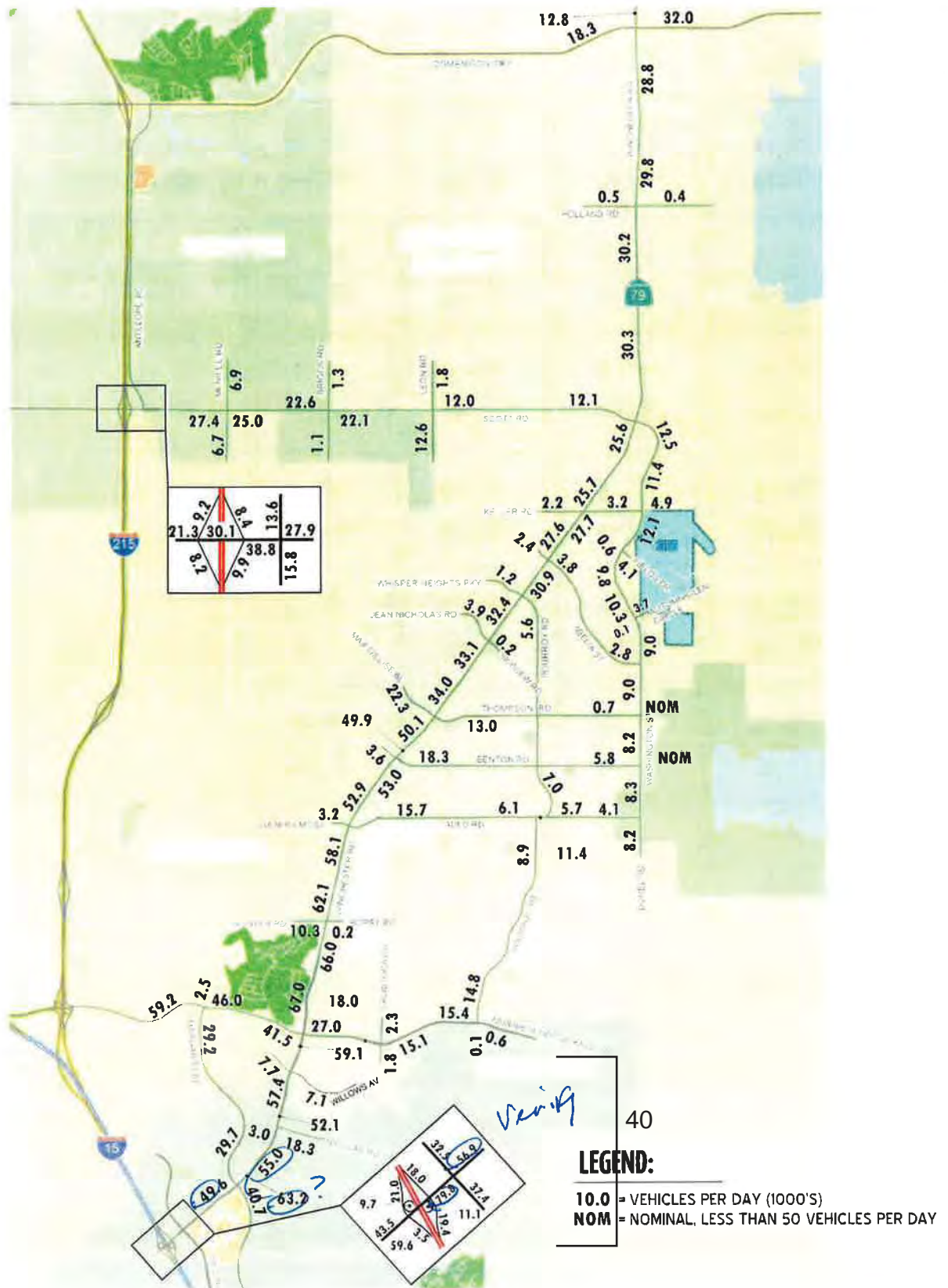
#	Intersection	Traffic Control	Existing (2012)				(360 DUs)				(725 DUs)				(1,026 DUs)				(1,282 DUs)			
			Delay (Secs.)		Level of Service		Delay (Secs.)		Level of Service		Delay (Secs.)		Level of Service		Delay (Secs.)		Level of Service		Delay (Secs.)		Level of Service	
			AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM	AM	PM
1	I-215 SB Ramps / Scott Rd	TS	31.3	46.8	C	D	34.3	62.0	C	F ³	35.5	66.6	D	F ³	36.7	71.0	D	F ³	37.8	75.8	D	F ³
2	I-215 NB Ramps / Scott Rd	TS	19.0	31.7	B	C	20.4	45.2	C	D	20.4	46.3	C	D	20.4	47.4	C	D	20.5	48.5	C	D
3	Andropole Rd / Scott Rd	TS	34.7	38.6	C	D	36.3	40.6	D	D	36.6	41.1	D	D	36.9	41.6	D	D	37.2	42.2	D	D
4	Menifee Rd / Scott Rd	TS	27.3	30.2	C	C	27.9	31.5	C	C	28.3	30.7	C	C	28.7	30.8	C	C	29.0	31.0	C	C
5	Briggs Rd / Scott Rd	TS	20.0	20.5	B	C	20.1	20.9	C	C	20.2	21.2	C	C	20.3	21.5	C	C	20.4	21.8	C	C
6	Leon Rd / Scott Rd	AWS	13.4	16.0	B	C	16.3	25.6	C	D	19.5	43.3	C	F ³	23.9	65.2	C	F	30.0	88.0	D	F
7	Margarita Rd / Murietta Hot Springs Rd	TS	49.9	111.6	D	F	54.7	126.0	D	F	55.7	127.9	E	F	56.4	129.4	E	F	57.0	130.9	E	F
8	Winchester Rd (SR-79) / Dominguez Pkwy	TS	>200.0	179.0	F	F	>200.0	>200.0	F	F	>200.0	>200.0	F	F	>200.0	>200.0	F	F	>200.0	>200.0	F	F
9	Winchester Rd (SR-79) / Holland Rd	CSS	41.2	69.6	E	F	55.6	>100.0	F	F	66.4	>100.0	F	F	74.6	>100.0	F	F	82.1	>100.0	F	F
10	Winchester Rd (SR-79) / Scott Rd	TS	21.9	22.7	C	C	31.0	46.1	C	D	50.8	78.7	D	E	75.6	118.3	F ³	F	100.9	162.5	F	F
11	Winchester Rd (SR-79) / Keller Rd	CSS	34.4	52.1	D	F	40.6	64.4	E	F	44.1	72.2	E	F	47.3	79.4	E	F	50.3	86.3	F	F
12	Winchester Rd (SR-79) / Abelia St	TS	21.8	19.1	C	B	22.1	22.1	C	C	22.5	22.3	C	C	22.8	22.5	C	C	33.3	22.8	D	C
13	Winchester Rd (SR-79) / Pourroy Rd	TS	11.5	14.5	B	B	12.2	16.3	B	B	12.2	16.4	B	B	13.1	16.6	B	B	13.1	16.8	B	B
14	Winchester Rd (SR-79) / Skys view Rd	TS	14.7	14.7	B	B	14.7	16.2	B	B	15.1	16.7	B	B	15.2	16.9	B	B	15.5	16.9	B	B
15	Winchester Rd (SR-79) / Thompson Rd	TS	78.2	65.5	F ³	E	84.1	70.6	F	F ³	88.5	75.0	F	F ³	93.5	80.9	B	F	93.6	87.6	F	F
16	Winchester Rd (SR-79) / Benon Rd	TS	17.9	26.1	B	C	18.1	28.8	B	C	18.1	29.8	B	C	18.2	30.9	B	C	19.3	31.9	B	C
17	Winchester Rd (SR-79) / Auld Rd	TS	29.5	33.6	C	C	32.6	48.3	C	F ³	33.4	51.7	C	F ³	34.3	61.1	C	F ³	34.9	63.4	C	F ³
18	Winchester Rd (SR-79) / Hunter Rd	TS	12.6	20.3	B	C	13.2	22.1	B	C	13.4	22.6	B	C	13.5	23.2	B	C	13.6	23.9	B	C
19	Winchester Rd (SR-79) / Murietta Hot Springs Rd	TS	75.0	135.2	E	F	79.0	142.3	E	F	87.7	142.5	F	F	99.2	142.8	F	F	113.1	157.6	F	F
20	Winchester Rd (SR-79) / Willows Av	TS	29.4	33.4	C	C	30.2	35.9	C	D	30.6	36.4	C	D	30.7	37.1	C	D	31.4	37.9	C	D
21	Winchester Rd (SR-79) / Nicholas Rd	TS	43.5	99.5	D	F	45.5	114.4	D	F	45.8	118.2	D	F	46.1	121.4	D	F	48.9	124.0	D	F
22	Winchester Rd (SR-79) / Margarita Rd	TS	28.8	178.9	C	F	29.1	194.9	C	F	29.1	198.9	C	F	29.3	>200.0	C	F	30.4	>200.0	C	F
23	Winchester Rd (SR-79) / Ynez Rd	TS	56.3	82.1	E	F	62.5	87.1	E	F	62.6	91.9	E	F	65.1	98.2	E	F	69.9	106.0	F	F
24	Winchester Rd (SR-79) / I-15 NB Ramps	TS	28.1	62.9	C	E	28.4	71.0	C	F ³	28.4	71.3	C	F ³	29.4	79.3	C	F ³	30.5	87.3	F	F
25	Winchester Rd (SR-79) / I-15 SB Ramps	TS	23.8	22.5	C	C	24.2	23.4	C	C	25.3	23.4	C	C	25.9	24.4	C	C	25.9	25.0	C	C
26	Calsiega Dr / Murietta Hot Springs Rd	TS	27.3	27.5	C	C	27.4	27.7	C	C	27.5	27.9	C	C	27.6	28.0	C	C	27.6	28.1	C	C
27	Pourroy Rd - West / Auld Rd	AWS	32.4	10.0	D	A	45.6	10.6	F ³	B	54.2	11.0	F	B	61.7	11.4	F	B	68.6	11.8	F	B
28	Pourroy Rd - East / Auld Rd	CSS	25.5	15.8	D	C	28.8	17.1	D	C	30.4	17.8	D	C	31.7	18.5	D	C	32.9	19.1	D	C
29	Pourroy Rd / Murietta Hot Springs Road	AWS	13.3	13.7	B	B	14.3	15.1	B	C	14.8	15.8	B	C	15.2	16.5	C	C	15.6	17.1	C	C
30	Washington St / Keller Rd	CSS	11.1	10.1	B	B	14.9	13.8	B	B	20.6	20.6	C	C	29.5	34.7	D	D	68.8	>100.0	F	F
31	Washington St / Fields Dr	TS	27.8	26.5	C	C	28.4	29.6	C	C	29.0	30.9	C	C	29.2	32.2	C	C	29.4	33.4	C	C
32	Washington St / Autumn Glen Cu	CSS	11.9	11.6	B	B	14.9	15.7	B	B	17.5	20.8	C	C	20.1	27.1	C	D	23.0	35.0	C	D
33	Washington St / Abelia St	Css	44.9	12.1	E	B	68.3	13.4	F	B	94.9	14.7	F	B	>100.0	16.2	F	C	>100.0	17.7	F	C
34	Washington St / Thompson Rd	CSS	17.5	12.2	C	B	20.2	13.3	C	B	22.6	14.2	C	B	24.2	15.2	C	C	25.7	16.0	D	C
35	Washington St / Benon Rd	AWS	13.6	9.7	B	A	15.9	10.5	C	B	17.8	11.2	C	B	20.0	11.8	C	B	22.4	12.5	C	B
36	Washington St / Auld Rd	CSS	17.3	11.5	C	B	19.6	13.0	C	B	21.2	14.3	C	B	22.5	15.4	C	C	23.9	16.7	C	C

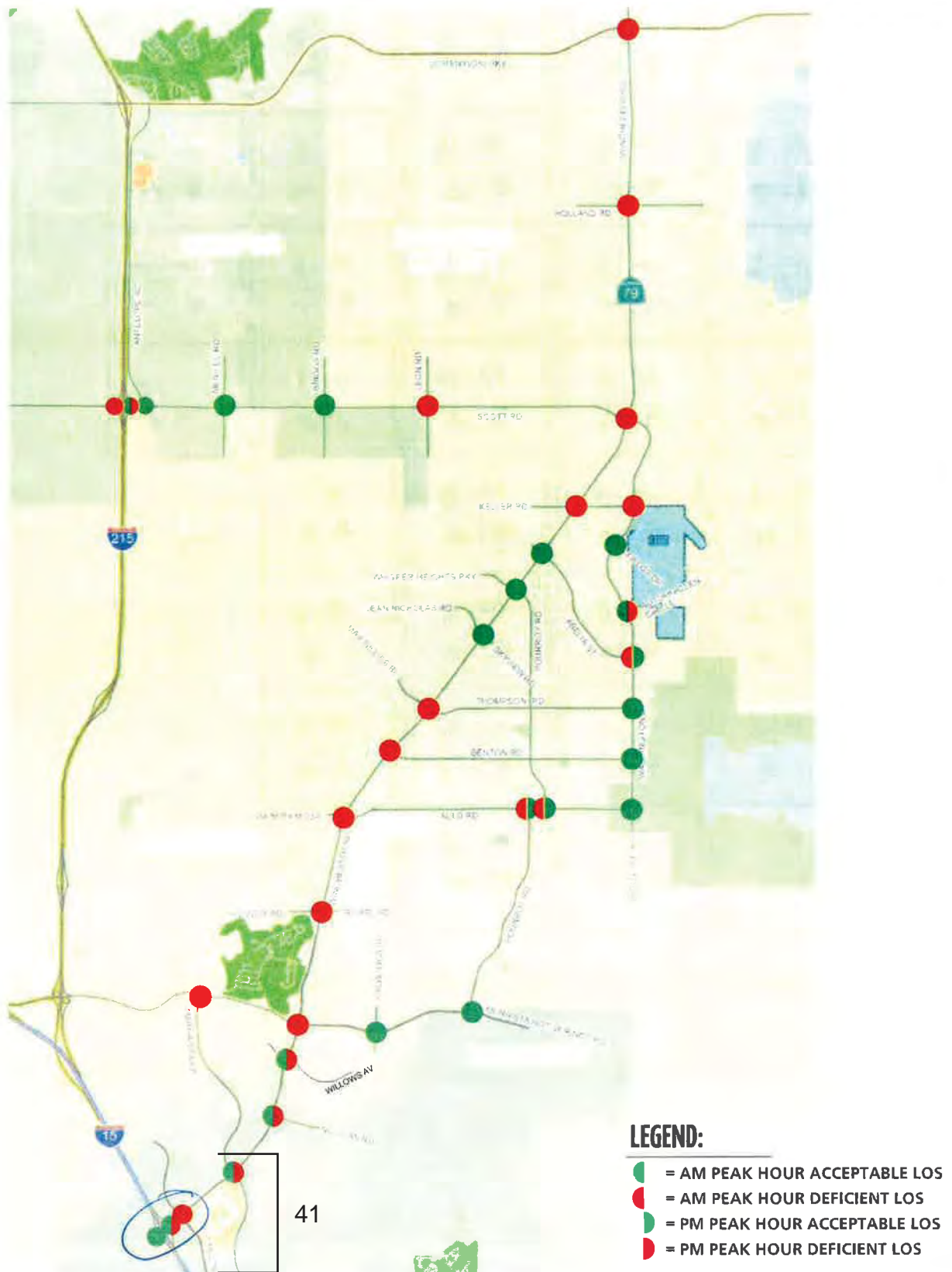
BOLD Significant impact 1) the pre-project condition is at or above LOS 'D' and Project traffic along with cumulative traffic causes deterioration below LOS 'D' or 2) if the pre-project condition is already below LOS 'D' (i.e. LOS 'E' or 'F') and the Project contributes 50 or more peak hour vehicle trips the Project's contribution is considered 'significant' (consistent with 'County traffic study guidelines. The impact will be improved back to acceptable LOS (i.e. LOS 'D' or better) thus reducing the Project's contribution to the impact 'less-than-significant'

³ Delay and LOS calculated using the TRAFIX operation analysis software Traffic Version 8.0 (2008), based on the 2000 Highway Capacity Manual (HCM) Method Synchro 8 (Version 8 2011) has been utilized to calculate delay and LOS for intersections along Winchester Road (SR-79) the I-215 freeway ramps at Scott Road and the I-15 freeway ramps at Winchester Road (SR-79)

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Not to Scale

Source: Urban Crossroads, 2013.

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Table IV.O-15
Intersection Operations Analysis Summary For Near-Term (2014) Cumulative-With-Project Conditions

#		Intersection	Traffic Control	Intersection Approach Lanes												Delay ² (Secs.)		Level of Service		
				Northbound				Southbound				Eastbound								Westbound
				L	T	R	L	T	R	L	T	R	L	T	R	L	T	R	AM	PM
1	I-215 SB Ramps / Scott Rd	TS	0	0	0	0	1	1	1	0	1	1	1	1	1	0	72.4	120.4	F ⁴	F ⁴
2	I-215 NB Ramps / Scott Rd		0	1	1	0	0	0	1	1	0	1	1	1	1	1	21.8	77.6	C	F ⁴
3	Antelope Rd / Scott Rd		TS	2	1	1	1	1	1	1	1	2	0	1	2	0	39.2	47.8	D	D
4	Menifee Rd / Scott Rd		TS	1	1	1	1	1	0	1	2	0	1	2	0	1	30.1	33.7	C	C
5	Briggs Rd / Scott Rd		TS	0	1	0	0	1	1	1	2	0	1	2	0	1	21.3	22.1	C	C
6	Leon Rd / Scott Rd		AWS	0	1	0	0	1	0	0	1	0	1	0	1	0	>100.0	>100.0	F	F
7	Margarita Rd / Murrieta Hot Springs Rd	TS	2	1	1	0	1	1	1	2	1	1	3	0	109.1	183.5	F	F		
8	Winchester Rd (SR-79) / Domenigoni Pkwy		1	2	1	1	2	1	2	2	1	2	3	1	>200.0	>200.0	F	F		
9	Winchester Rd (SR-79) / Holland Rd	CSS	1	1	0	1	1	0	1	0	1	0	1	0	>100.0	>100.0	F	F		
10	Winchester Rd (SR-79) / Scott Rd	TS	1	2	0	1	2	0	0	1	0	1	0	1	0	85.8	150.1	F	F	
11	Winchester Rd (SR-79) / Keller Rd	CSS	0	1	0	0	1	0	0	1	0	1	0	1	0	>100.0	>100.0	F	F	
12	Winchester Rd (SR-79) / Abelia St	TS	1	2	1	1	2	1	1	1	2	0	1	2	0	28.7	32.4	C	C	
13	Winchester Rd (SR-79) / Pourroy Rd	TS	1	2	1	2	2	1	1	1	1	1	1	1	1	13.5	20.2	B	C	
14	Winchester Rd (SR-79) / Skyview Rd	TS	1	2	1	1	2	1	1	2	1	1	1	1	1	17.6	17.5	B	B	
15	Winchester Rd (SR-79) / Thompson Rd	TS	1	2	0	1	2	1	1	1	1	1	1	1	0	192.5	>200.0	F	F	
16	Winchester Rd (SR-79) / Benton Rd	TS	1	2	1	1	2	0	1	1	1	0	2	1	1	74.2	151.5	E	F	
17	Winchester Rd (SR-79) / Auld Rd	TS	1	2	1	1	2	0	1	1	0	1	1	1	0	119.3	>200.0	F	F	
18	Winchester Rd (SR-79) / Hunter Rd	TS	1	2	0	1	2	0	1	2	0	1	1	1	0	57.9	133.2	E	F	
19	Winchester Rd (SR-79) / Murrieta Hot Springs Rd	TS	2	3	1	2	3	1	2	3	1	2	2	2	1	166.6	>200.0	F	F	
20	Winchester Rd (SR-79) / Willows Av	TS	1	3	d	1	3	d	1	1	1	d	1	1	1	33.4	92.7	C	F	
21	Winchester Rd (SR-79) / Nicholas Rd	TS	1	3	1	1	3	1	1	1	1	0	2	1	1	49.6	148.4	D	F	
22	Winchester Rd (SR-79) / Margarita Rd	TS	2	3	1	2	3	d	2	2	2	1	2	2	1	30.9	>200.0	C	F	
23	Winchester Rd (SR-79) / Ynez Rd	TS	2	4	1	2	4	0	2	2	2	1	3	2	1	85.3	194.6	F	D	
24	Winchester Rd (SR-79) / I-15 NB Ramps	TS	0	3	1	0	3	2	0	0	0	1	1	1	1	32.4	97.0	C	F	
25	Winchester Rd (SR-79) / I-15 SB Ramps	TS	0	3	1	0	3	0	2	1	1	0	0	0	0	27.6	36.8	C	D	
26	Calistoga Dr / Murrieta Hot Springs Rd	TS	1	1	d	1	1	1	1	2	2	d	1	2	d	28.9	29.7	C	C	
27	Pourroy Rd -West / Auld Rd	AWS	0	1	0	0	0	0	0	1	1	1	2	0	1	92.2	15.7	F	C	
28	Pourroy Rd -East / Auld Rd	CSS	0	0	0	1	0	1	0	1	0	1	0	1	0	48.9	31.7	E	D	
29	Pourroy Rd / Murrieta Hot Springs Road	AWS	0	1	0	1	1	1	1	2	1	0	1	2	d	19.6	22.2	C	C	
30	Washington St / Keller Rd	CSS	0	1	0	0	1	0	0	1	0	1	0	1	0	>100.0	>100.0	F	F	
31	Washington St / Fields Dr	TS	1	3	0	1	3	d	1	0	1	0	1	0	1	29.5	33.5	C	C	
32	Washington St / Autumn Glen Cir	CSS	1	1	0	1	1	0	1	1	0	1	0	1	0	24.6	39.2	C	E	
33	Washington St / Abelia St	Css	1	1	0	0	1	1	1	1	0	1	0	0	0	>100.0	>100.0	F	C	
34	Washington St / Thompson Rd	CSS	0	1	0	0	1	0	0	1	0	1	0	1	0	31.2	18.5	D	C	
35	Washington St / Benton Rd	AWS	0	1	0	0	1	0	0	1	0	1	0	1	0	29.6	14.4	D	B	
36	Washington St Auld Rd	CSS	0	1	0	0	1	0	0	1	0	0	0	0	0	26.8	18.4	D	C	

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Intersection 8: SR-79/Domenigoni Parkway – LOS F, AM and PM peak hours

Intersection 9: SR-79/Holland Road – LOS F, AM and PM peak hours

Intersection 10: SR-79/Scott Road – LOS F, AM and PM peak hours

Intersection 11: SR-79/Keller Road – LOS F, AM and PM peak hours

Intersection 15: SR-79/Thompson Road – LOS F, AM and PM peak hours

Intersection 16: SR-79/Benton Road – LOS E, AM peak hour; LOS F, PM peak hour

Intersection 17: SR-79/Auld Road – LOS F, AM and PM peak hours

Intersection 18: SR-79/Hunter Road – LOS E, AM peak hour; LOS F, PM peak hour

Intersection 19: SR-79/Murrieta Hot Springs Road - LOS F, AM and PM peak hours

Intersection 20: SR-79/Willows Avenue – LOS F, PM peak hour

Intersection 21: SR-79/Nicolas Road – LOS F, PM peak hour

Intersection 22: SR-79/Margarita Road – LOS F, PM peak hour

Intersection 23: SR-79/Ynez –LOS F, AM and PM peak hours — verify

Intersection 24: SR-79/I-15 Northbound Ramps – LOS F, PM peak hour verify

Intersection 27: Pourroy Road-West/Auld Road – LOS F, AM peak hour

Intersection 28: Pourroy Road-East/Auld Road – LOS E, PM peak hour

Intersection 30: Washington Street/Keller Road (North Street) – LOS F, AM and PM peak hours

Intersection 32: Washington Street/Autumn Glen Circle (South Street) – LOS E, PM peak hour

Intersection 33: Washington Street/Abelia Street – LOS F, AM peak hour

Long-Term (2035) Cumulative Traffic Conditions

The Long-Term (2035) Cumulative traffic volumes have been derived from the 2035 Riverside County Transportation and Analysis Model (RivTAM) using accepted procedures for model forecast refinement and smoothing. The traffic forecasts reflect the area-wide growth anticipated between Existing (2012) conditions and Long-Term (2035) Cumulative traffic conditions. In most instances the traffic model zone

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- The SR-79 Bypass which runs parallel to SR-79, approximately along the Washington Street alignment, is another proposed extension that could potentially provide relief to SR-79 by serving as an alternative parallel route.
- Holland Road overcrossing at the I-215 Freeway is anticipated to provide relief to eastbound and westbound through traffic that would otherwise have to utilize either Newport Road or Scott Road, potentially impacting the interchanges.
- Keller Road extension between SR-79 and the I-215 Freeway and the Keller Road interchange at the I-215 Freeway would provide relief to Scott Road as an alternative route to the I-215 Freeway.
- The French Valley Parkway (new roadway in the City of Temecula) and the French Valley Parkway interchange at the I-15 Freeway are anticipated to serve as a parallel route to SR-79 through the City of Temecula. The French Valley Parkway is a proposed roadway connecting Jefferson Avenue and Ynez Road and includes the construction of a new interchange at the I-15 Freeway. The construction of this connection is anticipated to reduce through volumes along SR-79 within the City of Temecula.
- The ~~Butterfield Ranch~~ ^{Stage} Road extension is anticipated to provide a parallel route to SR-79 through the City of Temecula. The ~~Butterfield Ranch~~ ^{Stage} Road extension includes the completion of Butterfield Ranch Road to provide a connection between Rancho California Road and Murrieta Hot Springs Road. The construction of this connection is anticipated to reduce through volumes along SR-79 within the City of Temecula.

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Long-Term (2035) Cumulative-Without-Project Traffic Volume Forecasts

This scenario includes the refined post-processed volumes obtained from the 2035 RivTAM. The volumes have been developed to assume the currently adopted roadway circulation network in the immediate vicinity of the proposed Project site. The weekday ADT volumes associated with the Long-Term (2035) Cumulative-Without-Project traffic conditions are shown on Figure IV.O-46. Figures IV.O-47 and IV.O-48 and Table IV.O-16 show the AM and PM peak-hour intersection turning movement volumes for Long-Term (2035) Cumulative-Without-Project traffic conditions. Figure IV.O-49 summarizes the study area intersection peak hour LOS under Long-Term (2035) Cumulative-Without-Project traffic conditions.



1	I-215 SB Ramps & Scott Rd.	2	I-215 NB Ramps & Scott Rd.	3	Anelope Rd. & Scott Rd.	4	Menifee Rd. & Scott Rd.	5	Bridges Rd. & Scott Rd.	6	Leon Rd. & Scott Rd.	7	Marquette Rd. & Murrieta Hot Springs Pkwy.	8	Winchester Rd. & Domenighi Pkwy.
9	Winchester Rd. / (SR-79) & Holland Rd.	10	Winchester Rd. / (SR-79) & Scott Rd.	11	Winchester Rd. / (SR-79) & Keller Rd.	12	Winchester Rd. / (SR-79) & Abella St.	13	Winchester Rd. / (SR-79) & Pourroy Rd.	14	Winchester Rd. / (SR-79) & Skyview Rd.	15	Winchester Rd. / (SR-79) & Thompson Rd.	16	Winchester Rd. / (SR-79) & Benton Rd.
17	Winchester Rd. / (SR-79) & Auld Rd.	18	Winchester Rd. / (SR-79) & Hunter Rd.	19	Winchester Rd. / (SR-79) & Murrieta Hot Springs Rd.	20	Winchester Rd. / (SR-79) & Willow Ave.	21	Winchester Rd. / (SR-79) & Nicolas Rd.	22	Winchester Rd. / (SR-79) & Marquette Rd.	23	Winchester Rd. / (SR-79) & Ynez Rd.	24	Winchester Rd. / (SR-79) & I-15 NB Ramps
25	Winchester Rd. / (SR-79) & I-15 SB Ramps	26	Callisoga Dr. & Murrieta Hot Springs Rd.	27	Pourroy Rd. (West) & Auld Rd.	28	Pourroy Rd. (East) & Auld Rd.	29	Pourroy Rd. & Murrieta Hot Springs Rd.	30	Washington St. & Keller Rd.	31	Washington St. & Fields Dr.	32	Washington St. & Autumn Glen Cr.
33	Washington St. & Abella St.	34	Washington St. & Thompson Rd.	35	Washington St. & Benton Rd.	36	Washington St. & Auld Rd.								

Long or Near?



Not to Scale

Figure IV.O-47
Cumulative-Without-Project AM Peak-Hour Intersection Volumes
(Near-Term (2035))

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC



Long or Near?

Source: Urban Crossroads, 2013.

CAJA Environmental Services, LLC

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Table IV.O-17
Summary of Improvements and Rough Order of Magnitude Costs

#	Intersection Location	Jurisdiction	EAPC (2014) Recommended Improvements	Horizon Year 2035 Recommended Improvements	Improvements in Country TUMF / RBBB / DIF?	Total Cost ^{2,3}	Fair Share % ⁴	Fair Share Cost ⁵
			overlap phasing on the NB right turn lane and implement a 145-second cycle length during the PM peak hour only					
21	Winchester Rd (SR-79) / Caltrans, Temecula		Construct 2nd SB left turn lane Construct 3rd WB left turn lane Modify traffic signal to implement overlap phasing on the NB right turn lane	Same Improvement as EAPC (2014) Same Improvement as EAPC (2014) Modify traffic signal to implement overlap phasing on the SB and WB right turn lanes	No No No	Total \$185,500 \$74,200 \$111,300	10.2%	\$18,371 \$0 ⁶ \$0 ⁶ \$0 ⁶
22	Winchester Rd (SR-79) / Caltrans, Temecula		Construct 4th NB through lane Construct 4th SB through lane Construct SB right turn lane Construct 2nd WB right turn lane w/ overlap phasing Modify traffic signal to implement overlap phasing on the SB right turn lane and implement a 145-second cycle length during the PM peak hour only	Construct 5th NB through lane Construct 3rd SB left turn lane Same Improvement as EAPC (2014) Same Improvement as EAPC (2014) Construct 3rd EB through lane Construct WB free-right turn lane	No No No No No	Total \$259,700 \$534,240 \$74,200 \$267,120 \$267,120 \$519,400	6.2%	\$0 \$33,287 \$4,623 \$16,643 \$4,623 \$16,643 \$32,362
23	Winchester Rd (SR-79) / Ynez Rd	Caltrans, Temecula	Construct 2nd NB right turn lane w/ overlap phasing Modify traffic signal to implement overlap phasing on the EB right turn lane, implement a 145-second cycle length during the PM peak hour only, and implement protected left turn phasing on the EB and WB approaches	Construct 5th NB through lane Construct NB free-right turn lane Same Improvement as EAPC (2014)	No No No	Total \$1,847,580 \$267,120 \$519,400	4.0%	\$115,117 \$10,744 \$20,891 \$4,477
24	Winchester Rd (SR-79) / I-15 NB Ramps	Caltrans, Temecula	Construct SB free-right turn lane	Same Improvement as EAPC (2014)	Yes (TUMF)	Total \$897,820 \$519,400	6.8%	\$36,112 \$35,429
25	Winchester Rd (SR-79) / I-15 SB Ramps	Caltrans, Temecula		Construct SB right turn lane	Yes (TUMF)	Total \$519,400 \$74,200	6.4%	\$35,429 \$4,764
26	Calistoga Dr / Murrieta Hwy	Riverside County		Construct 2nd SB left turn lane	No	Total \$74,200	11.2%	\$4,764 \$8,302

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Intersection 19: SR-79/Murrieta Hot Springs Road - LOS F, AM and PM peak hours

Intersection 20: SR-79/Willows Avenue - LOS F, PM peak hour

Intersection 21: ~~SR-79~~ ^{Windsor Rd (SR-79)} Nicolas Road - LOS F, AM and PM peak hours

Intersection 22: ~~SR-79~~ Margarita Road - LOS E, AM peak hour; LOS F, PM peak hour

Intersection 23: ~~SR-79~~ Ynez - LOS F, AM and PM peak hours

Intersection 24: ~~SR-79~~ I-15 Northbound Ramps - LOS F, PM peak hour

Intersection 25: ~~SR-79~~ I-15 Southbound Ramps - LOS F, AM and PM peak hours

Intersection 26: Calistoga Drive/Murrieta Hot Springs Road - LOS E, PM peak hour

Intersection 27: Pourroy Road-West/Auld Road - LOS F, AM and PM peak hours

Intersection 28: Pourroy Road-East/Auld Road - LOS F, AM and PM peak hours

Intersection 29: Pourroy Road/Murrieta Hot Springs - - LOS F, AM and PM peak hours

Intersection 30: Washington Street/Keller Road (North Street) - LOS F, AM and PM peak hours

Intersection 32: Washington Street/Autumn Glen Circle (South Street) - LOS F, AM and PM peak hours

Intersection 33: Washington Street/Abelia Street - LOS F, AM and PM peak hours

Intersection 34: Washington Street/Thompson Road - LOS F, AM and PM peak hours

Intersection 35: Washington Street/Benton Road - LOS F, AM and PM peak hours

Intersection 36: Washington Street/Auld Road - LOS F, AM and PM peak hours

It should be noted that the intersection of SR-79 at Domenigoni Parkway is anticipated to operate at an acceptable LOS with existing lane geometrics due to the decrease in volumes anticipated at this intersection under Long-Term (2035) Cumulative traffic conditions. The decrease in peak-hour volumes is attributable to the future proposed SR-79 Freeway Realignment Project (with a ramp located just south of the Domenigoni Parkway intersection). As such, any near-term improvements at this intersection to address near-term peak hour deficiencies would be considered "throw-away" as they are not necessary to achieve acceptable peak-hour operations under Long-Term (2035) Cumulative traffic conditions.

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County of Riverside

August 2014

- Modify the traffic signal to implement overlap phasing on the eastbound right-turn lane — *Not feasible due to access agreement to maintain U-Turns for NB* 49
- Intersection 24: *SR-79/I-15 Northbound Ramps*
Winchester Rd (SR 79) 50
- Construct a southbound free-right-turn lane *or provide fair-share cost for improvements* 51

O-2: Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:

Intersection 27: Pourroy Road-West/Auld Road

- Install a traffic signal

Intersection 33: Washington and Abelia Street

- Install a traffic signal

If the improvements would not be completed through the DIF or any other fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy, subject to reimbursement or fee credit issues by the County.

Existing-With-Project (2012) – 725 Dwelling Units

O-3: Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF and RBBD fees (refer to Table IV.O-17) for the following improvements that are outside the County:

Intersection 6: Leon Road and Scott Road:

- Install a traffic signal
- Construct a northbound left turn lane
- Construct a southbound left turn lane
- Construct an eastbound left turn lane
- Construct a westbound left-turn lane

Intersection 10: SR-79 and Scott Road:

- Construct a westbound left-turn lane



Any imp in Temecula? Wouldn't previous imp apply here? 52

- Construct a westbound right-turn lane

Existing-With-Project (2012) – 1,026 Dwelling Units

No additional mitigation measures necessary to reduce traffic impacts associated with the development of up to 1,026 dwelling units to less than significant for the Existing-With-Project traffic conditions beyond those previously listed under Existing-With-Project (725 Dwelling Units) traffic conditions.

Existing-Plus-Project (2012) – 1,282 Dwelling Units

- O-4: Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF, and RBBF fees (refer to Table IV.O-17) for the following improvement that is outside the County:

Intersection 10: SR-79/Scott Road

- Construct an eastbound left-turn lane.

- O-5: Prior to issuance of building permits, the Project Applicant shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:

Intersection 30: Washington Street/Keller Road (North Street):

- Install a traffic signal
- Construct a northbound left-turn lane
- Construct a southbound left-turn lane
- Construct an eastbound left-turn lane
- Construct a westbound left-turn lane and a shared through-right-turn lane

If the improvements would not be completed through the DIF or any other fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy and may seek a fee credit.

B. Improvements for Project Contribution to Near-Term (2014) and Long-Term (2035) Cumulative Conditions

Cumulative impacts are deficiencies in the transportation network's LOS that would not be directly caused by the Project. However, the Project would contribute traffic to these deficient facilities along with other cumulative development projects, resulting in a cumulatively considerable impact.



PECHANGA CULTURAL RESOURCES

Temecula Band of Luiseño Mission Indians

Post Office, Box 2183 • Temecula, CA 92593
Telephone (951) 308-9295 • Fax (951) 506-9491

September 15, 2014

VIA E-MAIL and USPS

Mr. Matt Straite
Project Planner
Riverside County TLMA
4080 Lemon Street, 9th Floor
Riverside, CA 92502

Re: Pechanga Tribe Comments on Draft Environmental Impact Report No. 531 for the Belle Terre Specific Plan, State Clearinghouse No. 2012111070

Dear Mr. Straite:

This comment letter is written on behalf of the Pechanga Band of Luiseño Indians (hereinafter, "the Tribe"), a federally recognized Indian tribe and sovereign government. The Tribe formally requests, pursuant to Public Resources Code §21092.2, to be notified and involved in the entire CEQA environmental review process for the duration of the above referenced project (the "Project"). If you have not done so already, please add the Tribe to your distribution list(s) for public notices and circulation of all documents, including environmental review documents, archeological reports, and all documents pertaining to this Project. The Tribe further requests to be directly notified of all public hearings and scheduled approvals concerning this Project. Please incorporate these comments into the record of approval for this Project as well.

The Tribe submits these comments concerning the Projects potential impacts to cultural resources in conjunction with the environmental review of the Project and to assist the County in developing appropriate avoidance and preservation standards for the significant Luiseño habitation that the Project will impact. The Tribe does have concerns regarding the inclusion of Cahuilla territory information in the archaeological study and the Draft Environmental Impact Report (DEIR) as well as some of the information and language outlined in the mitigation measures.

The Tribe believes it has provided sufficient documentation to show that the French Valley region of western Riverside County was inhabited by the Luiseño Tribe. Ethnographic documents note that the Cahuilla did not arrive in this area until the late 1800s, primarily to find employment. Luiseño oral traditions, historic and ethnographic information, linguistic data and other archaeological research confirms that the Pechanga Tribe's ancestors were the inhabitants of this area. Thus, we request that the information containing reference to the Cahuilla living in the French Valley be deleted, specifically regarding the prehistoric timeframe.

Chairperson:
Mary Bear Magee

Vice Chairperson:
Darlene Miranda

Committee Members:
Evie Gerber
Bridgett Barcello Maxwell
Richard B. Searce, III
Germaine Arenas

Director:
Gary DuBois

Coordinator:
Paul Macarro

Cultural Analyst:
Anna Hoover

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Re: Pechanga Tribe Comments on the Belle Terre SP
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The Tribe thanks the County and the applicant for working with the Tribe to preserve and protect the important resources identified within the Project boundaries and off-site improvement areas. We do have concerns regarding the mitigation measure language. These are addressed in greater detail below.

The Tribe also thanks the Developer who has diligently worked with the Tribe to assure that the cultural resources located on the Property will be protected and treated with respect. The Tribe has an agreement with the Developer for the treatment of the items, including curation at Pechanga's curatorial facility (which meets or exceeds 36 C.F.R. Part 79 requirements) as well as the treatment of the known cultural resources on the property during construction. Pursuant to agreement of the parties, a method known as "controlled-grading" will be used for those areas known to have resources in order to minimize or avoid impacts to cultural deposits (see measure F-5, below).

**THE COUNTY OF RIVERSIDE MUST INCLUDE INVOLVEMENT OF AND
CONSULTATION WITH THE PECHANGA TRIBE IN ITS ENVIRONMENTAL
REVIEW PROCESS**

It has been the intent of the Federal Government¹ and the State of California² that Indian tribes be consulted with regard to issues which impact cultural and spiritual resources, as well as other governmental concerns. The responsibility to consult with Indian tribes stems from the unique government-to-government relationship between the United States and Indian tribes. This arises when tribal interests are affected by the actions of governmental agencies and departments. In this case, it is undisputed that the project lies within the Pechanga Tribe's traditional territory. Therefore, in order to comply with CEQA and other applicable Federal and California law, it is imperative that the County of Riverside consult with the Tribe throughout the life of any project in order to guarantee an adequate basis of knowledge for an appropriate evaluation of the Project effects, as well as generating adequate mitigation measures.

**LEAD AGENCY CONSULTATION WITH THE PECHANGA TRIBE REQUIRED
PURSUANT TO CAL. GOVT. C. §§ 65351, 65352, 65352.3, AND 65352.4
(SENATE BILL 18 – TRADITIONAL TRIBAL CULTURAL PLACES LAW)**

As a Specific Plan Amendment is being processed for this Project, the County of Riverside is required to consult with the Pechanga Tribe pursuant to a State law entitled Traditional Tribal Cultural Places (also known as SB 18; Cal. Govt. C. § 65352.3). The purpose of consultation is to identify any Native American sacred places and any geographical areas

¹ See e.g., Executive Memorandum of April 29, 1994 on Government-to-Government Relations with Native American Tribal Governments, Executive Order of November 6, 2000 on Consultation and Coordination with Indian Tribal Governments, Executive Memorandum of September 23, 2004 on Government-to-Government Relationships with Tribal Governments, and Executive Memorandum of November 5, 2009 on Tribal Consultation.

² See California Public Resource Code §5097.9 et seq.; California Government Code §§65351, 65352.3 and 65352.4

Pechanga Comment Letter to the County of Riverside
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which could potentially yield sacred places, identify proper means of treatment and management of such places, and to ensure the protection and preservation of such places through agreed upon mitigation (Cal. Govt. C. 65352.3; SB18, Chapter 905, Section 1(4)(b)(3)). Consultation must be government-to-government, meaning directly between the Tribe and the Lead Agency, seeking agreement where feasible (Cal. Govt. C. § 65352.4; SB18, Chapter 905, Section 1(4)(b)(3)). Lastly, any information conveyed to the County concerning Native American sacred places shall be confidential in terms of the specific identity, location, character and use of those places and associated features and objects. This information is not subject to public disclosure pursuant the California Public Records Act (Cal. Govt. C. 6254(r)).

The Tribe requested consultation with the County on December 10, 2012 and met with County representatives several times on this project. We further have coordinated with the County and the Applicant to ensure that the cultural resources impacted within the Project boundaries and any off-site improvements be appropriately mitigated, preserved and avoided. The Tribe thanks the County and the Applicant for consulting with the Tribe through SB18.

**THE PECHANGA TRIBE IS CULTURALLY AFFILIATED TO LANDS WITHIN
THE COUNTY OF RIVERSIDE'S JURISDICTION**

The Pechanga Tribe asserts that the Project area is part of Luiseño, and therefore the Tribe's, aboriginal territory as evidenced by the existence of an ancient Luiseño village, *tóota yixélval* (rock art, pictographs, petroglyphs), and an extensive Luiseño artifact record in the vicinity of the Project. This culturally sensitive area is affiliated with the Pechanga Band of Luiseño Indians because of the Tribe's well-documented cultural ties to this area as well as extensive history with projects within this area and our thorough database of cultural resources documented in the French Valley region.

The Pechanga Tribe's knowledge of our ancestral boundaries is based on reliable information passed down to us from our elders; published academic works in the areas of anthropology, history and ethno-history; and through recorded ethnographic and linguistic accounts. Of the many anthropologists and historians who have presented boundaries of the Luiseño traditional territory, none have excluded the French Valley area from their descriptions (Sparkman 1908; Kroeber 1925; White 1963; Harvey 1974; Oxendine 1983; Smith and Freers 1994), and such territory descriptions correspond almost identically with that communicated to the Pechanga people by our elders. While historic accounts and anthropological and linguistic theories are important in determining traditional Luiseño territory, the most critical sources of information used to define our traditional territories are our songs, creation accounts, and oral traditions.

Luiseño history originates with the creation of all things at *'éxva Teméeku*, in the present day City of Temecula, and dispersing out to all corners of creation (what is today known as Luiseño territory). It was at Temecula that the Luiseño deity *Wuyóot* lived and taught the people, and here that he became sick, finally expiring at Lake Elsinore. Many of our songs relate the tale

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
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Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

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of the people taking the dying *Wuyóot* to the many hot springs at Elsinore, where he died (DuBois 1908). He was cremated at '*éxva Teméeku*. It is the Luiseño creation account that connects Elsinore to Temecula, and thus to the Temecula people who were evicted and moved to the Pechanga Reservation, and now known as the Pechanga Band of Luiseño Mission Indians (the Pechanga Tribe). From Elsinore, the people spread out, establishing villages and marking their territories. The first people also became the mountains, plants, animals and heavenly bodies.

Thus, our songs and stories, our indigenous place names, as well as academic works, demonstrate that the Luiseño people who occupied what we know today as the community of French Valley in unincorporated western Riverside County are ancestors of the present-day Luiseño/Pechanga people, and as such, Pechanga is culturally affiliated to this geographic area. Pechanga has also been the only tribe named Most Likely Descendant (MLD) for remains identified within the French Valley/Murrieta region.

The Tribe welcomes the opportunity to meet with the County to further explain and provide documentation concerning our specific cultural affiliation to lands within your jurisdiction, if desired.

PROJECT IMPACTS TO CULTURAL RESOURCES AND RECOMMENDED MITIGATION MEASURES

The Tribe knows the Project area is located within a yet-unnamed Luiseño Village that is quite extensive and extends outside of the Project boundaries. Because of the high water table, abundance of resources and well documented habitation activities that happened in this area, the possibility of impacting human remains during any earthmoving of previously undisturbed soils in this area is extremely high. Further, as preservation of site CA-RIV-10950/H is unfeasible to the Project Applicant, the Tribe has requested specific mitigation activities to occur prior to any brushing, grubbing, trenching and deep grading activities to ensure that no significant subsurface deposits were missed during the Phase II Testing Program which will be impacted by the development. The Tribe appreciates the inclusion of measures designed to protect and preserve sites CA-RIV-10949/H and CA-RIV-11084 during development. However, there is no long-term preservation plan mandated in the measures. The Tribe requests that this be developed between the Applicant and the Tribe once the Project is fully approved.

Given the sensitivity of the area, the Tribe believes that the mitigation measures as posed should be revised to include a long-term preservation plan for the sites that will be avoided and any new sites that might be discovered during the course of development. A few additional changes are also recommended for measures F1 to F-9 provided in the DEIR and we request that they be included in the Final Environmental Impact Report as mitigation measures and conditions of approval. These are outlined below (strikeouts are deletions; underlines are additions.)

*Pechanga Cultural Resources • Temecula Band of Luiseño Mission Indians
Post Office Box 2183 • Temecula, CA 92592*

Sacred Is The Duty Trusted Unto Our Care And With Honor We Rise To The Need

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Pechanga Comment Letter to the County of Riverside
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F-1: Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown historic archaeological resources. During the demolition and grading process all earthmoving activities, the archaeological monitor should be present to monitor freshly excavated all previously undisturbed soils and to identify, document, and further explore evaluate any intact artifact-filled deposits potential historic, archaeological or cultural resources that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and described in detail in the archaeological monitoring report and updated in the appropriate existing or new DPR form. Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.

F-2: At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band or Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. monitoring discovery and treatment plan. The plan The Agreement shall require the Applicant to retain a professional Tribal Monitor County-qualified archaeologist to monitor all ground disturbing activities, including within a 60 meter radius of CA RIV 10950/H, in an effort to identify any unknown subsurface archaeological and cultural resources. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. The plan shall address the treatment of known cultural resources, the designation, responsibilities, and participation of the Soboba Band or Pechanga Tribe monitors during on-site and off-site grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site. During the demolition and grading process, the archaeological monitor should be present to monitor freshly excavated soil and to identify, document, and further explore any intact artifact-filled deposits that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on the site map

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~~and described in detail. The archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.~~

F-3: Prior to the beginning of any ground-disturbing activities, the County-qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the appropriate local Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.

The Plan shall address the appropriate protocols should archaeological, historic or cultural resources be located; the process for identification, evaluation, and any potential avoidance, preservation or other mitigation options; This would include protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork which shall take in to account traditional Tribal practices; documentation of any new sites and artifacts; and any other appropriate methodology. The locations of any new discoveries shall be plotted on the site map and described in detail. The archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised

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~~in consultation with the appropriate local Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and off-site grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist. The archaeologist shall also be responsible for a post grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.~~

F-4: During the Project's construction phase, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) shall be avoided and fenced as appropriate to deter any potential impacts to the area. Fencing shall be conducted prior to grading in the area and the fencing shall be removed once all earthmoving activities have been completed in the area.

F-5: The Project Applicant, the Soboba Band or Pechanga Tribe, and the County-qualified archaeologist shall conduct controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10951/H. The purpose of the controlled grading at and around the site as outlined in the area labeled as "Controlled Grade Area" is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, to collect the resources for appropriate treatment pursuant to Section V(g) of the Agreement and in the Monitoring Plan to be developed by the project archaeologist in consultation with the Soboba Band or Pechanga Tribe. The Developer shall only use a paddle grader, and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the attached land use map. All controlled grading shall be monitored according to the provisions of Mitigation Measure F-2.

F-6: If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Soboba Band or Pechanga Tribe. Notwithstanding any other rights

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available under the law, the decision of the Planning Director shall be appealable to the Planning Commission and/or Board of Supervisors.

F-7: The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the ~~appropriate local~~ Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

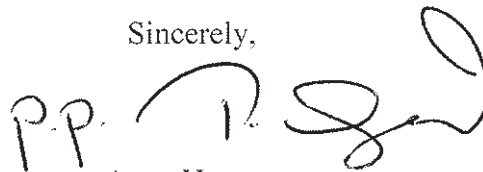
F-8: If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California Public Resources Code Section 5097.98(b) remains shall be left in place and free from disturbance until a final decision as to the treatment and disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in Mitigation Measure F-2.

F-9: All sacred sites, should they be encountered within the Project area, shall be avoided and preserved as the preferred mitigation, if feasible.

The Tribe reserves the right to fully participate in the environmental review process, as well as to provide further comment on the Project's impacts to cultural resources and potential mitigation for such impacts.

The Pechanga Tribe looks forward to continuing to work together with the County of Riverside in protecting and preserving the invaluable Pechanga cultural resources found in the Project area. Please contact me at 951-770-8104 or via e-mail at ahoover@pechanga-nsn.gov once you have had a chance to review these comments. Thank you.

Sincerely,



Anna Hoover
Cultural Analyst

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Cc Pechanga Office of the General Counsel
Heather Thomson, Riverside County Archaeologist



August 7, 2014

Attn: Matt Straite, Project Planner
Riverside County Planning Department
P.O. Box 1409
Riverside, CA 92502-1409

**Re: Review of Draft EIR No. 531 Belle Terre Specific Plan Project
342.3-Acre project located at Washington Street and Keller Road with approximately 218
acres on the west side of the San Diego Canal with the remainder of the site on the east side
of the canal
SCH No. 2012111070**

The Soboba Band of Luiseño Indians has reviewed the August 2014 Draft Environmental Impact Report and has drafted comments to this document accordingly. The tribe is concerned about protecting both the known resources within the project area, as well as inadvertent discoveries that may be encountered during the course of the project and therefore recommends. Below are comments and recommendations from the tribe in pertaining to the following sections of the DEIR:

Section IV. Environmental Impact Analysis F. Cultural Resources

- Pages IV.F-27 through IV.F-42 list detailed information regarding the location of the cultural sites, including Assessor's Parcel Numbers and proximity to physical landmarks, including roads and other geographic features. This information is too detailed and violates the right to confidentiality in regards to the protection of these exposed resources.

The Soboba Band is requesting that this information not be included in the EIR which would be circulated to the public, but instead appear in a confidential appendix to the EIR. Vague information regarding these sites may be acceptable for inclusion in the document upon approval from the consulting tribes.

Section IV. F Cultural Resources Summary of Mitigation Measures

- The Soboba Band requests **avoidance of all known cultural resources** within the project area, and controlled grading in those areas
- F-2 states, "At least 30 days prior to any grading activities, the Project Applicant shall **contact the Soboba Band or the Pechanga Tribe** to notify them of grading, excavation, and the proposed monitoring program, and to coordinate with the County and the Soboba Band or the Pechanga Tribe to develop a monitoring discovery and treatment plan..."

The Project Applicant shall notify **both** the Soboba Band and the Pechanga Band to notify them of grading, excavation, and the proposed monitoring program. Due to the shared use area both Luiseño tribes have monitored ground disturbing activities in conjunction with one another on numerous projects in the area, many have been on rotating schedules.

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A Treatment and Dispositions Agreement between the developer and the Soboba Band shall be **provided to the County of Riverside prior to the issuance of a grading permit** and before conducting any additional archaeological fieldwork.

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(Cont.)

- F-2 through F-7

Language in these sections consistently states the **Soboba Band or the Pechanga Tribe**. The Soboba band is requesting that the language in these sections be changed to read the **Soboba Band and the Pechanga Band**.

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These specifics will be detailed regarding treatment and disposition of cultural items will be discussed in the previously establish Treatment and Dispositions Agreement that will be in place between the tribe and the developer.

Sincerely,

Joseph Ontiveros
Cultural Resource Director
Soboba Band of Luiseño Indians
P.O. Box 487
San Jacinto, CA 92581
Phone (951) 654-5544 ext. 4137
Cell (951) 663-5279
jontiveros@soboba-nsn.gov



South Coast Air Quality Management District

21865 Copley Drive, Diamond Bar, CA 91765 -4178
(909) 396 -2000 ✉ www.aqmd.gov

SENT VIA USPS AND E-MAIL:
mstraite@rctlma.org

September 17, 2014

Mr. Matt Straite
Riverside County Planning Department
4080 Lemon Street, 12th Floor
P.O. Box 1409
Riverside, CA 92502-1409

Draft Environmental Impact Report (Draft EIR) for the Proposed Belle Terre Specific Plan Project

The South Coast Air Quality Management District (SCAQMD) staff appreciates the opportunity to comment on the above-mentioned document. The following comments are meant as guidance for the Lead Agency and should be incorporated into the revised or final Environmental Impact Report as appropriate.

Based on a review of the Draft EIR, the SCAQMD staff is concerned about the significant operational-related air quality impacts from the proposed project. Specifically, the lead agency determined that the project will exceed the SCAQMD's CEQA regional significance thresholds for VOC, NO_x, CO, and PM₁₀ thresholds during operations primarily from motor vehicles that access the proposed project site. As specified in the Draft EIR, the proposed project could add up to 12, 205 more vehicle trips to and from the proposed project site on its peak day, with up to 1,282 vehicles entering and existing the proposed project site in the peak afternoon hour. As a result, the SCAQMD staff recommends the following measures be incorporated into the Final EIR pursuant to Section 15126.4 of the CEQA Guidelines, in addition to the mitigation measures included the Air Quality Section starting on page IV.D-30.

Additional Operational Mitigation Measures – Energy Efficiency

- ☒ Maximize use of solar energy including solar panels; installing the maximum possible number of solar energy arrays on the building roofs and/or on the proposed project site to generate solar energy for the facility.
- ☒ Require all lighting fixtures, including signage, to be the most energy efficient possible, require that new traffic signals have light-emitting diode (LED) bulbs, and require that light fixtures be energy efficient compact fluorescent and/or LED light bulbs. Where feasible use solar powered lighting.
- ☒ Use light colored paving and roofing materials.
- ☒ Use passive heating, natural cooling, solar hot water systems, and reduced pavement.
- ☒ Limit the hours of operation of outdoor lighting.

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**ENVIRONMENTAL IMPACT REPORT No. 531,
ADDENDUM No. 1
for
Tentative Tract Map No. 37449,
Belle Terre Specific Plan No. 382 -
Substantial Conformance No. 1, and
Change of Zone No. 1800020**



Lead Agency:

**County of Riverside
Planning Department**
4800 Lemon Street, 12th Floor
Riverside, California 92502



Prepared by:

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

DATE: October 15, 2019

INTRODUCTION TO ENVIRONMENTAL IMPACT REPORT No. 531, ADDENDUM No. 1

On December 9, 2014, the Riverside County Board of Supervisors approved Belle Terre Specific Plan No. 382 (SP382) and certified Environmental Impact Report No. 531 (SCH# 2012111070), which was prepared pursuant to the authority granted to the County by California Government Code, Title 7, Division 1, Chapter 3, Article 8, Section 65450 to 65457. SP382 included land uses which allowed for development of up to 1,282 homes in varying densities from 0.5 to 14.0 dwelling units per acre, as well as recreational areas, open spaces, streets and other infrastructure (SP382, p. III-1). In conjunction with its approval of the SP382, the County of Riverside (County) complied with the California Environmental Quality Act ("CEQA") by preparing and certifying Environmental Impact Report No. 531 (EIR531).

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 with respect to the circumstances under which the project is being undertaken which 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; or
- 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 Tentative Tract Map No. 37449 (TTM37449), Specific Plan No. 382, Substantial Conformance No. 1 (SP382S1), and Change of Zone No. 1800020 (CZ) in conformity with CEQA, the attached 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 EIR531. 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 EIR531.

☐ 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 EIR531, 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 EIR531, 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 EIR531, 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 EIR531.

The result of the EA is that the environmental impacts of the proposed Project, as modified by TTM37449 and the planning area (PA) boundary and land use modifications in SP382S1, do not require substantial changes to EIR531, will not create any form of significant environmental impacts which were not previously analyzed in EIR531, nor will the impacts of the modified project be more severe than those already analyzed in the EIR531. Given that fact, the Riverside County Planning Department, serving as the CEQA lead agency, determined that an Addendum to EIR531 is the proper form of environmental review for TTM37449 based on the following facts:

- No changes to the overall SP382 Planning Area boundary 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 EIR531 because the proposed Project would neither result in any new significant impacts to the physical environment that were not already disclosed in the EIR531 nor result in substantial increases in the severity of the environmental impacts previously disclosed in the EIR531.
- Although the proposed Project would include residential uses, the number of residential homes as part of this Addendum will be substantially less (from 1,282 homes to 856 homes within overall SP boundary and 372 lots as part of TTM37449) than the number of residential homes previously analyzed in the EIR531. As such, the proposed Project was accounted for in the

aggregate unit count that was used to prepare the Water Supply Assessment for EIR531. 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, the potential impacts to air quality are no worse than those previously analyzed.
- The proposed Project will not result in an increase to the number of trips per day than those estimated in EIR531.
- 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 EIR531, no new information of substantial importance has become available which was not known or could not have been known at the time EIR531 was prepared.
- Mitigation measures identified in EIR531 remain appropriate and feasible for the proposed Project.

This Introduction, the checklist below, and the mitigation monitoring and reporting program collectively make up the Environmental Impact Report No. 531, Addendum No. 1 (EIR531-A1), applicable to TTM37449, SP00382S01, and CZ1800020, referred to from this point on as the proposed "Project."

COUNTY OF RIVERSIDE

ENVIRONMENTAL ASSESSMENT FORM: INITIAL STUDY

Environmental Assessment (CEQ / EA) Number: CEQ180016

Project Case Type (s) and Number(s): Tentative Tract Map No. 37449 TTM37449, Specific Plan No. 382, Substantial Conformance No. 1 (SP00382S01), and Change of Zone No. 1800020 (CZ1800020)

Lead Agency Name: Riverside County Planning Department

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

Contact Person: Russell Brady, Project Planner

Telephone Number: (951) 955-3025

Applicant's Name: Regent French Valley, Contact: Jeff Dinkin

Applicant's Address: 11990 San Vicente Blvd, Suite 200 Los Angeles, CA 90049

I. PROJECT INFORMATION

Project Background:

Since the approval of SP382 and certification of EIR531, the County has requested modification to SP382 to bring the specific plan land use plan consistent with the Valley-Wide Recreation and Park District (Valley-Wide) requirements for park programming. As a result, revisions to the land use plan for SP382 for Valley-Wide park requirements are being processed through Substantial Conformance No. 1 to SP382, Case No. SP00382S01 (SP382S1) along with a Change of Zone, Case No. CZ1800020 (CZ) to ensure consistency with Valley-Wide and the revised land use plan and SP382 zoning ordinance. TTM37449 is an implementing residential development within the boundaries of SP382. As such, EIR531-A1, analyzes the impacts of the proposed TTM37449, SP382S1 and CZ.

Project Description:

Belle Terre Specific Plan No. 382, Substantial Conformance No. 1

SP382S1 consists of approximately 344 acres located in the French Valley Area of Riverside County as reflected in **Figure 1 – Regional Map** and is located west of Washington Street and south of Keller Road as depicted in **Figure 2 – Aerial Boundary**. SP382S1 has merged and refined planning area boundaries to allow for additional park acreage to meet Valley-Wide Park requirements. Changes proposed as part of SP382S1 are identified in **Table A, Belle Terre Land Use Comparison** and **Figure 3 – Land Use Plan**, below.

The updated land use plan has merged planning areas (PA-10 and PA-11) into one Medium High Density Residential Planning Area (new PA-28); removed the low density residential planning area (previously PA-14) and replaced it with a combination of Medium Density Residential (new PA-13), a large open space area (new PA-14); removed a portion of the linear park and trail due to the steep grades (previously PA-8) and merged into the adjacent planning area (new PA-9 and PA-28) and changed the Planning Area number for the remaining acreage to PA-25; changed PA-12 from Medium High Density Residential to Open Space-Recreational (to be maintained by Valley-Wide); split PA-15 into two planning areas (new PA-15 and new PA-27) to provide two separate areas for a detention basin and a park; identifies a segment of Fields Drive (east of the intersection of Fields Drive and proposed Autumn Glenn Circle, formerly "South Street") as a local street; adds a roundabout at Fields Drive and Belle Terre Parkway (formerly "North Street"); removes Rebecca Street (east of new PA-11, PA-12, PA-16, and PA-19) as a connection between the northern and southern planning areas and instead provides connection via a canal crossing to provide a direct link to minimize secondary traffic east of the canal;

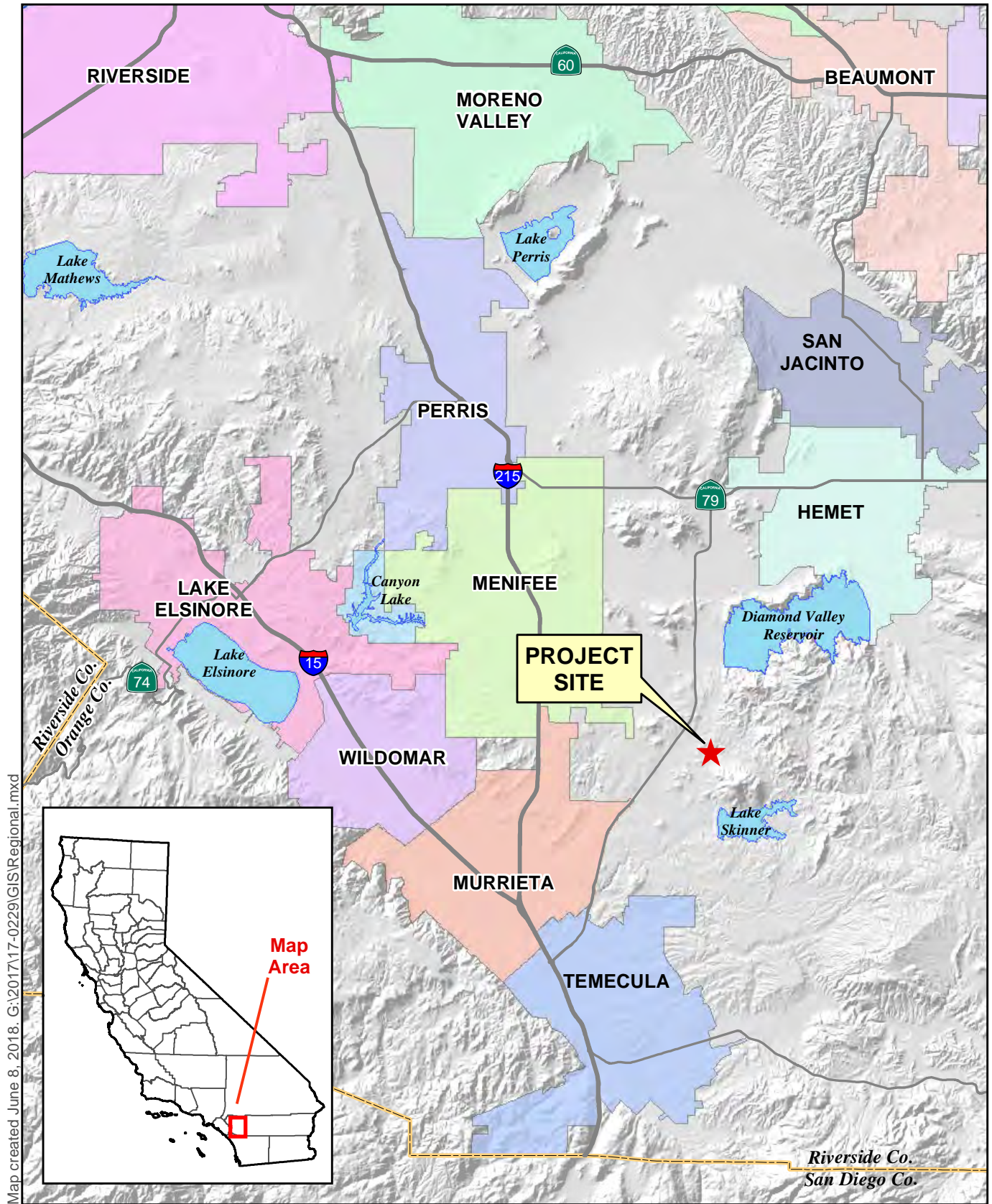


Figure 1 – Regional Map

Belle Terre



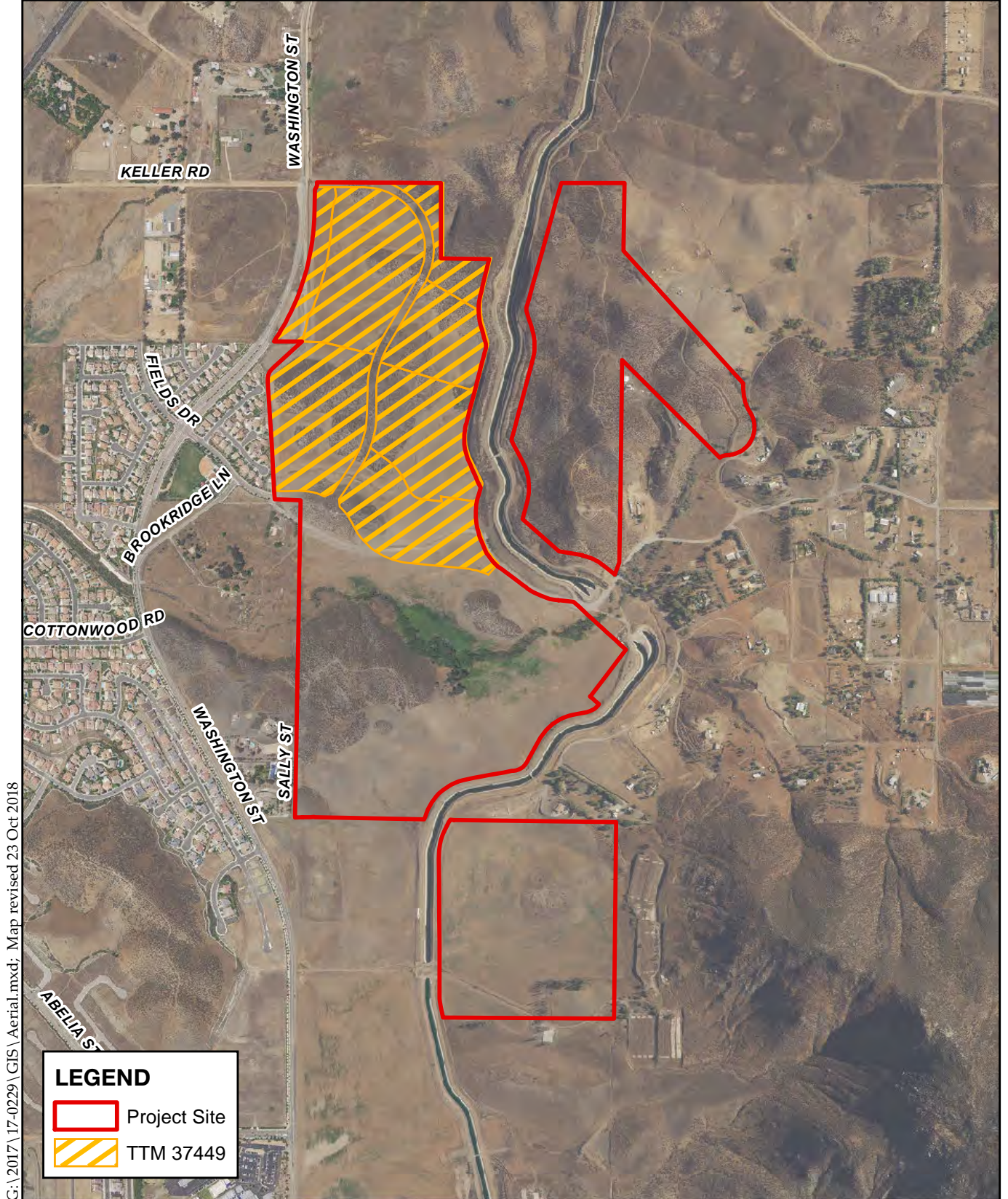


Figure 2 - Aerial Map

Belle Terre

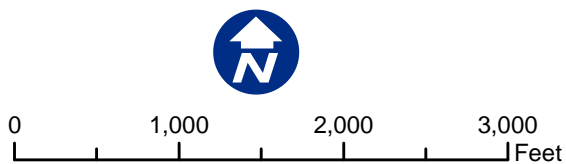


Table A, Belle Terre Land Use Comparison

APPROVED SPECIFIC PLAN						SPECIFIC PLAN SUBSTANTIAL CONFORMANCE NO. 1					
Planning Area	Land Use Designation	Density Range (DU/AC) ¹	Average Density (DU/AC)	Gross Area (Acres)	Maximum Dwelling Units	NEW Planning Area Number	NEW Land Use Designation	NEW Density Range (DU/AC)	NEW Average Density (DU/AC)	NEW Gross Area (Acres)	NEW Maximum Dwelling Units
PA-1	MHDR	5.0-8.0	7.95	32.8	261	PA-1	MDR	2.0-5.0	4.4	21.8	97
PA-2	HDR	8.0-14.0	14	14.0	196	PA-2	HDR	8.0-14.0	13.9	11.7	163
PA-3	MHDR	5.0-8.0	8	14.0	112	PA-3	MDR	2.0-5.0	4.6	20.8	95
PA-4	MHDR	5.0-8.0	8	14.5	116	PA-4	MHDR	5.0-8.0	5.5	17.4	95
PA-5	OS-R	-		2.7		PA-5	OS-R			4.0	
PA-6	MHDR	5.0-8.0	8	6.3	50	PA-6	OS-C			4.9	
PA-7	MHDR	5.0-8.0	8	13.7	110	PA-7	MHDR	5.0-8.0	5.2	16.5	85
PA-8	OS-R			9.5		PA-25	OS-R			1.6	
PA-9	MHDR	5.0-8.0	8	7.7	62	PA-9	MHDR	5.0-8.0	7.2	19.6	142
PA-10	MHDR	5.0-8.0	7.95	23.4	186	PA-28	MHDR	5.0-8.0	5.7	17.4	99
PA-11	MHDR	5.0-8.0	8	3.5	28						
PA-12	MHDR	5.0-8.0	8	5.2	42	PA-12	OS-R			5.6	
PA-13	MDR	2.0-5.0	5	16.6	83	PA-13	MDR	2.0-5.0	4.3	18.8	80
PA-14	LDR	0.5-2.0	1.95	19.2	37	PA-14	OS-C			15.3	
PA-15	OS-R/B	-		10.5		PA-15	OS-C			8.9	
PA-16A	OS-C	-		2.7		PA-8	OS-C			4.8	
PA-16B	OS-C	-		5.6		PA-10	OS-R			6.0	
PA-16C	OS-C	-		1.8							
PA-16D	OS-C	-		2.4		PA-11	OS-C			2.2	
PA-16E	OS-C	-		4.8		PA-16	OS-C			4.0	
PA-16F	OS-C	-		4.2		PA-24	OS-C			4.7	
PA-17	OS-CH	-		69.0		PA-17	OS-CH			67.7	
PA-18	OS-CH	-		31.6		PA-18	OS-CH			32.5	
PA-19	OS-CH	-		1.8		PA-19	OS-CH			2.2	
PA-20	OS-CH	-		1.3		PA-20	OS-CH			1.3	
PA-21	OS-CH	-		2.9		PA-21	OS-CH			3.2	
						PA-22	OS-C			0.4	
						PA-23	OS-C			2.5	
						PA-26	OS-C			1.2	
						PA-27	OS-R			6.4	
Streets	-	-		20.6		Streets	ROW			20.4	
Total				342.3	1,282	Total				344	856

Notes:
1. DU/AC = Dwelling Units per Acre
2. **FONT** = Denotes a change



BELLE TERRE

- Project Boundary
- Planning Areas
- Not a Part

LEGEND

- MEDIUM DENSITY RESIDENTIAL (MDR)
- MEDIUM HIGH DENSITY RESIDENTIAL (MHDR)
- HIGH DENSITY RESIDENTIAL (HDR)
- OPEN SPACE-CONSERVATION-(OS-C)
- OPEN SPACE-CONSERVATION HABITAT (OS-CH)
- OPEN SPACE-RECREATION (OS-R)

DWELLING UNITS
856 TOTAL DWELLING UNITS



Figure 3 Land Use Plan

changes Belle Terre Drive to a Collector; and includes approximately 16 acres of parks (new PA-5, PA-12, and PA-27) to be maintained by Valley-Wide as well as approximately 8 acres of Community Parks (new PA-10 and PA-25) that may include dog park/run, recreational center, community garden, farmhouse, and/or farmhouse associated uses.

The revised plan provides for twenty eight planning areas (PA). Eight of the twenty eight planning areas are planned for residential development with planned residential density ranges for medium density (2.0-5.0 du/ac¹), medium-high density (5.0-8.0 du/ac), and high density (8.0-14.0 du/ac). These eight planning areas include up to 856 homes to be developed across 144 acres, five active parks on approximately 24 acres, and approximately 23 acres of open space for detention basins. The revised plan will continue to provide the required 106.85 acres of land to remain undeveloped for habitat conservations purposes.

Change of Zone

The Change of Zone proposes changes to the SP382 Zoning Ordinance text to in accordance with changes identified in **Table A**, above, as well as development standards to ensure both CZ and SP382S1 comply with one another.

Tentative Tract Map 37449

Tentative Tract Map No. 37449 (TTM37449), reflected in **Figure 4 – Tentative Tract Map No. 37449**, below, includes existing parcels totaling approximately 270 acres; a portion of the approximately 344 acre Belle Terre Specific Plan.

TTM 37449 proposes to subdivide approximately 76.5 acres for residential development. Approximately 53.9 acres will consist of 372 lots for residential development (192 Medium Density Residential (MDR) lots for development in Planning Areas 1 and 3 and 180 Medium High Density Residential (MHDR) lots for development within PA 4 and 7. Approximately 4.2 acres will be developed as open space and approximately 18.4 acres will be developed as roadway improvements.

Approximately 9.8 acres within Planning Areas 6 and 8 is proposed to develop as water quality basins to serve the proposed 372 lots.

Approximately 51.2 acres includes construction of a 25 foot construction access road and mass grading of Planning Areas 2, 9, 15 and 23. These Planning Areas will be mass graded but no development is proposed under this map at this time.

The remaining 132.6 acres is to create parcels consistent with the SP land use planning areas 5, 10, 11, 12, 14, 16, 17, 18, 19, 22, 24, and 25 as the existing lot lines do not currently match the proposed land use plan. However, no improvements or impacts are proposed for these areas at this time.

The area proposed for residential development is proposed to be constructed in three phases across the approximately 76.5 acres as follows:

- Phase 1 – Construct 97 single family detached homes
- Phase 2 – Construct 95 single family detached homes
- Phase 3 – Construct 180 single family detached homes

¹ du/ac = dwelling units per acre

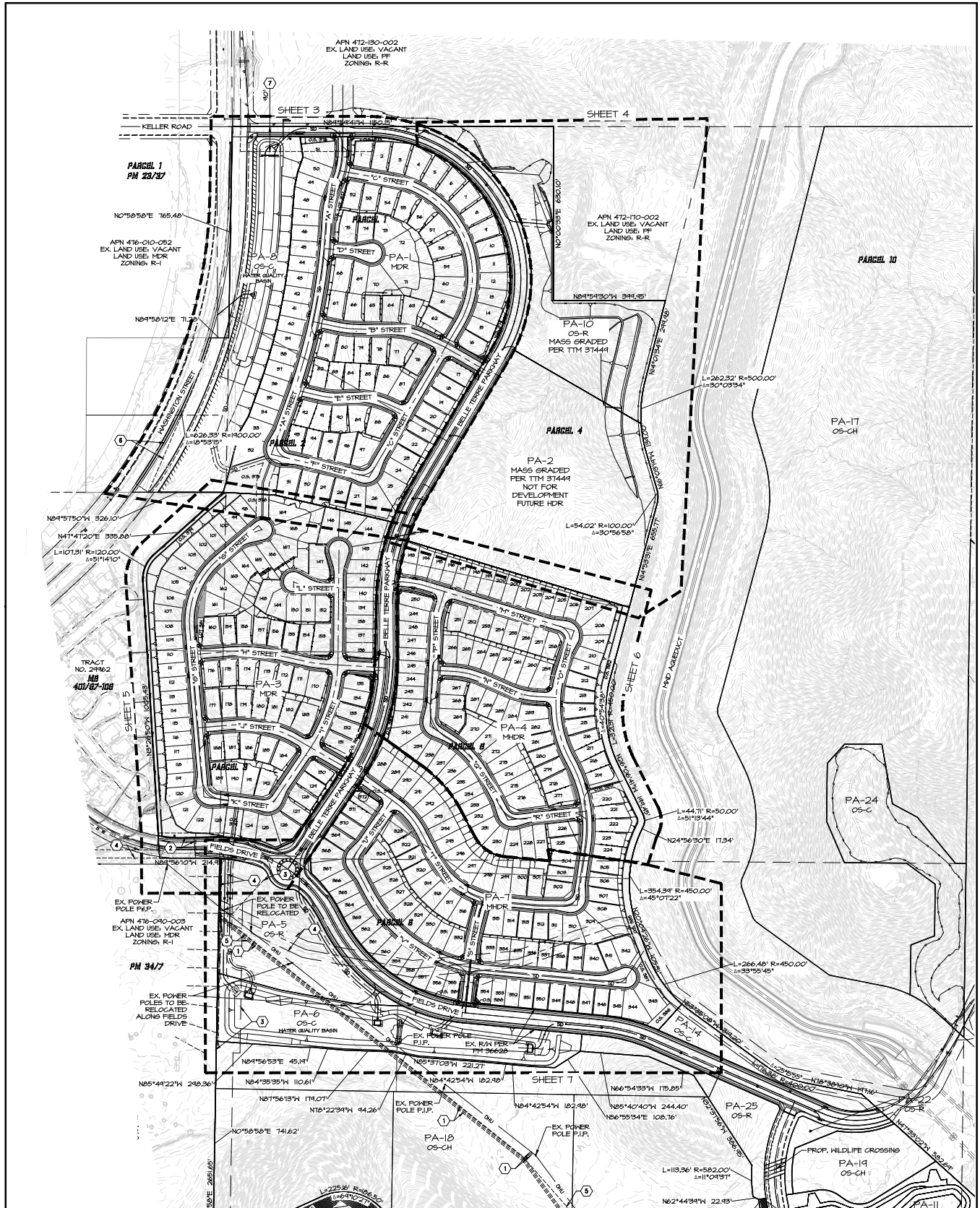


Figure 4 - TTM 37449

Belle Terre



ALBERT A.
WEBB
ASSOCIATES

Storm Drain

An underground storm drain system is proposed to convey the flows from catch basins to proposed on-site infiltration basin or bio-retention facility, or to existing storm drain systems located downstream of TTM37449 to the west, existing storm drain Line A (Fields Drive Storm Drain), or Storm Drain Line F crossing Washington Street approximately 700 feet south of Keller Road.

Water

Water service will be provided by Eastern Municipal Water District (EMWD) and is currently conveyed from the Pat Road Booster Station and a 48 inch diameter transmission main in Leon Road primarily through an 18 inch transmission main along Ruft Road and Abelia Street to the eastern border of the 1627 pressure zone, where the Belle Terre community is located. The nearest storage tank for the 1627 pressure zone is the Menifee Village Tank located about 7 miles northwest of the Belle Terre site with a storage volume of 5 million gallons. The Pat Road Booster Station, located on the southern border of the 1627 pressure zone, is the nearest source of supply to Belle Terre community and the French Valley area. Facilities are proposed to accommodate the demands of the Belle Terre community and improve the hydraulic performance of the existing water facilities in the neighboring French Valley area. The following facilities are proposed as part of TTM37449:

- 18 inch diameter along Fields Drive between Washington St. and proposed water tank in Planning Area 24 of SP382S1 ($\pm 5,600$ feet).
- 12 inch diameter pipeline along Belle Terre Parkway and Washington Street from the end of the existing 12 inch diameter pipeline in Washington Street to Fields Drive ($\pm 5,100$ ft)
- 8 inch diameter pipelines within tract streets for TTM37499

Sewer

EMWD will provide sewer service to the site. Currently, there are no existing sewer gravity pipelines larger than 12 inch diameter adjacent to the project site. The nearest trunk sewer pipeline (18 inch diameter) is located near the intersection of Winchester Road and Abelia Street, approximately 4,300 linear feet (lf) westerly from the west boundary of the site. Between the 18 inch diameter trunk sewer pipeline and the proposed project site, lies an existing single family residential development with local streets and no major or arterial road right-of-way consistent with a future trunk sewer main. There is one potential sewer connection point at the intersection of Summer Sweet Drive and Washington Street. The remaining capacity in the existing system between the connection point and Abelia Street sewer, however, will only be enough for 444 dwelling units and is anticipated to be reduced to 360 dwelling due to future development of neighboring tract maps 33423 and TR 33423-1. These projects are expected to be constructed and connect to the existing system first. However, another possible connection point is to the existing 24 inch diameter sewer pipeline located at the intersection of Pourroy Road and Benton Road, approximately 16,900 lf southwesterly of the project site.

At final build-out of the entire Belle Terre community, 0.76 cubic feet per second (cfs) peak flow will be generated. However, an interim connection will be made to the existing 8 inch diameter line recently installed by tract 33423-1 in Washington Street to handle flows from the proposed Project while the French Valley Channel sewer is constructed. Further, a system of 10 inch and 12 inch diameter off-site pipes will be required.

EMWD has confirmed the existing 18 inch sewer pipeline in Abelia Street has capacity to handle this additional flow generated by the overall Belle Terre community. Sewage generated in from the proposed Project will flow in 8 inch and 10 inch lines to the western project boundary in Fields Drive. Flows will then follow existing public right-of-ways in proposed 10 inch and 12 inch lines as they flow west to Washington Street. The flows will then join flows from tract 33423-1 and head south to the French Valley Channel. The flows will then be directed west using a 12 inch line in a 30 foot wide access road right-of-way along the north boundary of the channel to reach the connection point in Abelia Street.

Grading

The remaining 188.75 acres reflected on TTM37449 are reflected for the purposes of mass grading and identifying future development. It is anticipated that earthwork for the proposed Project will be balanced onsite and that TTM37449 will be mass graded in four phases.

Phase 1 grading will consist of the following improvements:

- Construction of Belle Terre Parkway street improvements and all underground utilities up to PA-3, northerly boundary (All Planning Areas are as identified in **Figure 3**, above).
- Construct a 25 foot emergency access only on Belle Terre Parkway from PA-3 northerly boundary to Washington Street.
- Construct Fields Drive street improvements and all underground utilities up to PA-6 easterly boundary.
- Construct a 25 foot construction access only on Fields Drive from PA-6 easterly boundary to Autumn Glen Circle.
- Construct a 25 foot construction access only on Autumn Glen Circle from Fields Drive to mass graded PA-9, PA-23, and PA-28.
- Construct half width street improvements and all street improvements and all underground utilities on Washington Street.
- Construct PA-3 street improvements, underground utilities, rough grading and southern water quality basin on PA-6.

Phase 2 grading will consist of the following improvements:

- Construct Belle Terre Parkway street improvements and all utilities underground from PA-3 northerly boundary to Washington Street.
- Construct PA-1 street improvements, underground utilities, rough grading and Northern Water Quality Basin on PA-8.

Phase 3 grading will consist of the following improvements:

- Construct Fields Drive street improvements and all underground utilities from PA-6 easterly boundary to easterly project boundary.
- Construct PA-7 street improvements, underground utilities, and rough grading.

Phase 4 grading will consist of the following improvements:

- Construct PA-4 street improvements, underground utilities, and rough grading.

A. Type of Project: Site Specific ☒; Countywide ☐; Community ☐; Policy ☐.

B. Total Project Area: Approximately 344 acres

Residential Acres: 76.5	Lots: 388	Units: 372	Projected No. of Residents: 2,540 ²
Commercial Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: N/A
Industrial Acres: 0	Lots: 0	Sq. Ft. of Bldg. Area: 0	Est. No. of Employees: N/A
Other: <ul style="list-style-type: none"> ▪ 9.8 acres proposed to develop as water quality basins ▪ 51.2 acres proposed to be mass graded ▪ 206.5 acres to be left undeveloped and unimproved at this time 			

C. Assessor's Parcel No(s):

472-170-022, 472-170-023, 472-170-024, 472-170-025, 472-170-026, 472-180-033, 472-180-034, 472-180-035, and 472-180-036.

Street References: The proposed Project is located southeast of the intersection of Washington Street and Keller Road, within the French Valley area of unincorporated Riverside County, California as shown on.

D. Section, Township & Range Description or reference/attach a Legal Description: Section 27, Township 6 South, Range 2 West, San Bernardino Baseline and Meridian Map as shown on **Figure 5 - USGS Map.**

E. Brief description of the existing environmental setting of the Project site and its surroundings:

The proposed Project site is relatively flat but contains some hilly terrain in the northeastern portion of the site that contains moderate to steep slopes with elevations ranging from 1,560 to 1,680 feet above mean sea level. The Project site is undeveloped and is comprised of vacant, undeveloped areas and lies within the Belle Terre Specific Plan No. 382. The Project site is surrounded by vacant land to the north and south; vacant land and scattered single-family residential to the east; and vacant land, scattered single family residential, residential housing tracts and Washington Park to the west (see **Figure 1** above).

² 372 Dwelling Units x 3.11 residents per dwelling unit per DEIR531

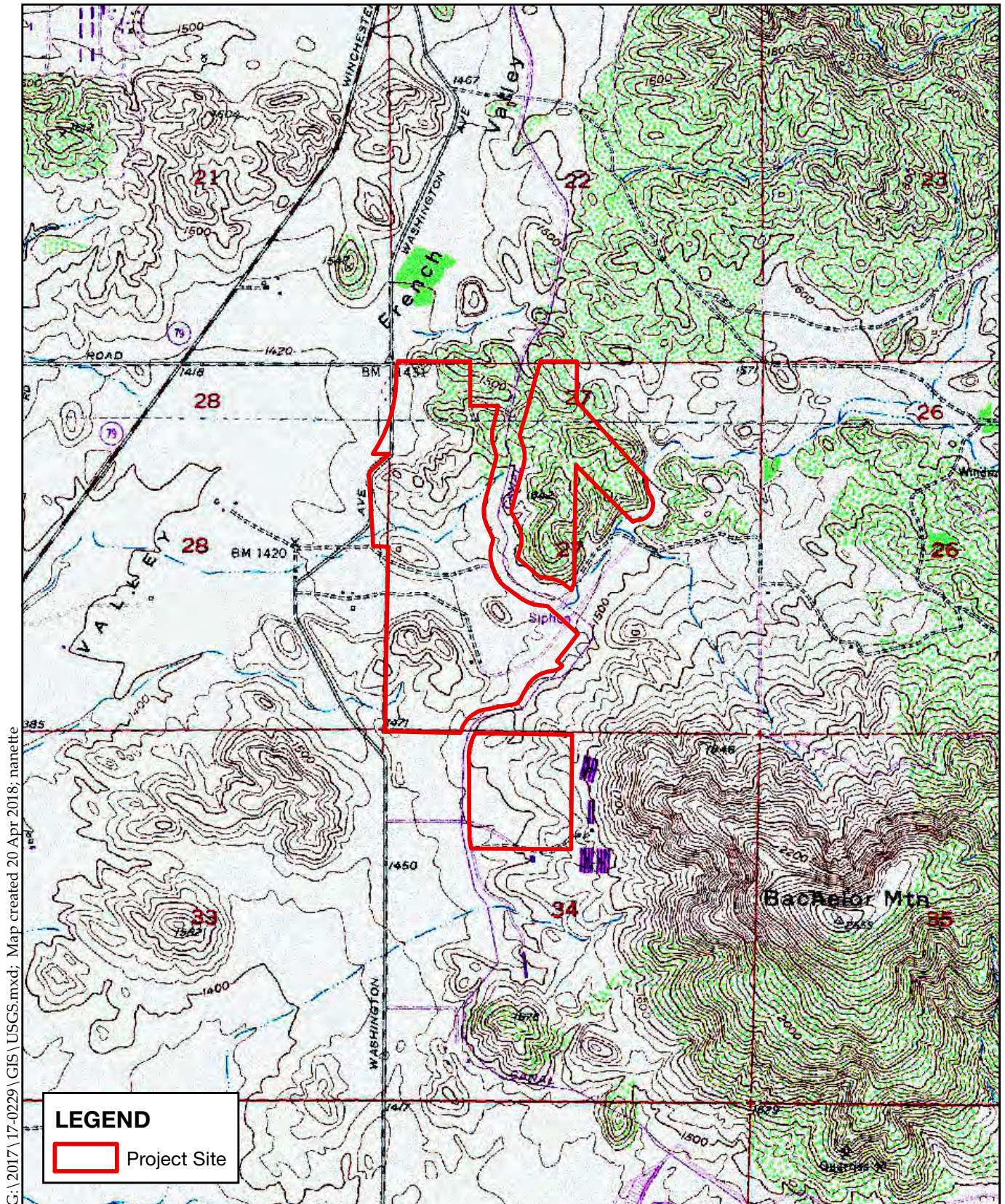


Figure 5 - USGS Map

Belle Terre

II. APPLICABLE GENERAL PLAN AND ZONING REGULATIONS

A. General Plan Elements/Policies:

1. **Land Use:** The Project site's existing General Plan land use designations include the following: Community Development: Medium Density Residential (CD:MDR); Community Development: Medium High Density Residential (CD:MHDR); Community Development: High Density Residential (CD:HDR); Open Space: Open Space-Conservation Habitat (OS:OS-CH); Open Space: Open Space-Conservation (OS:OS-C); and Open Space: Open Space-Recreation (OS:OS-R). The Project is consistent with these land use designations. Therefore, the proposed Project will not conflict with any General Plan Land Use policies.
2. **Circulation:** No general plan circulation changes are proposed. No policies are applicable. Thus, 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 Western Riverside Multiple Species Habitat Conservation Plan (MSHCP) but with implementation of mitigation measures identified in EIR531, will not conflict with the MSHCP. The proposed Project will not conflict with any General Plan Multipurpose Open Space policies.
4. **Safety:** The proposed Project site is not located within a Fault Zone. The site is located in a subsidence zone and has a low to very low potential for liquefaction. Mitigation measures identified in EIR531 will reduce these impacts to less than significant. The Project site is not located within any airport master plan or influence area. The proposed Project is not located within a 100-year flood plain, dam inundation area or will cause flooding; the Project will be constructed to be consistent with the drainage plan and Water Quality Management Plan (WQMP). The proposed Project is located within High and Very High fire hazard areas and does propose future structures to be occupied by humans. However, the Project will be required to provide a fuel modification plan and the structures will be required to comply with all local and state regulations including the California Building Code to ensure the health and safety of future occupants.

There are no known hazardous waste sites in the area, and the Project consists of primarily residential land uses which are not associated with hazardous materials that would pose a significant risk to the environment. Potential hazardous materials might be used during construction, such as paints, adhesives, surface coatings, cleaning agents, fuels, and oils. The Project will comply with all applicable state and local laws concerning the handling, storage and disposal of hazardous wastes.

5. **Noise:** Noise from the proposed Project will be generated during construction, from future on-site activities, and from future Project specific traffic. During the lifetime of the Project, noise impacts to the Project site will be generated from vehicular-sourced noise from nearby roadways. EIR531 identified mitigation measures to reduce noise impacts to less than significant. With implementation of these 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 site is surrounded by vacant land and residential housing that is similar in nature to the Project. The Project is not located in an established community that could be divided or disrupted by the Project. Nonetheless, the proposed Project will mitigate impacts to ensure Project will not conflict with any Healthy Community Element policies.
- B. General Plan Area Plan(s):** The Project site is located within the Southwest Area Plan.
- C. Foundation Component(s):** The Project site is located within the Community Development Foundation Component and Open Space Foundation Component
- D. Land Use Designation(s):** The Project site's existing General Plan land use designations include the following: Community Development: Medium Density Residential (CD:MDR); Community Development:Medium High Density Residential (CD:MHDR); Community Development: High Density Residential (CD:HDR); Open Space: Open Space-Conservation Habitat (OS:OS-CH); Open Space: Open Space-Conservation (OS:OS-C); and Open Space :Open Space-Recreation(OS:OS-R).
- E. Overlay(s), if any:** None.
- F. Policy Area(s), if any:** The Project is located in the Highway 79 Policy Area.
- G. Adjacent and Surrounding:**
- 1. General Plan Area Plan(s):** Southwest Area Plan
 - 2. Foundation Component(s):** Community Development Foundation Component and Open Space Foundation Component
 - 3. Land Use Designation(s):** Surrounding General Plan land use designations are Community Development: Low Density Residential (CD:LDR) and Community Development: Rural Residential (CD:RR) to the north; Community Development: Medium Density Residential (CD:MDR) and Community Development: Low Density Residential (CD:LDR) to the west; Community Development: Medium Density Residential (CD:MDR), and Open Space: Open Space-Conservation (OS:OS-C) to the south; and Open Space: Open Space-Conservation Habitat (OS:OS-CH), Community Development: Public Facilities (CD:PF) to the east.
 - 4. Overlay(s), if any:** Community Development Overlay to the northwest of the Project site.
 - 5. Policy Area(s), if any:** Highway 79 Policy Area.
- H. Adopted Specific Plan Information**
- 1. Name and Number of Specific Plan, if any:** Belle Terre Specific Plan No. 382 (SP382)
 - 2. Specific Plan Planning Area, and Policies, if any:** Planning Areas 1-28
- I. Existing Zoning:** Specific Plan (SP) - Belle Terre Specific Plan No. 382
- J. Proposed Zoning, if any:** A Change of Zone proposes changes to the SP382 Zoning Ordinance text to in accordance with changes identified in **Table A**, above, as well as development standards to ensure both CZ and SP382S1 comply with one another
- K. Adjacent and Surrounding Zoning:** The surrounding zoning immediately adjacent to the Project site includes A-1-5 (Light Agriculture), A-1-10 (Light Agriculture), and SP Zone (Domenigoni Barton Specific Plan No. 310) to the north; R-R (Rural Residential) and A-P (Light Agriculture with Poultry) to the east; A-P (Light Agriculture with Poultry) and R-1 (One-Family Dwellings) to the south; and R-1 (One-Family Dwellings), R-5 (Open Area Combining Zone Residential Developments) , A-1-2 ½ (Light Agriculture), and SP Zone (Winchester Specific Plan No. 286) to the west.

III. ENVIRONMENTAL FACTORS POTENTIALLY AFFECTED

The environmental factors checked below (X) were identified in EIR No. 531 and/or by current Project proposals as being potentially affected by this Project, involving at least one impact that is a, "Potentially Significant Impact" or "Less than Significant with Mitigation Incorporated," as indicated by the checklist on the following pages.

<input checked="" type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input checked="" type="checkbox"/> Population/Housing
<input checked="" type="checkbox"/> Agriculture & Forest Resources	<input checked="" type="checkbox"/> Hazards & Hazardous Materials	<input checked="" type="checkbox"/> Public Services
<input checked="" type="checkbox"/> Air Quality	<input checked="" type="checkbox"/> Hydrology/Water Quality	<input checked="" type="checkbox"/> Recreation
<input checked="" type="checkbox"/> Biological Resources	<input checked="" type="checkbox"/> Land Use/Planning	<input checked="" type="checkbox"/> Transportation/Traffic
<input checked="" type="checkbox"/> Cultural/Tribal Resources	<input checked="" type="checkbox"/> Mineral Resources	<input checked="" type="checkbox"/> Utilities/Service Systems
<input checked="" type="checkbox"/> Geology/Soils	<input checked="" type="checkbox"/> Noise	<input checked="" type="checkbox"/> Mandatory Findings of Significance

All topics below were found to be consistent with EIR No. 531 with only the mitigation measures previously required in the original EIR or less than significant with the exception of boxes marked with a red "X." These topics include new or updated mitigation measures.

<input type="checkbox"/> Aesthetics	<input checked="" type="checkbox"/> Greenhouse Gas Emissions	<input type="checkbox"/> Public Services
<input type="checkbox"/> Agriculture & Forest Resources	<input type="checkbox"/> Hazards & Hazardous Materials	<input type="checkbox"/> Recreation
<input type="checkbox"/> Air Quality	<input type="checkbox"/> Hydrology & Water Quality	<input checked="" type="checkbox"/> Transportation
<input checked="" type="checkbox"/> Biological Resources	<input type="checkbox"/> Land Use & Planning	<input type="checkbox"/> Tribal Cultural Resources
<input type="checkbox"/> Cultural	<input type="checkbox"/> Mineral Resources	<input type="checkbox"/> Utilities & Service Systems
<input type="checkbox"/> Energy	<input type="checkbox"/> Noise	<input type="checkbox"/> Wildfire
<input type="checkbox"/> Geology/Soils	<input type="checkbox"/> Population & Housing	<input type="checkbox"/> Mandatory Findings of Significance

IV. DETERMINATION

On the basis of this initial evaluation:

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS NOT PREPARED
<input type="checkbox"/> I find that the proposed project COULD NOT have a significant effect on the environment, and a NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, there will not be a significant effect in this case because revisions in the project, described in this document, have been made or agreed to by the project proponent. A MITIGATED NEGATIVE DECLARATION will be prepared.
<input type="checkbox"/> I find that the proposed project MAY have a significant effect on the environment, and an ENVIRONMENTAL IMPACT REPORT is required.

A PREVIOUS ENVIRONMENTAL IMPACT REPORT/NEGATIVE DECLARATION WAS PREPARED
<input type="checkbox"/> I find that although the proposed project could have a significant effect on the environment, NO NEW ENVIRONMENTAL DOCUMENTATION IS REQUIRED because (a) all potentially significant effects of the proposed project have been adequately analyzed in an earlier EIR or Negative Declaration pursuant to applicable legal standards, (b) all potentially significant effects of the proposed project have been avoided or mitigated pursuant to that earlier EIR or Negative Declaration, (c) the proposed project will not result in any new significant environmental effects not identified in the earlier EIR or Negative 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 measures have been identified and (f) no mitigation measures found infeasible have become feasible.

☒ 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.

Signature

Date

Russell Brady
Printed Name

V. ENVIRONMENTAL ISSUES ASSESSMENT

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 EIR531.

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 EIR531.

☐ 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 EIR531, 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 EIR531, 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 EIR531, 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 EIR531.

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 Belle Terre Specific Plan (SP382) in the previously certified EIR531. In doing so, the County will determine the extent of additional environmental review, if any, for the current Project.

AESTHETICS Would the project:				
1. Scenic Resources				
a) Have a substantial effect upon a scenic highway corridor within which it is located?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially damage scenic resources, including, but not limited to, trees, rock outcroppings 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, GP, CALTRANS

Findings of Fact:

- a) *EIR531 Conclusion: No Impact. Not specifically addressed in EIR531 because the Environmental Assessment (EA42506) prepared as part of the Notice of Preparation for EIR351 (NOP) determined that that no scenic highway corridors would be affected by the project (DEIR531, p. IV.B-14; p. 6 of Appendix I).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. 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 (CALTRANS). Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b-c) *EIR531 Conclusion: Less than Significant Impact. EIR531 determined that views of scenic vistas are mostly available from private properties. No unique or landmark features are located within the project area. EIR531 noted that future development within the project area would follow detailed landscape and architectural design guidelines (outlined in SP382) to establish thematic and visual elements within the project area that ties into the natural environment of the surrounding area. Thus, EIR531 concluded less than significant impacts related to scenic resources. (DEIR531, pp. IV.B-14 – IV.B-15).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. Consistent with the findings in EIR531, the Project is not located in an urbanized area and no scenic resources are located on the Project site, and public views of scenic vistas will not be affected. The Project will follow the detailed landscape and architectural design guidelines of SP382 to ensure implementation of the proposed Project is not aesthetically offensive. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

2. Mt. Palomar Observatory

a) Interfere with the nighttime use of the Mt. Palomar Observatory, as protected through Riverside County Ordinance No. 655?

☐☐☐☒

Source(s): EIR531, ORD 655

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that implementation of the project would create new sources of light and glare; however, EIR531 stated that implementation of the project would comply with County Ordinance No. 655 and the lighting requirements outlined in SP382 thus minimizing the potential amount of light and glare. EIR 531 concluded that impacts would be less than significant (DEIR531, p. IV.B-15 – IV.B-16).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531 and will have the same land uses as SP382. The Project will comply with County Ordinance No. 655 (ORD 655), which requires certain design techniques to reduce light and glare. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

3. Other Lighting Issues	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Create a new source of substantial light or glare which would adversely affect day or nighttime views in the area?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Expose residential property to unacceptable light levels?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source(s): EIR531, ORD 655

Findings of Fact:

- a-b) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that implementation of the project would create new sources of light and glare; however, EIR531 stated that implementation of the project would comply with County Ordinance No. 655 and the lighting requirements outlined in SP382 thus minimizing the potential amount of light and glare. EIR 531 concluded that impacts would be less than significant (DEIR531, p. IV.B-15 – IV.B-16).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531 and will have the same land uses as SP382. The Project will comply with the light design standards outlined in SP382 to reduce light and glare, and use window glazing (energy-efficient and ultraviolet protective glazing, no reflective glazing) to further reduce glare. Additionally, the Project will comply with County Ordinance No. 655 (ORD 655), which requires certain design techniques to reduce light and glare. The Project will not expose residential properties to unacceptable light levels with compliance with SP382 standards and ORD 655. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

AGRICULTURE & FOREST RESOURCES Would the project:				
4. Agriculture	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Cause development of non-agricultural uses within 300 feet of agriculturally zoned property (Ordinance No. 625 "Right-to-Farm")?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, DOC, FMMP, ORD 625

Findings of Fact:

- a) *EIR531 Conclusion: No Impact. EIR531 determined that the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and therefore concluded no impacts related to Farmlands (DEIR531, p.IV.A-1).*

No New Impact. The proposed Project occupies the same area as previously analyzed in the EIR531. As depicted on the California Department of Conservation's (DOC's) Farmland Mapping and Monitoring Program (FMMP), the Project site is located within Farmland of Local Importance, Grazing Land, and Other Land. 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 in the certified EIR531.

- b) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that the project site is not under Williamson Act Contract and is not within the County's Agricultural Preserve. EIR531 noted that a portion of the project area west of the San Diego Canal is zoned Light Agriculture-10 Acre Minimum (A-1-10) and Light Agriculture-5 Acre Minimum (A-1-5), and a portion of the project site east of the San Diego Canal is zoned residential Agriculture-2 ½ Acre Minimum (A-A-2 ½). However, the County's General Plan land use designation for the project area designated the properties west of the San Diego Canal as Medium Density Residential and designated the properties east of the San Diego Canal as Rural Mountainous. As part of the SP382 and EIR531, amendments to the General Plan and a Zone Change were included to allow for the development of 1,282 homes. EIR531 determined that the Zone Change would be consistent with the existing General Plan land use designation for residential land uses and stated that the County's General Plan identified other areas best suited for agricultural use in the future. As such, EIR531 concluded that implementation of the project would not conflict with agricultural land uses since the project would generally be consistent with the type of development called out in the County's General Plan. EIR531 concluded impacts would be less than significant. (DEIR531, pp. IV.C-7 – IV.C-8).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. The Project site is currently zoned SP (Belle Terre Specific Plan No. 382). According to the DOC's Williamson Act Map, there are no Williamson Act contracts on the Project site and the site is not in a Riverside County Agricultural Preserve (DOC). Thus, implementation of the proposed Project will not conflict with agricultural zoning, Williamson Act, or Riverside County Agricultural Preserve as none exist. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: No Impacts.* EIR531 noted that a portion of the project area west of the San Diego Canal is zoned Light Agriculture-10 Acre Minimum (A-1-10) and Light Agriculture-5 Acre Minimum (A-1-5), and a portion of the project site east of the San Diego Canal is zoned residential Agriculture-2 ½ Acre Minimum (A-A-2 ½). However, the County's General Plan land use designation for the project area designated the properties west of the San Diego Canal as Medium Density Residential and designated the properties east of the San Diego Canal as Rural Mountainous. As part of the project and EIR531, amendments to the General Plan and a Zone Change were included to allow for the development of 1,282 homes. EIR531 determined that the Zone Change would be consistent with the existing General Plan land use designation for residential land uses and stated that the County's General Plan identified other areas best suited for agricultural use in the future.

EIR531 stated that pursuant to County Ordinance No. 625, property owners within the project area would be notified of the presence of existing agricultural zoning/uses within 300 feet of applicable properties and the potential for conflicts related to issues such as noise, dust, and odors. Since implementation of the project will comply with all the requirements (including notification of agricultural zoning/uses) of County Ordinance No. 625 the EIR531 concluded less than significant impacts related to County Ordinance No. 625 (DEIR531, pp. IV.C-7 – IV.C-8).

No New Impact. The proposed Project occupies the same area as previously analyzed in the EIR531. As part of the approved SP382 and certified EIR531, amendments to the GP and a Zone Change removed agricultural zoning from the Project site. Consequently, the current zoning on the Project site is SP (Belle Terre Specific Plan No. 382). Consistent with the analysis in EIR531, the Project will comply with all the requirements of County Ordinance No. 625 (ORD 625). Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- d) *EIR531 Conclusion: No Impact.* EIR531 determined that the project site is not designated as Prime Farmland, Unique Farmland, or Farmland of Statewide Importance, and therefore concluded no impacts related to Farmlands (DEIR531, p.IV.A-1, p.IV.C-7).

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. As part of the approved SP382 and certified EIR531, amendments to the GP and a Zone Change removed agricultural zoning from the Project site. Consequently, the current zoning on the Project site is SP (Belle Terre Specific Plan No. 382). Consistent with the analysis in EIR531, the Project will comply with all the requirements of ORD 625. As depicted on the DOC's FMMP, the Project site is located within Farmland of Local Importance, Grazing Land, and Other Land (FMMP). Since the Project site does not contain any land designated as Prime, Unique, or Farmland of Statewide Importance, implementation of the Project will not involve other changes in the existing environment that will result in the conversion of Farmland to non-agricultural use as none exists. Further, the Project site does not contain any land used as forest land. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

5. Forest	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: EIR531

Findings of Fact:

a-c) *EIR531 Conclusion: No Impact. EIR531 determined that the project is not zoned as timberland or forest land and does not contain any forest land. Consequently, EIR531 determined there are no impacts related to forest land. (DEIR531, pp. IV.A-1 – IV.A-2).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The current zoning on the Project site is SP (Belle Terre Specific Plan No. 382) which does not include forest land, timberland, or Timberland Production. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

AIR QUALITY Would the project:				
6. Air Quality Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with or obstruct implementation of the applicable air quality plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Expose sensitive receptors, which are located within one (1) mile of the project site, to substantial pollutant concentrations?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in other emissions (such as those leading to odors) adversely affecting a substantial number of people?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, SCAQMD, WEBB-C

Findings of Fact:

- a) *EIR531 Conclusion: Significant and Unavoidable. The project is located in the South Coast Air Quality Management District (SCAQMD), with its Air Quality Management Plan (AQMP) being the applicable policy document. The AQMP works with Southern California Association of Governments (SCAG) to forecast population growth for the region and develops a long-term attainment plan to accommodate the air pollution impacts of such growth. Even though the project is consistent with regional population projections, EIR531 determined that the project is considered inconsistent with the SCAQMD's 2012 AQMP because the County's General Plan designation for the site would allow approximately 1,128 homes whereas the project would allow for 1,282 homes thus resulting in an increase in homes as compared to the local growth projections and existing General Plan designations. Therefore, the project would have a significant and unavoidable cumulative effect on regional air pollution. A Statement of Overriding Consideration was prepared and certified with the Final EIR531. (DEIR531, p. IV.D-26 – IV.D-28, IV.D-31).*

*Further, EIR531 determined that regional construction impacts would not exceed SCAQMD threshold for volatile organic compound (VOC), carbon monoxide (CO), sulfur oxides (SO_x), particulate matter less than 2.5 microns in size (PM_{2.5}), and particulate matter less than 10 microns in size (PM₁₀); however regional construction impacts would exceed SCAQMD threshold for nitrogen oxides (NO_x). Implementation of Mitigation Measures **D-1** through **D-15** would reduce NO_x levels during construction activities to less than significant.*

*EIR531 determined that local construction impacts would not exceed SCAQMD threshold for VOC, CO, and SO_x; however, local construction impacts would exceed SCAQMD threshold for NO_x, PM₁₀, and PM_{2.5}. Implementation of Mitigation Measures **D-1** through **D-15** would reduce NO_x, PM_{2.5}, and PM₁₀ levels during construction activities to less than significant. Given the short-term construction schedule, EIR531 concluded that the proposed project would not result in a long-term source of toxic air contaminants (TACs). (DEIR531 pp. IV.D-20 – IV.D-22, IV.D-28 – IV.D-30).*

*EIR531 determined that regional operational impacts would exceed the SCAQMD significance thresholds for VOC, NO_x, CO, and PM₁₀. Implementation of Mitigation Measures **D-16** through **D-22** would reduce operational impacts, however, impacts would remain significant and unavoidable.*

EIR531 concluded that CO concentrations at traffic study intersections would not exceed the state one- and eight-hour CO standards and thus localized CO concentrations would be less than significant. EIR531 concluded that based on a the limited activity of TAC sources and given that the project would not locate residential or other sensitive uses near existing or planned sources of TACs, the potential for TAC impacts would be less than significant. (DEIR531 pp. IV.D-22 – IV.D-24, IV.D-30, FEIR531 pp. IV-12 – IV-13).

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The Project site is located in the South Coast Air Basin (Basin), which is under the jurisdiction of the SCAQMD. The SCAQMD has adopted a series of AQMPs to reduce air emissions in the Basin. When EIR531 was certified, the SCAQMD's 2012 AQMP was the applicable air quality plan for the Basin. Since that time, the 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. 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 certified EIR531, consistency with the 2016 AQMP, which is applicable today, is discussed below.

The land uses of SP382S1 remain the same as those previously analyzed in EIR531. However, residential land uses within the Belle Terre community will be reduced overall from 1,282 homes to 856 homes. TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. 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 SP382 on the Project site with a lower density. As such, the proposed Project was accounted for in the regional growth projections that were used to prepare the 2016 AQMP.

Further, TTM37449 will generate approximately 3,512 daily trips (WEBB-C, p. 4-2), which is well within the 12,205 daily trips anticipated to be generated for the entire Belle Terre Specific Plan (DEIR531, p. IV.O-39),. As vehicle emissions are the primary cause related to an increase in air emissions, it can be concluded that because SP382S1 will reduce homes by 426 and because TTM37449 will develop 227 fewer homes than previously analyzed for Planning Areas 1, 3, 4, and 7 under EIR531, implementation of the proposed Project will result in fewer traffic trips and not result in an increase in air emissions. Implementation of Mitigation Measures **D-1** through **D-22** will reduce air quality impacts during construction and operational activities. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531. Mitigation Measures **D-17** and **D-22** have been revised for clarity as follows:

Mitigation Measure D-17: Operational Emissions

The owners of implementing projects shall incorporate into the project Covenants, Conditions & Restrictions (CC&Rs) a requirement to use low VOC cleaning supplies in future households. Homeowner Associations (HOAs) shall notify residents of this requirement. The CC&Rs with this requirement shall be provided to the County to approve prior to map recordation.

Prior to issuance of a certificate of occupancy, the County Building Department shall ensure that the Project uses low VOC cleaning supplies.

Mitigation Measure D-22

The owners of implementing project shall incorporate into the project CC&Rs a requirement to use electric lawn mowers and leaf blowers in future households. HOAs shall notify residents of this requirement. The CC&Rs with this requirement shall be provided to the County to approve prior to map recordation.

~~Prior to issuance of a certificate of occupancy, the County Planning Department shall ensure that that the Project's Homeowner's Association enforces the use of electric lawn mowers and leaf blowers.~~

Thus, the Project will not conflict with or obstruct implementation of the AQMP to a greater degree than the approved SP382 and certified EIR531. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: Less than Significant Impact. EIR531 determined that the proposed project, including the 22 other related projects in the study area, are not expected to contribute to cumulative localized concentrations for NO_x, PM₁₀, PM_{2.5}, or CO on a long-term basis based on compliance with SCAQMD localized significance thresholds (LSTs). EIR531 noted that future development that contribute to cumulative growth would be required to address the SCAQMD's LST thresholds and perform dispersion modeling if potential violations of health standards were to occur. As such, EIR531 concluded that no significant cumulative impacts on local air quality would occur. (DEIR531 p. IV.D-26).*

No New Impact. The proposed Project lies within the same area, and has the same type of residential land uses identified in SP382, which was previously analyzed in EIR531. The proposed Project reduces the number of homes from 1,282 homes to 856 homes and thus, implementation of the Project will not increase the site's intensity beyond what was already analyzed in EIR531. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: Less than Significant Impact. The EIR531 concluded that the project would not generate localized emissions in excess of SCAQMD's significance thresholds. Thus, implementation of the project would not expose sensitive receptors to substantial pollutant concentrations. (DEIR531 p. IV.D-24, FEIR531 p. IV-12).*

No New Impact. The proposed Project lies within the same area, and has the same type of residential land uses identified in SP382. The proposed Project reduces the number of homes from 1,282 homes to 856 homes and thus, implementation of the Project will not increase the site's intensity beyond what was already analyzed in EIR531. Additionally, as discussed in the Transportation section in this document, the proposed Project will not result in traffic trips beyond those already analyzed as part of SP382 and EIR531. As vehicle emissions are the primary cause related to an increase in air emissions, it can be concluded that because the proposed Project will reduce homes by 426 homes, implementation of the proposed Project will result in fewer traffic trips than analyzed in EIR531. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- d) *EIR531 Conclusion: No Impact. This issue was not specifically addressed in EIR531 because the Environmental Assessment (EA42506) prepared as part of the NOP determined that no objectionable odors would be created based on the type of development. Since the project includes the development of residential land uses, these uses would not create objectionable odors that would affect a substantial number of people. (DEIR531, p. IV.D-15, p. 9 of Appendix I).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. 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). 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.

During long-term operation, the proposed Project includes residential uses and open space, consistent with the land uses noted in SP382 and analyzed in EIR531. These type of proposed land uses are not typically associated with objectionable odors. Consequently, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: Mitigation measures **D-1** through **D-16**, and **D-18** through **D-21**, related to this issue that were identified in EIR531 remain in effect as well as revised mitigation measures **D-17** and **D-22**.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

BIOLOGICAL RESOURCES Would the project:				
7. Wildlife & Vegetation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Conflict with the provisions of an adopted Habitat Conservation Plan, Natural Conservation Community Plan, or other approved local, regional, or state conservation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: CE-A, CE-B, EIR531

Findings of Fact:

- a, g) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 determined that with implementation of Mitigation Measures E-1 through E-7, the project would not conflict with the provisions of an adopted Habitat Conservation Plan, Natural Community Conservation Plan, or other approved local, regional, or state habitat conservation plan, and would not conflict with any local policies or ordinances protecting biological resources, such as a tree preservation policy or ordinance (e.g., oak trees or California walnut woodlands). For the project, these plans and policies include the Western Riverside Multiple Species Habitat Conservation Plan (MSHCP), Riverside County General Plan, Riverside County Code, and other state regulations. A joint Project Review (14-02-06-01) was completed by the Western Riverside Regional Conservation Authority pursuant to Section 6.6.2 of the MSHCP on April 7, 2014 which concluded that the project was consistent with both Criteria and Other Plan requirements. (DEIR531 pp. IV.E-64 – IV.E-74, IV.E-88 – IV.E-90, FEIR531 p. IV-13).*

No New Impact. The proposed Project lies within the same area previously analyzed in EIR531. A *Biological Resources Technical Report* was prepared by Cadre Environmental in July 2019 (CE-A), and a *MSHCP Determination of Biologically Equivalent or Superior Preservation/Consistency Analysis* was also prepared in July 2019 (CE-B) which covered the proposed Project and boundary of SP382S1.

The Project site is located within the Western Riverside County Multiple Species Habitat Conservation Plan (MSHCP) Planning Area. The MSHCP is a comprehensive multi-jurisdictional effort that includes western Riverside County and multiple cities, including the study area. Rather than address sensitive species on an individual basis, the MSHCP focuses on the conservation of 146 species, proposing a reserve system of approximately 500,000 acres and a mechanism to fund and implement the reserve system. Most importantly, the MSHCP allows participating entities to issue take permits for listed species so that individual applicants need not seek their own permits from the United States Fish and Wildlife Service (USFWS) and/or California Department of Fish and Wildlife (CDFW). The MSHCP was adopted on June 7, 2003 by the Riverside County Board of Supervisors. The Incidental Take Permit was issued by both the USFWS and CDFW on June 22, 2004.

The MSHCP consists of a Criteria Area that assists in facilitating the process by which individual properties are evaluated for inclusion and subsequent conservation. In addition to Criteria Area requirements, the MSHCP requires consistency with Sections 6.1.2 (Protection of Species within Riparian/Riverine Areas and Vernal Pools), 6.1.3 (Protection of Narrow Endemic Plant Species), 6.1.4 (Urban Wildlands Interface), 6.3.2 (Additional Survey Needs and Procedures), Appendix C (Standard Best Management Practices), and 7.5.3 (Construction Guidelines). The MSHCP serves as a comprehensive, multi-jurisdictional Habitat Conservation Plan (HCP), pursuant to Section (a)(1)(B) of the Endangered Species Act (ESA), as well as the Natural Communities Conservation Plan (NCCP) under the State NCCP Act of 2001.

The MSHCP establishes "Criteria Area" boundaries in order to facilitate the process by which properties are evaluated for inclusion in the MSHCP Conservation. The Criteria Area is an area significantly larger than what may be needed for inclusion in the MSHCP Conservation Area, within which property will be evaluated using MSHCP Conservation Criteria. The Criteria Area is an analytical tool which assists in determining which properties to evaluate for acquisition and conservation under the MSHCP.

Pursuant to the provisions of the MSHCP, all discretionary development projects within the Criteria Area are to be reviewed for compliance with the "Property Owner Initiated Habitat Evaluation and Acquisition Negotiation Strategy" (HANS) process or equivalent process. The HANS process "ensures that an early determination will be made of what properties are needed for the MSHCP Conservation Area, that the owners of property needed for the MSHCP Conservation Area are compensated, and that owners of land not needed for the MSHCP Conservation Area shall receive Take Authorization of Covered Species Adequately Conserved through the Permits issued to the County and Cities pursuant to the MSHCP." The entire 343 acre Belle Terre community underwent the HANS process receiving an initial HANS determination July 23, 2012 and an updated determination November 15, 2015. The entire Belle Terre community is located within five (5) Criteria Area Cells. Specifically, the Belle Terre community is located within Cell 5279 Independent – Subunit 2 (SU2) French Valley/Lower Sedco Hills, Cell 5278 S, Cell 5274 S, Cell 5373 S, and Cell 5471 S – SU4 Cactus Valley/SWRCMSR/Johnson Ranch (CE-B, p. 47). The changes to planning area boundaries within SP382S1 do not negatively impact any of the planning areas identified for conservation habitat. The plan maintains MSHCP consistency through the French Valley Creek corridor. In

fact, changes to the boundaries of Planning Areas (PA) 17, 18, 19, 20, and 21 provide more benefit to the French Valley Creek (the riparian drainage feature consisting of PA's 18 and 19) because more land use buffers are provided along these sensitive habitat areas. The Belle Terre community will continue to maintain wildlife movement with the ultimate construction of a wildlife crossing between PA's 18 and 19. Impacts previously associated with improvements to Rebecca Road have been reduced because the Road is no longer being improved, reducing impacts to drainage features D-11, D-12, and a portion of D-13.

Under the original approved Belle Terre Specific Plan included 23.70 acres off-site impacts and 218.40 acres of on-site impacts. The updated plan (SP382S1) impacts only 15.54 off-site acres (an 8.16 acre reduction) and 218.13 on-site acres (a 0.27 acre reduction). Additionally, pursuant to the Joint Project Review (JPR) which was completed on May 24, 2014, 106.85 acres were to be dedicated towards MSHCP conservation. Project will continue to dedicate 106.9 acres towards MSHCP conservation.

As such, the following mitigation measures have been revised for clarity:

Mitigation Measure E-5: MSHCP Proposed Conservation Area

~~Prior to issuance of a grading permit, the Project Applicant shall provide the RCA or similar.~~ Prior to issuance of a grading permit, the Project Applicant shall provide/initiate legal agreements (i.e Donation Agreement) with the RCA or similar entity with fee title/ownership and management responsibilities for the 106.85/106.90-acre MSHCP Proposed Conservation Area designated by the County of Riverside EPD as illustrated on Figure III-1 (refer to Section III [Project Description]).

Mitigation Measure E-6: Riparian/Riverine/Vernal Pool Resources

To meet the criteria of a biologically equivalent or superior alternative, the Project Applicant shall offset impacts to 4.29/1.13 acre of MSHCP riparian/riverine habitat by restoring 2.584.21 acres of non-riparian/riverine habitat as directed by the RCA, USFWS, CDFW, USACE, and RWQCB. The 2.584.21 acres of mitigation lands shall be identified, restored and located adjacent to the existing, on-site riparian corridor. Specifically, the proposed restoration shall occur within the on-site MSHCP Proposed Conservation Area, which shall have been conveyed in fee title, or by conservation easement, to the RCA. An MSHCP DBESP shall be prepared and submitted to the County, RCA, and wildlife agencies for review and approval prior to issuance of a grading permit

Mitigation Measure E-7: Riparian/Riverine/Vernal Pool Resources

Prior to issuance of a grading permit, the Project Applicant shall obtain a 404 Nationwide Permit from the USACE, 1602 SAA from CDFW, and a 401 Certification issued by the RWQCB pursuant to the California Water Code Section 13260. During the permit process a Habitat Mitigation Monitoring Plan (HMMP) shall be developed and approved by the County EPD, RCA, and applicable regulatory and wildlife agencies. As outlined in E-6, mitigation ratios and restoration efforts shall occur on-site within the MSHCP Proposed Conservation Area adjacent to the riparian corridor (French Valley Creek). A total of 2.584.21 acres shall be restored.

Implementation of Mitigation Measures **E-1** through **E-4** and revised Mitigation Measures **E-5** through **E-7** ensures compliance with all relevant plans, policies, and ordinances related to biological resources and impacts remain less than significant. Therefore, no new or substantially

increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b-c) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 determined that with implementation of Mitigation Measures E-1 through E-7, the project would not have a substantial adverse effect either directly or through habitat modifications on any endangered or threatened species as list 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), or on any species identified as a candidate, sensitive, or special status species in local or regional plans, policies, or regulations by the California Department of Fish and Wildlife or U.S. Fish and Wildlife Service. The project would have a less than significant impact on any federal/state threatened or endangered plant species due to a lack of significant presence on site. Sensitive wildlife was detected within the project site during focused surveys, but impacts would be reduced to less than significant with Mitigation Measures E-1 through E-7 incorporated. (DEIR531 pp. IV.E-78 – IV.E-80, IV.E-88 – IV.E-90, FEIR531 p. IV-13).*

No New Impact. The proposed Project lies within the same area previously analyzed in EIR531. As discussed in EIR531, there is a less than significant impact on sensitive plant species, and a less than significant impact with Mitigation Measures E-1 through E-4 and revised Mitigation Measures E-5 through E-7 incorporated related to wildlife species. These mitigation measures 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 previously analyzed in the certified EIR531.

- d) *EIR531 Conclusion: Less than Significant Impact with Mitigation. Implementation of the project would result in the temporary direct impact to a regional wildlife travel route (French Valley Creek) which flows in a west/southwest direction off-site to Warm Springs Creek, where it represents an impaired travel route due to existing development (residential/road networks) located adjacent to the Creek. Although constrained, this tributary to Warm Springs Creek remains a regional travel route for wildlife species. This regional wildlife travel route also represents a segment of the MSHCP Proposed Constrained Linkage 18, which extends from designated open space conservation habitat (Southwestern Riverside Multi-Species Reserve) west through the project site to the confluence with Warm Springs Creek. Direct interference with a regional wildlife movement corridor would be considered a significant impact prior to mitigation. Implementation of Mitigation Measures E-1 through E-7 will reduce this impact to less than significant. (DEIR531 pp. IV.E-80 – IV.E-81, IV.E-88 – IV.E-90, FEIR531 p. IV-13).*

No New Impact. The proposed Project lies within the same area previously analyzed in EIR531. The proposed Project will still be required to provide for a wildlife crossing between PA's 18 and 19 to ensure impacts to wildlife movement remains less than significant. With implementation of Mitigation Measures E-1 through E-4 and revised Mitigation Measures E-5 through E-7 and conditions of approval, impacts will remain less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- e-f) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 concluded that direct impacts to field croplands, ruderal/disturbed, developed and exotic habitats would be less than significant. EIR531 determined that impacts to 58.81 acres of Riversidean sage scrub habitat associations and 0.80 acre of riparian habitats would be less than significant with implementation of Mitigation Measures E-1 through E-7. A total of 0.098 acre of U.S. Army Corps of Engineers, 0.252 acre of Regional Water Quality Control Board, and 1.439 acres of California*

Fish and Wildlife jurisdictional resources would be impacted but would be reduced to less than significant with implementation of Mitigation Measures E-1 through E-7. (DEIR pp. IV.E-81 – IV.E-90, FEIR p. IV-13).

No New Impact. The proposed Project lies within the same area previously analyzed in EIR531. As discussed above, impacts are reduced to less than significant impact with Mitigation Measures E-1 through E-4 and revised Mitigation Measures E-5 through E-7. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: Mitigation measures E-1 through E-4 related to this issue that were identified in EIR531 remain in effect as well as revised mitigation measures E-5 through E-7.

Monitoring: Monitoring for mitigation measures E-1 through E-4 and revised E-5 through E-7, remains as identified in EIR531.

CULTURAL RESOURCES Would the project:				
8. Historic Resources				
a) Alter or destroy a historic site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of a historical resource, pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531

Findings of Fact:

- a-b) *EIR531 Conclusion: Less than Significant Impact. EIR531 identified one significant historic resource, the San Diego Canal, located adjacent to the project site. Because the significance of the Second San Diego Canal stems from its association with an important historical event, and its setting does not play a substantial role in the measure of its historical integrity, residential development near its perimeter would not cause a substantial adverse change in the significance of the Second San Diego Canal. Thus, implementation of the project has no potential to directly or indirectly affect the significance of this resource. The EIR531 concluded impacts were less than significant. (DEIR531 p. IV.F-40).*

No New Impact. The proposed Project lies within the same area previously analyzed. As such, development of the proposed Project will result in the same disturbance area for which impacts were found to be less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

9. Archaeological Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Alter or destroy an archaeological site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Cause a substantial adverse change in the significance of an archaeological resource, pursuant to California Code of Regulations, Section 15064.5?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Disturb any human remains, including those interred outside of formal cemeteries?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531

Findings of Fact:

- a-b) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 identified four significant archeological resource sites within the project's Area of Potential Effects (APE): CA-RIV-10949/H, CA-RV-10950/H, CA-RV-11084, and 33-021033. Implementation of Mitigation Measures F-1 through F-10 would ensure that impacts to archeological resources are reduced to less than significant. (DEIR531 pp. IV.F-40 – IV.F-47, FEIR531 pp. IV-14 – IV-16).*

No New Impact. The proposed Project lies within the same area previously analyzed in EIR531. As such, development of the proposed Project will result in the same disturbance area. Mitigation Measures F-1 through F-10 remain in effect for this Project, to ensure impacts remain less than significant. Mitigation Measures F-1 through F-3, and F-5 through F-9, have been revised for clarity as follows:

Mitigation Measure F-1: Cultural Resources

60 Series

Project Archaeologist. 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. Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to identify any unknown historic archaeological resources. During all earthmoving activities, the archaeological monitor should be present to monitor all previously undisturbed soils and to identify, document, and evaluate any potential historic, archaeological, or cultural resources that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and

~~described in detail in the archaeological monitoring report and updated in the appropriate existing or new DPR form. Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.~~

Mitigation Measure F-2: Cultural Resources

60 Series

Native American Monitor. 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. At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band and Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall require the Applicant to retain a professional Tribal Monitor to monitor all ground-disturbing activities, in an effort to identify any historic, archaeological, and cultural resources. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.

Mitigation Measure F-3: Cultural Resources

A Cultural Resource Monitoring Plan (CRMP) 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. This CRMP should be prepared in conjunction with the consulting tribe. ~~Prior to the beginning of any ground-disturbing activities, the County-qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources~~

~~discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and offsite grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.~~

~~The Agreement shall address the appropriate protocols should archaeological, historical, or cultural resources be found; the process for identification, evaluation, and any potential avoidance, preservation, or other mitigation options; protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork that shall take into account traditional Tribal practices; documentation of any new sites and artifacts; and any other appropriate methodology. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.~~

Mitigation Measure F-5: Cultural Resources

~~The Project Applicant, the Soboba Band or Pechanga consulting Tribe, and the County-qualified archaeologist shall conduct controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10950/H. A controlled grading plan will be developed by the Project Archaeologist. The controlled grading plan shall require the systematic removal of the ground surface to allow for the identification, documentation and recovery of any subsurface cultural deposits. Results of the controlled grading program shall be included in the Phase IV monitoring report.~~

~~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.~~

~~The purpose of the controlled grading at and around the site as outlined in the area labeled as "Controlled Grade Area" is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, to collect the resources for appropriate treatment pursuant to Section V(g) of the Agreement and in the Monitoring Plan to be developed by the project archaeologist in consultation with the Soboba Band or Pechanga Tribe. The Developer shall only use a paddle grader, and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the attached land use map. All controlled grading shall be monitored according to the provisions of Mitigation Measure F-2.~~

Mitigation Measure F-6: Cultural Resources

15 Series

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. If inadvertent discoveries of subsurface archaeological/cultural resources are discovered during grading, the Developer, the project archaeologist, and the Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Soboba Band or Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the Planning Commission and/or Board of Supervisors.

Mitigation Measure F-7: Cultural Resources

15 Series

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. 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.

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. The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.

Mitigation Measure F-8: Human Remains

15 Series

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.
- 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. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California 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 disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in Mitigation Measure F-2.

Mitigation Measure F-9: Cultural Resources

All sacred sites, as described in Public Resource Code section 5097.9, should they be encountered within the Project area, shall be avoided and preserved as the preferred mitigation, if feasible.

Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: Less than Significant Impact with Mitigation. This threshold is not specifically addressed in EIR531 because the Environmental Assessment (EA42506) prepared as part of the NOP determined a less than significant impact. No human remains are known to exist within the project site, but the project site is in an archaeologically sensitive area, and it is possible that undiscovered human remains could exist. However, if human remains are encountered, the Project Applicant would be required to immediately notify the County Coroner of the find. 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 Resources Code Section 5097.98. If the remains are determined to be Native American, the County Coroner shall notify the Native American Heritage Commission within 24 hours, who shall determine and notify the appropriate most likely descendent(s) (MLD) within 48 hours of receiving notification of the discovery. The descendent(s) 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, the MLD, and a County representative shall meet to determine the appropriate mitigation measures and corrective actions to be implemented as provided in Public Resources Code 5091.98. This is incorporated in EIR531 as Mitigation Measure F-8. Given the above discussion, impacts related to human remains would be less than significant with mitigation incorporated. (DEIR531 pp. I-22, IV.F-34, p. IV.F-45, p. 11 of Appendix I, FEIR p. IV-14).*

No New Impact. The proposed Project lies within the same area previously analyzed by EIR531. As such, development of the proposed Project will result in the same disturbance area. The Project Applicant will be required to comply with the State Health and Safety Code Section 7050.5 and Public Resources Code Section 5097.98 and implement Mitigation Measure F-8 as

revised above in the event any human remains are discovered during implementation of the proposed Project. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: Mitigation measures **F-4** and **F-10** related to this issue that were identified in EIR531 remain in effect as well as revised mitigation measures **F-1** through **F-3**, and **F-5** through **F-9**.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

ENERGY Would the project:				
10. Energy Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in potentially significant environmental impacts due to wasteful, inefficient, or unnecessary consumption of energy resources, during project construction or operation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with or obstruct a State or Local plan for renewable energy or energy efficiency?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, CARB 2012, CEC

Findings of Fact:

- a-b) *EIR531 Conclusion: EIR531 inadvertently omitted a direct discussion of this threshold. The County of Riverside does not have any adopted energy conservation plans. However, the energy impacts of the project were discussed within the Utility and Service Systems section of EIR531. This section found that the project would not result in an inefficient use of energy, and impacts related to energy utilities would be less than significance with the inclusion of project design features that conserve energy, as listed in EIR531 on pages IV.P-35 through IV.P-37. EIR531 also includes Mitigation Measures **H-1** and **H-2**, which also relate to energy conservation. In addition to the project design features and Mitigation Measures **H-1** and **H-2**, the project will also comply with State Title 24 standards and the CalGreen Code that increase energy efficiency. Thus, the project will not have a significant impact on energy use, and energy conservation measures are in effect. (DEIR531, pp. IV.P-35 – IV.P-39).*

No New Impact. The proposed Project lies within the same area as previously analyzed and is subject to current Riverside County General Plan policies and requirements regarding energy efficiency. However, the County does not have any adopted energy conservation plans which will be adversely affected by the proposed Project.

The proposed Project would consume energy during both construction and operation. Construction of the proposed Project would require the use of construction equipment for grading, building construction, paving, and architectural coating activities; additionally, construction workers and vendors traveling to and from the site of the proposed Project consumes fuel. Construction equipment and heavy duty trucks generally requires diesel as the fuel source whereas worker trips consume gasoline. 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.

Operation of the Project requires the use of electricity and natural gas for space and water heating and fuel usage from vehicle trips by employees and trucks. The Project will promote building energy efficiency through compliance with energy efficiency standards (Title 24 and Cal Green). 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 non-commercial passenger vehicles and light-duty trucks of model year 2009 and thereafter (CAP, p. 1-8).
- 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 (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 emissions into a single coordinated package of requirements for model years 2017 through 2025 (CARB 2012).

Southern California Edison (SCE), the electricity provider for the Project site, produced approximately 84 billion kWh of electricity in 2017 and SoCal Gas (SCG), the natural gas provider for the site, produced approximately 5.1 billion therms in 2017. (CEC). At full build-out, the Project's electricity demand would be a negligible amount of the existing electricity demand in SCE's service area and the natural gas demand would be a negligible percent of the existing natural gas use in SCG's service area. As such, there will be adequate capacity to serve the proposed Project.

Collectively, compliance with regulatory programs, implementation of the Riverside County Climate Action Plan (CAP) Screening Table measures (Appendix F), implementing project design features as written in EIR531 on pages IV.P-35 through IV.P-37 and Mitigation Measures **H-1** and **H-2**, would ensure that the Project would not result in the inefficient, unnecessary, or wasteful consumption of energy during construction or operation. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

GEOLOGY AND SOILS Would the project directly or indirectly:**11. Alquist-Priolo Earthquake Fault Zone or County 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: EIR531, GW

Findings of Fact:

- a) *EIR531 Conclusion: No Impact. EIR531 determined that the project site is not within an Alquist-Priolo Earthquake Fault Zone or a County Fault Hazard Zone. Thus, EIR531 concluded no impacts related to exposing people or structures to a known earthquake fault zone. (DEIR531, p. IV.A-2).*

No New Impact. The proposed Project lies within the same area previously analyzed. A *Geotechnical Update Report* was prepared by Geocon West, Inc., dated October 2017 (GW) for the entire SP382S1 boundary which includes the proposed Project site (TTM 37499). The purpose of the report 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. Seismic activity is expected in southern California. However, the Project site is not located within an Alquist-Priolo Earthquake Fault Zone or County Fault Hazard Zone. The nearest active fault is the Casa Loma segment of the San Jacinto Fault zone located approximately 4 miles northeast of the site (GW, p. 6). The proposed Project will still 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. Further, the Project will be conditioned to provide a final Geotechnical Investigation prior to grading as identified by Mitigation Measure **G-2**, which will include site-specific recommendations to address seismic design considerations, geotechnical design considerations, site grading recommendations, construction considerations, foundations design and construction, floor slab design and construction, retaining wall design and construction, and pave design parameters. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

12. Liquefaction Potential Zone

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

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Sources: EIR531, GW

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 determined via site-specific analysis that the liquefaction potential at the project site is considered a concern due to shallow saturated loose alluvium soil. More specifically, liquefaction potential exists in localized areas within the northwestern portion of the project site due to saturated interbedded silt and sand layers at depths of 5 to 18 feet. However, liquefaction-induced settlement would be minimal with implementation of proper remedial grading measures. Furthermore, implementation of Mitigation Measures G-1 and G-2 will ensure impacts to the project related to liquefaction are reduced to less than significant. (DEIR531 pp. IV.G-10 – IV.G-11, IV.G-15 – IV.G-16).*

No New Impact. The proposed Project lies within the same area as previously analyzed. The Project site is located in a Low Liquefaction Potential Zone with shallow soils overlaying metamorphic bedrock. Liquefaction typically occurs when a site is located in a zone with seismic activity, onsite soils are cohesionless/silt or clay with low plasticity, static groundwater is encountered within 50 feet of the surface, and soil relative densities are less than about 70 percent. If the four previous criteria are met, a seismic event may have the potential to result in a rapid pore-water pressure increase from the earthquake-generated ground accelerations. Seismically induced settlement may occur whether the potential for liquefaction exists or not. (GW, p. 11). Groundwater was encountered at depths of 6 to 13 feet in 2000 and 2007 within the area south of Fields Roads. Groundwater was not encountered in other areas of the site. (GW, p. 5). Thus, true groundwater is likely no present within the site to be developed by TTM 37449. Further, unsuitable soils will be removed and replaced with compacted fill during grading. The area in which shallow water was encountered, will not be developed. Further, the proposed Project will be conditioned to comply with recommendations of GW and implement Mitigation Measures G-1 and G-2. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

13. Ground-shaking Zone

a) Be subject to strong seismic ground shaking?

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Sources: EIR531, GW, ORD 457

Findings of Fact:

- a) *EIR531 Conclusion: No Impact. EIR531 determined that the project is susceptible to ground motion as a result of potential movement along faults in the region. However, individual developers within the project area would be required to design and construct the project in conformance to the most recently adopted CBC design parameters. The project would also be subject to County Ordinance 457, which subjects all development within an identified earthquake fault zone (which the project is not) to requirements of the Alquist-Priolo Act and the criteria*

identified in the Ordinance and Riverside County Municipal Code Chapter 15.60 and identifies requirements for development to reduce structural damage caused by fault rupture. EIR531 concluded that conformance with these standards would ensure that no significant impacts related to ground shaking would occur. (DEIR531 p. IV.G-11 – IV.G-12).

No New Impact. The proposed Project lies within the same area previously analyzed. A *Geotechnical Update Report* was prepared by Geocon West, Inc., dated October 2017 (GW) for the entire SP382S1 boundary which includes the proposed Project site (TTM 37499). Seismic activity is expected in southern California. However, the proposed Project will still 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 as well as County Ordinance 457 (ORD 457). Further, the Project will be conditioned to comply with recommendations of GW and provide a final Geotechnical Investigation prior to grading as identified by Mitigation Measure **G-2**, which will include site-specific recommendations to address seismic design considerations, geotechnical design considerations, site grading recommendations, construction considerations, foundations design and construction, floor slab design and construction, retaining wall design and construction, and pave design parameters. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

14. Soils	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Result in substantial soil erosion or the loss of topsoil?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, GW

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact. EIR531 determined that with implementation of best management practices (BMPs) outlined in the Stormwater Pollution Prevention Plan (SWPPP) and the project's proposed water quality design features, impacts related to erosion and loss of topsoil would be less than significant (DEIR531 p. IV.G-13).*

No New Impacts. Construction activities have the potential to result in soil erosion or the loss of topsoil. However, as identified in EIR531, 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 SWPPP be prepared prior to construction activities and implemented

during construction activities. The SWPPP will identify 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 impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 determined that the project is located on expansive soil, with a medium expansion potential, based on laboratory testing of soil samples. EIR531 stated that expansive soil conditions should be evaluated for individual lots during and at the completion of rough grading to verify anticipated conditions. EIR531 concluded that implementation of Mitigation Measures G-1 and G-2, requiring preparation of a Geotechnical Report including compliance with the geotechnical recommendations would not result in significant impacts related to expansive soils. (DEIR531 p. IV.G-14).*

No New Impacts. The proposed Project is located within the same area as previously analyzed, which was found to have expansive soils. This is confirmed by the *Geotechnical Report*, which found some expansive soil on the Project site (GW, p. 16). Similar to the analysis in EIR531, the Project will be required to comply with Mitigation Measures G-1 and G-2 by preparing a *Geotechnical Report* and complying with all the geotechnical recommendations outlined in the report (GW, pp. 15-33). Therefore, no new or substantially increased significant effects result from the Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: No Impact. EIR531 determined that the project would not use septic tanks because the project would connect to the EMWD's existing sewer system (DEIR531 p. IV.A-2).*

No New Impacts. The proposed Project is located within the same area as previously analyzed in EIR531. The proposed Project does not include the use of septic tanks or alternative waste water disposal system. Therefore, no new or substantially increased significant effects result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

15. Wind Erosion and Blowsand from project either on or off site.

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- a) Be impacted by or result in an increase in wind erosion and blowsand, either on or off site?

Source: EIR531

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that the project is in an area with a moderate wind erodibility rate. EIR531 concluded that implementation of the project would decrease the amount of exposed soil surfaces within the SP boundary, thereby decreasing the potential for wind erosion. (DEIR531 pp. IV.A-2 – IV.A-3).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The Project consists of residential development that will decrease the amount of exposed soil surfaces at the Project site, thereby decreasing the potential for wind erosion.

Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

GREENHOUSE GAS EMISSIONS Would the project:				
16. Greenhouse Gas Emissions	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Generate greenhouse gas emissions, either directly or indirectly, that may have a significant impact on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Conflict with an applicable plan, policy or regulation adopted for the purpose of reducing the emissions of greenhouse gases?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, CAP

Findings of Fact:

- a) *EIR531 Conclusion: Significant and Unavoidable. EIR531 stated that the project will generate direct and indirect greenhouse gas (GHG) emissions that will result in a significant impact on the environment, even with the inclusion of Mitigation Measures H-1 and H-2. Mitigation Measures H-1 and H-2 will enforce design features that reduce GHG emissions 13 percent from a business-as-usual (BAU) scenario. However this reduction will not be great enough to achieve the County's recommended threshold of 30 percent reduction from BAU. Ultimately, significant further reductions in mobile and energy sources would be needed to achieve the reductions recommended by the County. Those further reductions would require implementation of mitigation measures that are not considered feasible for this type of residential project at this time. (DEIR531 pp. IV.H-38 – IV.H-40, IV.H-22 – IV.H-29, FEIR531 pp. IV-17 – IV-18).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The land uses of SP382S1 remain the same as those previously analyzed in EIR531, but will be reduced in density from 1,282 homes to 856 homes. TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. Given fewer homes will be constructed within these planning areas, construction-related GHG emissions from the proposed Project will be less than what was analyzed under EIR531. Still, the Project will implement Mitigation Measures H-1 and H-2 to ensure that GHG emissions are reduced as analyzed in EIR531. Moreover, the Project will comply with the County of Riverside Climate Action Plan (CAP), updated in July 2018. 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. (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. (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. (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. (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. Mitigation measure **MM GHG 1**, provided below, requires that the Project implement measures totaling a minimum of 100 points from the Screening Tables. Because the Project will implement at least 100 points from the Screening Tables, the Project is consistent with the CAP and its GHG impacts are less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: No Impact. EIR531 stated that the project will not conflict with any applicable plan, policy, or regulation regarding GHG emissions, including consistency with Assembly Bill 32 and Senate Bill 375 policy objectives. Table IV.H-5 and Table IV.H-6 in EIR531 demonstrates how the project is consistent with Assembly Bill 32 and Senate Bill 375, respectively. (DEIR531 pp. IV.H-29 – IV.H-37).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The land uses of SP382S1 remain the same as those previously analyzed in EIR531, but will be reduced in density from 1,282 homes to 856 homes. TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. Given fewer homes are proposed overall than considered under the previously approved SP382, impacts from GHG emissions from the proposed land uses will be less than those examined previously certified EIR531. The Project does not introduce any significant changes that will change the consistency with AB 32 and SB 375 (DEIR531, Tables IV.H-5 and IV.H-6). Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect and include the following additional:

MM GHG 1: 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, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

HAZARDS AND HAZARDOUS MATERIALS Would the project:				
17. Hazards and Hazardous Materials	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Impair implementation of or physically interfere with an adopted emergency response plan or an emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, CDTSC

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact with Mitigation. Short-term construction activities related to the project would involve the temporary transport, use, and disposal of potentially hazardous materials, including paints, adhesives, surface coatings, cleaning agents, fuels, and oils. EIR531 stated that all potentially hazardous materials would be used and stored in accordance with manufactures' instructions and handled in compliance with applicable standards and regulations. Since construction of the project would comply with applicable regulations and would not expose persons to substantial risk resulting from the release of hazardous materials or exposure to health hazards in excess of regulatory standards, EIR531 concluded that impacts related to hazards and hazardous materials would be less than significant.*

The project would include residential uses, which typically do not generate hazardous materials. The types of potentially hazardous materials associated with residential units include solvents, paint, batteries, fertilizers, and petroleum products that are packaged and stored for consumer sales. The users of these materials would be required to comply with all local, state and federal laws pertaining to the management of hazardous materials and wastes. Through compliance with these laws, EIR531 concluded that implementation of the project would not create a significant hazard to the public or the environment through the routine transport, use, or disposal of hazardous materials and impacts would be less than significant. (DEIR531 p. IV.A-3).

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The land uses of SP382S1 remain the same as those previously analyzed in EIR531, but will be reduced in density from 1,282 homes to 856 homes. TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. Similar to the analysis in EIR531, all potentially hazardous materials will be handled in compliance with applicable standards and regulations, and users of any hazardous materials will be required to comply with

all related laws. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: No Impact. A Phase I Environmental Site Assessment (ESA) was prepared for the project. The Phase I ESA concluded that no historical Recognized Environmental Conditions or de minimis environmental conditions were identified as a result of activities or conditions at the project site or nearby properties, and no additional action or assessment is recommended as a result of the Phase I ESA. EIR531 stated that portions of the project site historically have been used for agricultural activities, which can result in potential environmental impacts related to the application of pesticides and herbicides and sometimes involve on-site storage of hazardous materials, as well as maintenance, repair and operation of farm equipment. No direct evidence of these activities was identified at the project site. In the absence of evidence of a significant release of agricultural chemicals, EIR531 concluded there is no regulatory requirement for sampling at the project site and no significant impacts would occur. (DEIR531 p. IV.I-14).*

No New Impact. The proposed Project lies within the same area as previously analyzed. As such, development of the proposed Project will result in the same disturbance area. EIR531 concluded there to be no significant impacts related to the potential release of hazardous materials into the environment. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 stated that construction of the project, including development of new roadways and improvements within existing roadways, could result in temporary traffic obstructions. In particular, Washington Street to the west, Keller Road to the north, Fields Drive to the west, and Jean Nicholas to the southwest are major arterials in the vicinity of the project. However, EIR531 concluded that with implementation of Mitigation Measure I-1, potential impacts related to interference with the County's Emergency Operations Plan would be reduced to less than significant. (DEIR531 p. IV.I-14).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The Project site is bordered by Washington Street to the west, and is in close proximity to Keller Road (near the northwest corner of the Project site) and Fields Drive (to the west of the Project site). Similar to EIR531, the proposed Project will be required to implement Mitigation Measure I-1 to ensure that there are no conflicts or interference with the County's Emergency Operations Plan. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- d-e) *EIR531 Conclusion: No Impact. EIR531 stated that the types of hazardous materials associated with the project would be those typically related to residential land uses and would not pose a significant risk to the environment, including any school land uses. EIR531 stated that all potentially hazardous materials would be used and stored in accordance with manufactures' instructions and handled in compliance with applicable standards and regulations. According to the Phase I ESA prepared as part of EIR531, the project site is not located on list of hazardous materials sites compiled pursuant to Government Code Section 65962.5; therefore, EIR531 concluded no impacts related hazards and hazardous materials. (DEIR531 pp. IV.A-3 – IV.A-4).*

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 (CDTSC). The Project will be required to comply with all applicable federal, state, and local laws and regulations pertaining to the transport, use, disposal, handling, and

storage of hazardous waste, including but not limited to Title 49 of the Code of Federal Regulations implemented by Title 13 of the California Code of Regulations, which describes strict regulations for the safe transportation of hazardous materials. Compliance with all applicable federal, state, and local laws related to hazardous materials will ensure that impacts in regards to emitting hazardous emissions or materials within one-quarter mile of a school will be less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

18. Airports				
a) Result in an inconsistency with an Airport Master Plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Require review by the Airport Land Use Commission?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, RCALUC

Findings of Fact:

- a-d) *EIR531 Conclusion: No Impact. EIR531 determined that the project site does not fall within an Airport Master Plan, does not fall within the boundaries of an airport influence area, is not located within two miles of an airport, and is not located within the vicinity of a private airstrip or heliport. The airport closest to the project is the French Valley airport. EIR531 stated that review of County's Airport Land Use Compatibility Plan and Map show that the project is outside of the French Valley Airport compatibility zones. Thus, EIR531 concluded no impacts related to these thresholds would occur. (DEIR531 pp. IV.A-4, IV.A-6).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. No new airports have been located in the vicinity of the Project site since EIR531 was certified. The French Valley Airport is the closest airport to the Project site, located approximately 3 miles southwest of the Project site. Additionally, the Project site is located outside of the French Valley Airport's compatibility zones (RCALUC). Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

HYDROLOGY AND WATER QUALITY Would the project:				
19. Water Quality Impacts	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Violate any water quality standards or waste discharge requirements or otherwise substantially degrade surface or ground water quality?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Substantially decrease groundwater supplies or interfere substantially with groundwater recharge such that the project may impede sustainable groundwater management of the basin?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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 addition of impervious surfaces?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Result in substantial erosion or siltation on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Substantially increase the rate or amount of surface runoff in a manner which would result in flooding on-site or off-site?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) 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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
g) Impede or redirect flood flows?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
h) In flood hazard, tsunami, or seiche zones, risk the release of pollutants due to project inundation?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
i) Conflict with or obstruct implementation of a water quality control plan or sustainable groundwater management plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, FEMA, GW, WEBB-A, WEBB-B

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that during construction, the soil-disturbing activities associated with the project would necessitate the implementation of a SWPPP and related construction BMPs that would achieve best conventional pollutant control technology (BCT) and best available technology economically achievable (BAT) performance standards. Submittal of a NOI and implementation of the SWPPP and its associated BMPs throughout the construction phase of the project would address anticipated and expected pollutants of concern as a result of construction activities. EIR531 stated that compliance with the General Construction Permit requirements would ensure that water quality standards are met/exceeded during the project's construction. Therefore, EIR531 concluded that impacts related to water quality standards and waste discharge requirements would be less than significant.*

The long-term operation of the project necessitates the implementation of post-construction BMPs that would achieve BCT and BAT performance standards, in order to mitigate and abate pollutants that may compromise the French Valley Creek, Murrieta Creek, Santa Margarita River beneficial uses and water quality. As required by the County, at the time of submittal of an application for a new development, the project proponents shall be required to submit a Water

Quality Management Plan (WQMP) to the County, using the County's Stormwater Quality Best Management Practice Design Handbook, that outlines approved post-construction BMPs including site-design and source and treatment control BMPs selected for the particular development to reduce pollutants in post-development runoff to meet the BAT/BCT performance standard. Collectively, the site-design, source, and treatment-control BMPs would address the anticipated and expected pollutants of concern from the operational phase of the project and ensure that water quality standards are met. Therefore, EIR 531 concluded that potential impacts related to water quality would be less than significant. (DEIR531 pp. IV.J-20 – IV.J-30).

No New Impact. The proposed Project lies within the same area as previously analyzed under EIR531. A *Preliminary Hydraulic Study for TTM37449* was prepared by Albert A. WEBB Associates dated July 2018 (WEBB-A). WEBB-A is consistent with the drainage recommendations of the hydrology study that was completed for approved SP382 and provides project-specific recommendations for TTM37449 for onsite and offsite flows to be conveyed via subsurface storm drains to water quality/flow mitigation basins.

Onsite storm runoff is conveyed by local streets to catch basins at sag locations or at locations where street capacity is insufficient. An underground storm drain system is proposed to convey the flows from the catch basins to the designated water quality/mitigation basins. Preliminary street, catch basin and storm drain pipe capacities calculations were performed to initially size the proposed storm drain systems. Several existing storm drain systems are located downstream of TTM37449 to the west. These existing drainage facilities have been designed to convey the ultimate conditions 100-year peak flow rates and were part of the development of Tract 29962 which is located immediately downstream of the project site. Existing storm drain Line A, known as Fields Drive Storm Drain and maintained by the Riverside County Flood Control and Water Conservation District (RCFW&WCD), is located in Fields Drive. Line A is a 54-inch reinforced concrete pipe (RCP) sized to carry 154 cubic feet per second (cfs). Storm Drain Line F is a 48-inch RCP culvert crossing Washington Street approximately 700 feet south of Keller Road and is maintained by the Riverside County Transportation Department. Line F is sized to carry 108 cfs. Both facilities are proposed as drainage outlet points for TTM37449. (WEBB-A, Section 1).

A new Water Quality Management Plan for projects located within the Santa Margarita Watershed was adopted in 2014 which identifies directions for using low impact development (LID) principles in addressing post-project water quality and hydromodification criteria for new developments. As such, the use of infiltration facilities is prioritized in the LID facilities hierarchy and percolation tests were performed at the proposed basins locations: Basin H (Planning Area 8 of SP382S1) and Basin B (Planning Area 6 of SP382S1). Unfeasible infiltration rates were identified for Basin H at less than 1.6 inches per hour (in/hr), while favorable infiltration rates were identified for Basin B at more than 1.6 in/hr. As a result, Basin H is proposed as a bio-retention with underdrain water quality/mitigation basin and Basin B is proposed as infiltration water quality/mitigation basin. (WEBB-A, Section 1).

Runoff from the site will be collected and conveyed via the proposed storm drain to Basins H and B. Basin B is an infiltration basin and Basin H is a bioretention facility with no lining; both of which will allow infiltration of flows from impervious areas to infiltrate into the ground to facilitate the dispersion of the collected runoff over pervious areas before leaving the site. (WEBB-B, p. 10).

The 100-year peak flow rates for Basin H and B as well as the capacity of the corresponding existing downstream facilities are reflected in **Table B, Peak Flow Rates**, below. **Table B**

identifies flows generated from Basin H are within the capacity of the existing downstream outlet facility, while 100-year mitigation of the peak flow rate is required for Basin B. (WEBB-A, Section 2).

Table B, Peak Flow Rates

Proposed Basin	Peak Flow Rate (RM)¹	Peak Flow Rate (UH)²	Outlet Facility Capacity
H	75 cfs	74.9	Line F – 108 cfs
B	287 cfs	287.7	Line A – 154 cfs

Source: WEBB-A, Table 2-1

Notes

1. RM = Rational Method
2. US = Unit Hydrograph

Two different methodologies were used for mitigation of the increased runoff for the basins: the Santa Margarita Region Hydrology Model (SMRHM) for storm events between 2-year and 10-year as required by the Santa Margarita River WQMP, and the Basin Routing Program for the 100-year storm event. **Table C, Hydromodification Summary** and **Table D, Routing Summary** provide a hydromodification and routing summary, consecutively, of the basins for the 2-year, 5-year, 10-year, and 100-year storm events. (WEBB-A, Section 2).

The 100-year mitigation does not take in considerations any volumes below water quality water surface elevations or any filtration through bio-retention media or ground infiltration. The results of **Table D**, show that the mitigated 100-year peak flows for each basin are less than the capacity of the existing downstream facilities. The Basin H bottom elevation is 1,431 feet and its maximum water depth is 1.8 which results in maximum water surface elevation of 1,432.8 feet. The Basin B bottom elevation is 1,430 feet and its maximum water depth is four feet which results in maximum water surface elevation of 1,434 feet. Basin H bottom footprint is approximately 26,500 square feet and Basin B bottom footprint is 81,800 square feet. Basin H is proposed with 4:1 side slopes and Basin B with combination of 4:1 and 2:1 slopes. Both basins have minimum of one foot freeboard. (WEBB-A, Section 3).

Catch basins are proposed at street low points and at locations where the street section is not sufficient to convey the generated flows according to the Riverside County requirements. In no case does the 10-year street flows exceed the top of curb elevation nor does the 100-year flows exceed the right-of-way elevation. Further, the storm drain system was extended to locations where street flows are expected to splash over driveway entrances due to high velocities and depths close to top of curb elevation.

Additionally, the proposed Project will encroach slightly into the existing French Valley Creek Floodplain. The proposed water quality/increased runoff basin is located along the northerly side of French Valley Creek. Analysis for Basin B was conducted to determine flow velocities and cut off wall depths along the outer slope of the proposed water quality basin which resulted in elevating the southerly maintenance road of the Basin above the calculated flow depth. (WEBB-A, Section 4). Since all facilities have been designed to capture increase flows from the developed site condition and because no facilities will exceed existing capacity, impacts to resulting from runoff water will be less than significant.

Table C, Hydromodification Summary

Storm Event	BASIN H Conditions					BASIN B Conditions				
	Predeveloped 47.5 Acres		Mitigated 38.8 acres			Predeveloped 112.2 Acres		Mitigated 126.6 Acres		
	Peak Flow (cfs)	Routed Peak (cfs)	Basin Volume ¹ (Ac-Ft)	Basin Depth ² (Ft)	Basin WS Elev. (Ft)	Peak Flow (cfs)	Routed Peak (cfs)	Basin Volume ³ (Ac-Ft)	Basin Depth ⁴ (Ft)	Basin WS Elev. (Ft)
2	13.0	12.1	0.39	0.68	1432.2	38.2	27.6	3.83	1.84	1432.9
5	17.9	17.0	0.43	0.76	1432.3	51.5	48.3	4.57	2.16	1433.2
10	28.4	24.4	0.50	0.86	1432.4	79.3	69.1	5.33	2.49	1433.55

Source: WEBB-A, Tables 3-1 and 3-3

Notes

1. Does not include Vbmp below 1431.5 elevation
2. Above Vbmp Depth at 1431.5
3. Does not include Vbmp below 1431.06 elevation
4. Above Vbmp depth at 1431.06

Table D, Routing Summary

Storm Event	Duration (Hour)	BASIN H Conditions						BASIN B Conditions					
		Proposed 126.6 acres		Basin Routing Results				Proposed 38.8 acres		Basin Routing Results			
		Peak Flow (cfs)	Total Volume (Ac-Ft)	Routed Peak (cfs)	Basin Volume ¹ (Ac-Ft)	Basin Depth ² (Ft)	Basin WS Elev. (Ft)	Peak Flow (cfs)	Total Volume (Ac-Ft)	Routed Peak (cfs)	Basin Volume ³ (Ac-Ft)	Basin Depth ⁴ (Ft)	Basin WS Elev. (Ft)
100	1	74.9	3.106	65.6	0.786	1.31	1432.8	288.0	11.47	149.9	6.815	2.97	1434.0
	3	44.1	3.630	40.9	0.620	1.06	1432.6	165.0	14.15	143.5	6.043	2.66	1433.7
	6	39.2	4.475	36.5	0.591	1.01	1432.5	146.0	17.18	141.6	5.762	2.55	1433.6
	24	15.7	6.605	15.3	0.393	0.69	1432.2	61.2	26.40	53.3	5.007	2.24	1433.3

Source: WEBB-A, Tables 3-2 and 3-4

Notes

1. Does not include Vbmp below 1431.5 elevation
2. Above Vbmp Depth at 1431.5
3. Does not include Vbmp below 1431.06 elevation
4. Above Vbmp depth at 1431.06

A *Preliminary Project Specific Water Quality Management Plan* for TTM 37449 was prepared by Albert A. WEBB Associates dated July 2018 (WEBB-B) which contains project-specific recommendations for compliance with water quality standards, waste discharge requirements, and Best Management Practices (BMP) for maintaining water quality (WEBB-B, p. 3). The Project Applicant will also prepare and submit a NOI and SWPPP with BMPs that achieve BCT and BAT performance standards. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: Less than Significant Impact. All runoff from the project would be directed to storm drain infrastructure and/or detention basins and discharged to the existing downstream receiving waters (i.e., French Valley Creek, Murrieta Creek, Santa Margarita River) at rates and volumes not to exceed existing conditions. As such, the runoff volumes from the project would continue to be available for groundwater recharge in the watershed area; no deficit to groundwater or lowering of the groundwater table would occur as a result of drainage changes at the project site. Additionally, as discussed in the Utilities and Service Systems section, the water supply assessment (WSA) prepared for the approved project by Eastern Municipal Water District (EMWD) concluded that EMWD could accommodate the project's demand for water supply, and no additional sources (such as additional groundwater) would be needed for the project. Thus, EIR531 concluded that the project would not affect any groundwater wells in the region. (DEIR531 p. IV.J-31).*

No New Impact. The proposed Project lies within the same area as previously analyzed under EIR531. Overall runoff volumes of SP382S1 will have a less than significant effect on groundwater recharge as additional open space will be provided as a result of 426 fewer homes than originally proposed. Development of TTM37449 entails approximately 50 percent of surfaces to be become impervious. However, proposed Basins H and B will allow flows from these impervious areas to be retained and infiltrated to the extent of the natural infiltration capacity of the underlying soil. Project design considerations minimize the impacts of the addition of impervious surfaces to the site by providing for open spaces, parks and water quality basins allowing for infiltration. Further, runoff from rooftops will be directed to adjacent landscape areas for infiltration into the groundwater system. Remaining runoff is collected and conveyed via the proposed storm drain to Basins H and B. Basin B is an infiltration basin and Basin H is a bioretention facility with no lining; both of which will allow infiltration of flows from impervious areas to infiltrate into the ground. (WEBB-B, pp. 9-10). EIR531 identified that the Project is served by EMWD which can accommodate the Project's demand for water supply and that no additional sources (such as additional groundwater) are required to meet water demand. As SP382S1 will result in 426 fewer homes and TTM 37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas, further support that additional sources to meet water demand such as groundwater, are not required. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c-e) *EIR531 Conclusion: Less than Significant Impact. EIR531 determined that the project would not substantially alter the existing drainage pattern of the site or area, including the alteration of the course of a stream or river or through the addition of impervious surfaces, and the project would not result in substantial erosion or siltation on- or off-site. During construction of the project, the project applicant would be required to prepare and submit a Notice of Intent (NOI) prior to commencement of construction activities and prepare and implement a Storm Water Pollution*

Prevention Program (SWPPP) in compliance with General Construction Permit requirements. The SWPPP would describe the BMPs to be implemented during the project construction activities. Through compliance with the General Construction Permit requirements, no significant impacts related to erosion and sedimentation would occur as a result of construction activities. During the project operation, water quality design features would address potential erosion and siltation impacts. Thus, EIR531 concluded impacts would be less than significant. (DEIR531 pp IV.J-19 – IV.J-20).

With implementation of BMPs outlined in the SWPPP and the project's proposed water quality design features, impacts related to erosion and loss of topsoil would be less than significant (DEIR531 p. IV.G-13). Further, the project would provide adequate stormwater drainage capacity to control the rate and volume of runoff from the project to not to exceed existing conditions. The project would not cause flooding on or off of the project site. Therefore, EIR531 concluded that impacts related to flooding would be less than significant. (DEIR531 p. IV.J-40).

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531 and is still subject to the National Pollutant Discharge Elimination System (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. A *Preliminary Hydraulic Study for TTM37449* was prepared by Albert A. WEBB Associates dated July 2018 (WEBB-A) which identifies that Basin H (Planning Area 8 of SP382S1) may be susceptible to hydromodification which is the alteration of the natural flow of water through a landscape. However, as discussed above, the site will be designed to mitigate increased runoff to reduce impacts from hydromodification. Additionally, a *Preliminary Project Specific Water Quality Management Plan* for TTM 37449 was prepared by Albert A. WEBB Associates dated July 2018 (WEBB-B) which identifies existing drainage patterns through SP382S1 Planning Areas 18 and 25. However, these Planning Areas have been preserved and will ultimately be dedicated for preservation in perpetuity to the Riverside Conservation Authority along with approximately 68 acres of open space (SP382S1 Planning Area 17) to be preserved in its natural drainage patterns. (WEBB-B, p. 9). Further, the Project will be required to prepare and submit a SWPPP with BMPs prior to the commencement of construction activities, and incorporate water quality design features to address potential erosion and siltation impacts and, as discussed above, the drainage facilities for the proposed Project are designed so as to capture increased flows so as not to cause flooding on or off the Project site.

Thus, through project design and compliance with existing regulations and policies, the proposed Project will not 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 addition of impervious surfaces, and will not result in substantial erosion or siltation on- or off-site, or substantially increase the rate or amount of surface runoff in a manner which would result in flooding on- or off-site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- f) *EIR531 Conclusion: Less than Significant Impact. Implementation of the project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. A drainage plan was developed for the project. A total of six existing storm drain systems and one proposed storm drain system have been identified that would limit the maximum flow rate the project could convey to the connection point. As a result, the storm drain*

alignments and hydrology were prepared in a manner to balance the project's watershed areas. The balancing of the watershed would result in a drainage solution for the proposed condition flow rates to produce flow rates that would be equal or less than the existing approved flow rates for the downstream systems. Additionally, the proposed storm drain alignments identified potential locations for detention basins and Low Impact Development "Best Management Practices" (LID BMPs) that would function as part of the drainage solution. The detention basins would be used to mitigate increased runoff to satisfy the criteria for "Hydrological Conditions of Concern" (HCOC). The project's drainage would require several detention basins at the downstream end of the proposed facilities in order to satisfy the criteria for HCOCs. Thus, EIR531 concluded that the project would provide adequate stormwater drainage capacity and would not exceed the existing or planned stormwater drainage system; impacts would be less than significant. (DEIR531 pp. IV.J-31 – IV.J-39).

No New Impact. The proposed Project lies within the same area as previously analyzed under EIR531. Further, the Project will not increase capacity beyond plan drainage system. As further discussion above, a WQMP for projects located within the Santa Margarita Watershed was adopted in 2014 which identifies directions for using low impact development (LID) principles in addressing post-project water quality and hydromodification criteria for new developments. Thus, all water will be treated before entering the storm drain system so as not to provide substantial additional sources of polluted runoff. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- g) *EIR531 Conclusion: Less than Significant Impact. As stated previously, the project is located partially in the Federal Emergency Management Agency (FEMA) Flood Zone D and partially in an area zoned as a "No Special Flood Hazard Area." The project would implement the use of a natural stream and proposes planning areas that would encroach into the 100-year flood plain. A roadway (South Street; named "Autumn Glen Circle" in SP382S1) would be constructed across the 100-year flood plain that would include the use of a concrete culvert structure to allow the 100-year flow rate to pass under the road. Moreover, rip-rap armoring would be used along the roadway slopes to protect against erosion and scour. The proposed culvert would be designed in a manner that would not elevate the water surface elevation in order not to impact upstream or downstream property owners. Therefore, EIR531 concluded that the project impacts related to the 100-year flood plain would be less than significant. (DEIR531 p. IV.J-39).*

No New Impact. The proposed Project lies within the same area as previously analyzed under EIR531. Further, the Project has been designed to accommodate flows for the 100-year storm event. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- h) *EIR531 determined that the project is not located near any volcanoes, and does not have steep slopes subject to mudflows. Regarding seiches, there are two lakes (Lake Skinner and Diamond Valley Lake) located in the region, but the Geotechnical Report prepared for EIR531 concluded that the project is far enough away from these lakes that the risk of flooding due to seicheing is negligible. Therefore, EIR531 concluded no significant impacts related to seiche, mudflow, or volcanic hazard would occur. (DEIR531 p. IV.G-13).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531 and thus will not be subject to seiche, mudflow, or volcanic hazard given the site's distance to the water bodies and volcanoes. Tsunamis and seiches are not a considerable risk at the Project site (GW, p. 12). No other geologic hazards were identified in prior analysis.

Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- i) *EIR531 Conclusion: Not specifically analyzed because this threshold was not applicable at the time of EIR531. However, adequate information is provided in EIR531 to make an impact determination. EIR531 states the project is located within the regulatory boundaries of the Water Quality Control Plan for the San Diego Regional Water Quality Control Board (San Diego RWQCB). As stated in EIR531, the Water Quality Control Plan generally defines, "...the condition of the existing water quality, the beneficial uses of the regions surface and ground water, and local water quality conditions and problems (DEIR531 p. IV.J-3)." Further, "...[Water Quality Control] plans are to conform to the policies set forth in the Porter-Cologne Act and established by the SWRCB [State Water Resources Control Board] in its State water policy. The Porter-Cologne Act provides that a RWQCB may include within its [water quality control] plan water [sic] discharge prohibitions applicable to particular conditions, areas, or types of waste (DEIR531 p. IV.J-8)." The beneficial uses of each receiving water to which the Project is tributary are reproduced from the Water Quality Control Plan and listed in Table IV.J-1, including the list of constituents causing water quality impairments to any of said receiving waters (i.e. Clean Water Act Section 303(d)). (DEIR531 p. IV.J-3). The watershed-wide municipal stormwater permit ("MS4 permit") implements one of many efforts described in the Water Quality Control Plan that are designed to improve water quality and achieve the Plan's water quality objectives. EIR531 describes how the project is subject to the requirements of the MS4 permit in the form of a "Water Quality Management Plan (WQMP)." The WQMP describes post-construction best management practices (BMPs) that would achieve Best Conventional pollutant control Technology (BCT) and Best Available economically achievable Technology (BAT) performance standards that target primary pollutants of concern (Table IV.J-2) (DEIR531, p. IV.J-23). EIR531 evaluates the effectiveness of the water quality measures designed for the Project from the Preliminary WQMP and determines the seven proposed extended detention basins and other smaller elements would address the anticipated and expected pollutants of concern from the operational phase of the project and ensure that water quality standards are met. Because the project as described in EIR531 will be conditioned to meet current regulations that implement construction-phase and operational-phase BMPs for the protection of water resources as adopted and regulated by the San Diego RWQCB and SWRCB as is consistent with their water quality control plans, the project will not conflict or obstruct the Water Quality Control Plan for the watershed.*

EIR531 identifies that the project is located within the Santa Margarita River Watershed and overlies the Temecula Valley Groundwater Basin as defined by the state Department of Water Resources' Bulletin 118 report (DEIR531 p. IV.J-4). The project includes Site Design, Source Control and Treatment Control BMPs to reduce impacts on groundwater quality (DEIR531, p. IV. J-26). Further, the Project drainage system is designed so that "...runoff volumes from the site would continue to be available for groundwater recharge...and no deficit to groundwater or lowering of the groundwater table would occur as a result of drainage changes to the Project site" (DEIR531, p. IV.J-31). Additionally, as discussed in EIR531 Section IV.P (Utilities and Service Systems – Water), the water supply assessment (WSA) prepared for the Project by Eastern Municipal Water District (EMWD, 2013) concluded that EMWD could accommodate the Project's demand for water supply, and no additional sources (such as additional groundwater) would be needed for the Project (based on the analysis in EMWD's 2010 Urban Water Management Plan [UWMP]). Thus, the Project would not affect any groundwater wells in the region. (It can be assumed therefore that the Project was accounted for in EMWD's 2015 UWMP

as well.) EIR531 concludes the Project impacts related to groundwater recharge would be less than significant. (DEIR531, p. J-31)

The proposed Project lies within the same area as previously analyzed under EIR531. While, EIR531 did not clarify that the Santa Margarita River Watershed is an adjudicated watershed (for both surface and groundwater). As of January 1, 2015, adjudicated areas are not required to prepare a sustainable groundwater management plan, but instead are required by the Sustainable Groundwater Management Act (SGMA) to report groundwater elevation, extraction, recharge, consumption, and change in storage information to the state on an annual basis according to Water Code 10720.8. The Santa Margarita River Watershed Watermaster is the court-appointed entity that administers and enforces provisions regarding rights to surface water and groundwater throughout the watershed, and who publishes an annual report with this information. Because the Project is located within an adjudicated basin that is not required to prepare a sustainable groundwater management plan, it will not conflict or obstruct a sustainable groundwater management plan. It can be deduced from this analysis that because there would be a less than significant impact to recharge as previously analyzed in EIR531, the same level of impact from the Project would occur if a sustainable groundwater management plan had been in place, and that plan would have been well aware of the Project proposal and accounted for, and the Project would not conflict or obstruct the activities of said plan. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remain as identified in EIR531.

LAND USE/PLANNING Would the project:				
20. Land Use	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Disrupt or divide the physical arrangement of an established community (including a low-income or minority community)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, WEBB-C

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant. The project's existing zoning, per SP382 and its associated zoning ordinance, is Specific Plan (SP) Zone (Belle Terre Specific Plan No. 382). The surrounding zoning immediately adjacent to the Project site includes A-1-5 (Light Agriculture), A-1-10 (Light Agriculture), and SP Zone (Domenigoni Barton Specific Plan No. 310) to the north; R-R (Rural Residential) and A-P (Light Agriculture with Poultry) to the east; A-P (Light Agriculture with Poultry) and R-1 (One-Family Dwellings) to the south; and R-1 (One-Family Dwellings), R-5 (Open Area Combining Zone Residential Developments), A-1-2 ½ (Light Agriculture), and SP Zone (Winchester Specific Plan No. 286) to the west. Existing land use designations surrounding the project site include Low-Density Residential (LDR) to the north; Medium-Density Residential (MDR) to the south; Rural Mountainous to the east; and Medium-Density Residential to the west. As discussed previously, the project site is surrounded by existing and planned residential developments to the north, west, and southwest. Domenigoni-Barton Specific Plan (SP 310) lies directly to the north and northwest of the project site. The Keller Crossing Specific Plan (SP 380) is located to the northwest of the project site, across State Route 79. Located immediately west and southwest of the project is the master planned community of Winchester 1800 (SP 286). Other residential developments planned west and southwest of the project are Tentative Tract Map (TTM) 30837 with 320 single-family residential lots (approved in 2004), TTM 33423 with 132 single-family residential lots, and TTM 29883 with 491 single-family residential lots (currently under review by the County Planning Department). The remaining boundaries of the project adjoin existing open space, low-density rural development, and agricultural lands. Scattered, large lots, rural homesteads, and vacant parcels lie to the north, south and east of the project. The project includes development of residential and open space land uses that are similar to those that already existing in the project area and/or proposed. For this reason, the project would not develop land uses that are incompatible with existing and planned surrounding land uses. Therefore, EIR531 concluded impacts related to land uses would be less than significant. (DEIR531 pp. IV.K-6 – IV.K-7, FEIR531 p. IV-19). Based on the existing land use designations for the project, EIR531 determined that the project could be developed with approximately 1,128 residential dwelling units, an increase of 154 units as compared to what is planned under the existing land use designations. As such, although the project would result in more residential dwelling units than planned for the in the County's General Plan, the land uses and the number of dwelling units are substantially similar to what was planned for the site by the County. Nonetheless, EIR531 incorporated Mitigation Measure **K-1** to ensure that no significant impacts related to land use and planning would occur based on the generation of more traffic than what was originally allowed for under the Highway 79 policies.*

The project is consistent with the applicable land use designations and policies of the County's General Plan, including the 2012-2035 Regional Transportation Plan/Sustainable Communities Strategy and applicable County General Plan policies (refer to Table IV.K-3 in DEIR531, pp. IV.K-15 – IV.K-55). The project is within the Highway 79 Policy Area; EIR531 determined that implementation of the proposed Project would be consistent with the policy with implementation of Mitigation Measure K-1. (DEIR pp. IV.K-7 – IV.K-55, IV.K-57, FEIR531 p. IV-19). Thus, EIR531 concluded that impacts would be less than significant, with implementation of Mitigation Measure K-1. (DEIR531 pp. I-29 - I-30, IV.K-5 – IV.K-6, IV.K-57, FEIR531 p. IV-18)

No New Impact. The proposed Project is located within the same area as previously analyzed in EIR531. SP382S1 reduces the overall number of homes in the Belle Terre community from 1,282 homes to 856 homes which will result in 426 fewer housing units overall than previously analyzed in EIR531. TTM37449 proposes 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 home previously analyzed for development within these planning areas (272 fewer than originally proposed) and consistent with SP382S1 and as analyzed by EIR531; similar to surrounding land uses that have developed as single family homes. Hence, the Project will not develop land uses that are incompatible with existing and planned surrounding land uses. Further, EIR531 identified that the Project was consistent with the Highway 79 Policy Area with implementation of Mitigation Measure K-1 which identified that in order to be consistent with the Highway 79 Policy Area the number of units that may be constructed cannot exceed 6,892 trips (associated with development of 724 units) unless transportation improvements are implemented. Not only does the project implement project design features and mitigation measures to reduce impacts from traffic but the Project proposes construction of 372 dwelling units generating 3,512 daily trips (WEBB-C, p. 4-2); well under the cap. To maintain consistency with the Highway 79 Policy Area, as was previously analyzed in EIR531, the number of dwelling units that may be constructed from future implementing projects under SP382S1, cannot exceed 6,892 trips (associated with development of 724 dwelling units) unless transportation improvements are implemented. SP382S1 reduces the overall number of units that may be developed within the entire Belle Terre community from 1,282 to 856 units. However, future implementing projects that may exceed the overall trip or unit count for the Belle Terre site, shall still be required to implement additional transportation improvements. As such, the proposed Project remains in compliance with the Highway 79 area policies. Mitigation Measures K-1 has been revised for clarity as follows:

Mitigation Measure K-1: Highway 79 Policies

Prior to approval of an implementing project issuance of building permits, the County shall ensure compliance with the Highway 79 Policy Area Condition of Approval. The calculated maximum amount of dwelling units within the Specific Plan is 724 for typical consistency with the Highway 79 Policy Area. The allowable number of units may be altered ~~shall be determined~~ utilizing the ITE Trip Generation in consideration of: (a) TDM measures; (b) product types; (c) transportation improvements; or (d) a combination of (a), (b), and (c). If the County establishes a fee program to achieve compliance with the Highway 79 policies, the Project Applicant may participate in such program as an alternative to compliance with the Highway 79 Policy Area Condition of Approval. If the Highway 79 policies are amended, implementing projects shall show how they are consistent with the policies as amended ~~the Highway 79 condition may be amended in a corresponding fashion~~. If the Highway 79 policies are repealed, the application of the Highway 79 policies' requirements Condition of Approval ~~will terminate~~. In any such instance, the environmental impacts of developing 1,282 units as originally approved in

the Specific Plan have been evaluated throughout the Belle Terre Specific Plan EIR.

Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: No Impact. The project site is undeveloped and is located near other single-family residential developments. The project is not located in an established community that could be divided or disrupted by the project (including a low-income or minority community). Thus, EIR531 concluded no impacts would occur (DEIR531, p. IV.A-5).*

No New Impact. The proposed Project is located within an undeveloped area with no established community and occupies 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 previously analyzed in the certified EIR531.

Mitigation: Mitigation measure K-1 related to this issue as identified in EIR531 remains in effect as revised.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

MINERAL RESOURCES Would the project:				
21. Mineral Resources	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Potentially expose people or property to hazards from proposed, existing, or abandoned quarries or mines?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact. The project comprises a designation of Mineral Resource Zone 3A (MRZ-3A), where available geologic information indicates that mineral deposits are likely to exist, but the significance of the deposit is undetermined, and unstudied. MRZ-3A covers thousands of acres in the County thus EIR531 determined that development of the project would not substantially affect the availability of any mineral deposits beneath the site, given that these potential mineral resources are likely available throughout the County. Therefore, EIR531 concluded impacts related to the loss of availability of a known mineral resource would be less than significant. (DEIR531 p. IV.A-5).*

No New Impact. The proposed Project lies within the same area as previously analyzed. As such, development of the proposed Project will result in the same disturbance area which lies within MRZ-3A. As analyzed by EIR531, 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 is of value to the region or the residents of the State. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

- b-c) *EIR531 Conclusion: No Impact. EIR531 stated that the project does not contain a mineral resource recovery site, is not located near any active mines, and is not part of nor located near any abandoned quarries or mines. Thus, EIR531 concluded no impacts would occur. (DEIR531 p. IV.A-5).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531 which does not contain a mineral resource recovery site, is not located near any active mines, and is not part of nor located near any abandoned quarries or mines. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remain as identified in EIR531.

NOISE Would the project result in:**22. 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?

☐ ☐ ☐ ☒

Sources: EIR531, RCALUC

Findings of Fact:

a-b) *EIR531 Conclusion: No Impact. EIR531 determined that the project site does not fall within an Airport Master Plan, does not fall within the boundaries of an airport influence area, is not located within two miles of an airport, and is not located within the vicinity of a private airstrip or heliport. The airport closest to the project is the French Valley airport. EIR531 stated that review of County's Airport Land Use Compatibility Plan and Map show that the project is outside of the French Valley Airport compatibility zones. Thus, EIR531 concluded no impacts related to these thresholds would occur. (DEIR531 pp. IV.A-4, IV.A-6).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. No new airports have been located in the vicinity of the Project site since EIR531 was certified. The French Valley Airport is the closest airport to the Project site, located approximately 3 miles southwest of the Project site. Additionally, the Project site is located outside of the French Valley Airport's compatibility zones (RCALUC). Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

23. Noise Effects by the Project

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?

☐ ☐ ☐ ☒

Sources: EIR531, WEBB-C

Findings of Fact:

a) *EIR531 Conclusion: Significant and Unavoidable. EIR531 stated that future residents of the project site would be exposed to noise levels associated with traffic traveling on roadways near the site, and consequently there may be a potential highway noise impact (DEIR531, p. 24 of Appendix I). EIR531 does analyze the impacts of traffic noise on roadway segments surrounding the project site. While the project will cause increases in traffic noise for all the roadway*

segments, traffic noise levels along Washington Street from Winchester Road to Keller Road and Washington Street from Fields Drive to Keller Road during the AM and PM peak hours and along Washington Street from Fields Drive to Autumn Glen Circle during the PM peak hour would exceed the significance thresholds; thus, EIR531 concluded impacts would be significant and unavoidable along these segments. (DEIR531 pp. IV.L-21 – IV.L-24, IV.L-29, FEIR531 p. IV-19).

EIR531 concluded that with implementation of Mitigation Measure L-3, the project would not result in a substantial permanent increase in ambient noise levels associated with on-site operation in the project vicinity above levels existing without the project. However, traffic noise levels along Washington Street from Winchester Road to Keller Road and Washington Street from Fields Drive to Keller Road during the AM and PM peak hours and along Washington Street from Fields Drive to Autumn Glen Circle during the PM peak hour would exceed the significance thresholds; thus, EIR531 concluded impacts would be significant and unavoidable along these segments. (DEIR531 pp. IV.L-21 – IV.L-24, IV.L-29, FEIR531 p. IV-19).

EIR531 stated that increased ambient noise levels at adjacent single-family housing and park near the intersection of Fields Drive and Brookridge Lane would be substantial during construction phases with significant heavy-duty equipment in operation near this intersection. However, EIR531 concluded that the project would have to comply with County regulations governing construction noise (included as Mitigation Measures L-1 and L-2) that would ensure temporary noise impacts related to construction noise would be less than significant. (DEIR531 pp. IV.L-19 – IV.L-21, IV.L-28).

The project would include noise-sensitive residential receptors within the project area. To assess potential impacts on future residents, a 24-hour Community Noise Equivalent Level (CNEL) noise measurement was performed to evaluate whether ambient noise levels in the project area are compatible for new residential uses. Ambient noise at the project site is approximately 52.7 CNEL. As shown on Table IV.L-2 of DEIR531, the California State Department of Health Services considers these levels to be “Normally Acceptable.” Conventional building construction and features such as single-glazed windows and fresh air supply system or air conditioning would be included in the project’s design that reduce noise by about 24 dBA. The resulting 28.7 dBA would not exceed the 45 dBA maximum set by the California Noise Insulation Standards (California Code of Regulations, Title 24). Therefore, EIR531 concluded impacts related to noise and land use compatibility would be less than significant. (DEIR531 p. IV.L-24).

No New Impact. The proposed Project lies within the same area that was previously analyzed in EIR531. The land uses of SP382S1 remain the same as those previously analyzed in EIR531. However, residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas and will generate traffic trips within what was anticipated by EIR531 and will generate approximately 3,512 daily trips (WEBB-C, p. 4-2), which is well within EIR531’s 12,205 daily trips generated for the entire Belle Terre Specific Plan (DEIR531, p. IV.O-39. As traffic trips contribute to highway noise, it can be concluded that because SP382S1 will reduce homes by 426 and TTM37449 will develop 227 fewer homes than previously analyzed for Planning Areas 1, 3, 4, and 7 under EIR531, implementation of the proposed Project will not result in an increase of highway noise. As roadway noise is a primary cause related to an increase in permanent noise levels, it can be concluded that because the SP382S1 will reduce homes by 426 and TTM37449 will develop 227 fewer homes than

previously analyzed under EIR531, implementation of the proposed Project will not result in an increase in noise levels. Further, the Project will still be conditioned and required to implement Mitigation Measure **L-3** to reduce noise impacts. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531 related to a permanent increase in ambient noise levels.

EIR531 anticipated temporary noise increases related to project construction. Similar to the analysis in EIR531, implementation of Mitigation Measures **L-1** and **L-2** will reduce temporary, periodic noise levels to a less than significant impact and the Project will still be required to comply with County regulations regarding construction noise. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531 related to a temporary increase in ambient noise.

Finally, the noise measurements identified within EIR531 remain applicable to the proposed Project. The Project will implement the same design features discussed in EIR351 to reduce noise levels and will not exceed the 45 dBA maximum noise threshold as set by the California Noise Insulation Standards. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531 resulting in generation of noise in excess of established standards.

- b) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that construction groundborne vibration impacts would not exceed the potential building damage threshold of 0.2 inches per second. Vibration annoyance levels would be approximately 47 VdB which would not exceed the 75 VdB threshold for residential land uses. Therefore, EIR531 concluded impacts related to construction vibration would be less than significant. The project would not include significant stationary sources of groundborne vibration, such as heavy equipment operations. Operational groundborne vibration in the project's vicinity would be generated by vehicular travel on the local roadways. However, similar to existing conditions, project-related traffic vibration levels would not be perceptible by sensitive receptors. Further, EIR531 stated that the project is not located near any railroad and concluded no impacts would occur (DEIR531 p. IV.A-6). Therefore, EIR531 concluded impacts related to operational groundborne vibration would be less than significant. (DEIR531 pp. IV.L-24 – IV.L-25).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The land uses of SP382S1 remain the same but will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. Thus, construction vibration remains as identified in EIR531 and will not exceed the 75 VdB threshold for residential land uses. Given the project will result in development of fewer homes resulting in fewer vehicular trips, traffic vibration levels with implementation of the proposed Project will be less than what was analyzed in EIR531 and will not be perceptible by sensitive receptors. Further, the proposed Project lies within the same area as previously analyzed in EIR531 and does not propose the construction of new or a modification of existing rail lines and is not located within the vicinity of a rail line. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

PALEONTOLOGICAL RESOURCES:**24. Paleontological Resources**

- a) Directly or indirectly destroy a unique paleontological resource, site, or unique geologic feature?

☐☐☐☒

Source: EIR531

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 determined that the project has a combination low potential and undetermined potential for paleontological resources. Although no unique paleontological resources are known to exist within the project site, considering the low potential determination for portions of the site, in the unlikely event that paleontological resources are encountered during ground disturbing activities, Mitigation Measure F-10 shall be incorporated. EIR531 concluded that with implementation of Mitigation Measure F-10, impacts related to paleontological resources would be less than significant. (DEIR531 p. IV.F-42, FEIR531 p.IV-16).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. As such, development of the proposed Project will result in the same disturbance area. Mitigation Measure **F-10** remains in effect for the proposed Project in the inadvertent discovery of paleontological resources. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

POPULATION AND HOUSING Would the project:				
25. Housing	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Displace substantial numbers of existing people or housing, necessitating the construction of replacement housing elsewhere?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
b) Create a demand for additional housing, particularly housing affordable to households earning 80% or less of the County's median income?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Source: EIR531

Findings of Fact:

- a) *EIR531 Conclusion: No Impact. EIR531 stated that the project site is not developed and the site does not contain any housing or residential populations. Thus, EIR531 concluded no impacts would occur. (DEIR531 p. IV.A-6).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531, and is currently vacant and undeveloped. Thus, the Project will not displace any existing housing or people, since no existing housing is present. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.b) *EIR531 Conclusion: No Impact. EIR531 stated that the project includes residential development only, and does not include retail or educational land uses that could generate lower-income employment, creating a need for low-income housing. As such, EIR531 concluded no impacts would occur. (DEIR531 pp. IV.M-7 – IV.M-8).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531, and includes residential development. No uses that create a demand for affordable housing are proposed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.c) *EIR531 Conclusion: Less than Significant Impact. The related projects listed on Table II-1 in Section II (Environmental Setting) of DEIR531 that include residential land uses would create 3,556 dwelling units within the County. It is possible that some of the sites of these related projects already include residential land uses that would be removed with implementation of the related projects, and as such, the total net number of dwelling units that would be created would be fewer than 3,556. However, for a conservative analysis, EIR531 assumed that all 3,556 dwelling units would be net new units. With implementation of the project, the number of cumulative housing units would be 4,838 net units, generating approximately 15,397 cumulative residents (4,038 residents at the project site). This cumulative residential population and dwelling units would represent approximately 3.4 percent and 3.1 percent, respectively, of the projected increase in population and housing units between the years 2010 and 2035 in the County. Thus, cumulative growth associated with the project and the related projects would fall within the projected increase for population and housing growth for the County. Therefore, EIR531 concluded that cumulative impacts related to population growth would be less than significant. (DEIR531 pp. IV.M-11 – IV.M-12, FEIR531 p. IV-20).*

EIR531 further concluded that construction workers are not likely to relocate their households given the short-term construction period. EIR531 stated implementation of the project, which would result in the construction of open space and residential uses, would not generate any employment opportunities. EIR531 concluded that population growth due to residential development in the project would be consistent with the projected regional growth identified by SCAG and the project's projected population increase fits within the County, Western Regional Council of Governments, and unincorporated County projections and can be balanced in relation to local growth projections.

Further, although some utility and roadway infrastructure associated with the project would be "oversized," all utility and roadway infrastructure would be developed to serve the project and other currently planned / approved development in the area. As such, EIR531 concluded that implementation of the project would not result in substantial population growth. (DEIR531 pp. IV.M-8 – IV.M-10).

No New Impact. The proposed Project lies within the same area as was previously analyzed in EIR531. Residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes through SP382S1 resulting in 1,342 fewer residents to the overall Belle Terre community³. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas; thus generating 715 fewer residents by TTM37449 than was originally analyzed and anticipated for these planning areas.⁴ Thus, the proposed Project will result in fewer housing units than previously analyzed in EIR531. Therefore, no new or substantially increased impacts result from the proposed Project

The Project includes residential development which will still not generate any employment opportunities and does not propose development of any additional infrastructure that was already analyzed that will induce population growth. SP382S1 reduces the number of homes from 1,282 homes (approved under SP382) to 856 homes which will result in fewer housing units than previously analyzed. TTM37449 proposes 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. Thus, implementation of the Project will not increase the site's intensity or population growth projections beyond what was already analyzed in EIR531. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

³ Population generation factor is 3.15 persons per household (pph) per EIR531. 1,282 dwelling units (DU) x 3.15 pph = 4,038 residents generated by approved SP382. Under SP382S1, 856 DU x 3.15 pph = 2,696 residents. Thus 4,038 residents-2,696 residents = 1,342 fewer residents.

⁴ Population generation factor is 3.15 persons per household (pph) per EIR531. 599 DU x 3.15 pph = 1,887 residents generated by approved SP382. Under TTM37449, 372 DU x 3.15 pph = 1,172 residents. Thus 1,887 residents-1,172 residents = 715 fewer residents.

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:

26. Fire Services

☐ ☐ ☐ ☒

Sources: EIR531, ORD 460, ORD 659

Findings of Fact:

- 30) *EIR531 Conclusion: Less than Significant Impact. EIR531 determined that since the project would allow up to 1,282 units, it would not generate the need for a new fire station as the County's standard for the establishment of a new fire station is the development of 2,000 dwelling units. The project includes a water tank to store extra water for emergency services, and all emergency access would be designed and constructed in consultation with the Riverside County Fire Department (RCFD) and in conformance with all RCFD standards pursuant to County Ordinance No. 460. Further, final pipeline design would insure facilities are sized to provide the maximum daily flow plus required fire flows (as determined by the County Fire Marshall) with a minimum residual pressure of 20 pounds per square inch. Any additional personnel, buildings, and materials costs (i.e., additional response unit) for fire services in the County related to buildout of the project would be offset through the payment of the required developer impact fee pursuant to County Ordinance No. 659. As such, EIR531 concluded that impacts would be less than significant related to fire services. (DEIR531 pp. IV.N-3 – IV.N-4).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. However, residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes through SP382S1. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. Thus, implementation of the Project will still remain below the County's threshold of 2,000 homes necessitating the need for a new fire station. Similar to the analysis in EIR531, the Project will comply with County Ordinances No. 460 (ORD 460) and 659 (ORD 659) regarding fire services, payment of applicable developer impact fees, and will follow all RCFD standards as outlined in those ordinances. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

27. Sheriff Services

☐ ☐ ☐ ☒

Source: EIR531

Findings of Fact:

- 31) *EIR531 Conclusion: Less than Significant Impact. EIR531 outlined a number of design features (i.e., lighting, visibility, fencing) that would reduce the project's demand on sheriff services. Additionally, the Riverside County Sheriff's Department (RCSD) would review individual developments under the project and advise on crime prevention features appropriate for the design and function of the project. Compliance with the requirements of the RCSD would reduce*

the project's demand for sheriff services, and no new or altered facilities would be needed as a result of the project. Therefore, EIR531 concluded that impacts related to police protection services would be less than significant. (DEIR531 pp. IV.N-7 – IV.N-8).

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. Residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes through SP382S1. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Project will be required to incorporate all applicable design features as described in EIR531 to reduce demand on sheriff services and TTM37449 will be required to be reviewed by RCSD for advisement on crime prevention features. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

28. Schools

<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Sources: EIR53, TVUSD

Findings of Fact:

- 32) *EIR531 Conclusion: Less than Significant Impact. The project would generate a total of approximately 1,032 students, including approximately 495 elementary students, 247 middle school students, and 290 high school students. EIR531 stated that it is possible that some of the students associated with the project would already reside in areas served by Hemet Unified School District (HUSD) and Temecula Valley Unified School District (TVUSD) and already would be enrolled in HUSD and TVUSD schools. For a conservative analysis, EIR531 assumed that all of the project's residential units would generate HUSD/TVUSD students and that the students associated with the project would be new to the HUSD and TVUSD. EIR531 stated that pursuant to the California Government Code, payment of the school fees established by the HUSD and TVUSD in accordance with existing rules and regulations regarding the calculation and payment of such fees would, by law, mitigate any potential direct and indirect impacts to schools. Therefore, EIR531 concluded that impacts related to school services would be less than significant. (DEIR531 pp. IV.N-13 – IV.N-14).*

No New Impact. The Project lies within the same areas as previously analyzed in EIR531. However, residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes through SP382S1. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Belle Terre community is projected to generate 1,342 fewer residents to the overall while TTM37449 is projected to generate 715 fewer residents than was originally analyzed and anticipated for these planning areas. Thus, implementation of the Project will result in a decrease in the amount of future students projected to attend schools in HUSD or TVUSD as compared to the analysis in EIR531. The Project Applicant will still be required to pay all applicable school fees or special taxes related to school impacts. Further, since adoption of EIR531, a portion of HUSD boundaries have been annexed in to TVUSD which includes the entire community of Belle Terre community. TVUSD has further identified that a School Facilities Agreement dated August 15, 2011, satisfies all related landowner responsibilities and that the TVUSD no longer plans to build

a school within the Belle Terre Specific Plan (TVUSD). Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

29. Libraries



Sources: EIR531, ORD 659

Findings of Fact:

- 33) *EIR531 Conclusion: Less than Significant Impact. The project would introduce approximately 4,038 residents to the project site and would increase the need for library at the site. The County's General Plan seeks to maintain a standard of 2.5 volumes and 0.5 square feet of library space per capita. Under this standard, the project would generate the need for approximately 10,095 volumes of library material and 2,019 square feet of library facilities. Under the Library District standards, the project would generate the need for approximately 4,845 volumes of library material and 2,019 square feet of library facilities. EIR531 stated that the project developers would be required to pay developer impact fees in accordance with County Ordinance No. 659 that would help to offset the project's demand for library services. Additionally, property taxes would contribute to the library system. Therefore, EIR531 concluded that impacts related to libraries would be less than significant. (DEIR531 pp. IV.N-17 – IV.N-18).*

No New Impact. The Project lies within the same areas as previously analyzed in EIR531. However, residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes through SP382S1. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Belle Terre community is projected to generate 1,342 fewer residents overall, while TTM37449 is projected to generate 715 fewer residents than was originally analyzed and anticipated for these planning areas. Thus, implementation of the Project will result in a decrease in the projected number of residents requiring the need for library services compared to the analysis in EIR531. The proposed Project will still be required pay all development impact fees required per ORD 659. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

30. Health Services☐☐☐☒*Source: EIR531*Findings of Fact:

- 34) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that the residents in the project would pay property taxes and other development fees, a portion of which would go toward the maintenance, expansion, and/or development of medical facilities. Thus, implementation of the project is not expected to substantially impact health services in the area. Therefore, EIR531 concluded that impacts related to health services would be less than significant. (DEIR531 p. IV.N-21).*

No New Impact. The Project lies within the same areas as previously analyzed in EIR531. However, residential land uses will be reduced in density for the overall Belle Terre site from 1,282 homes to 856 homes through SP382S1. Implementing TTM37449, proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Belle Terre community is projected to generate 1,342 fewer residents overall, while TTM37449 is projected to generate 715 fewer residents than was originally analyzed and anticipated for these planning areas. Thus, implementation of the Project will result in a decrease in the projected number of residents requiring the need for health services compared to the analysis in EIR531. The proposed Project will still be required to contribute development fees, a portion of which will go towards maintenance or development of medical facilities. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

RECREATION Would the project:				
31. Parks and Recreation	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
a) Include recreational facilities or require the construction or expansion of recreational facilities which might have an adverse physical effect on the environment?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Be located within a Community Service Area (CSA) or recreation and park district with a Community Parks and Recreation Plan (Quimby fees)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, RCC

Findings of Fact:

- a-b) *EIR531 Conclusion: EIR531 inadvertently omitted a direct discussion of these thresholds. EIR531 does analyze a slightly different question, which is similar to thresholds above: The Project would not result in substantial adverse physical impacts associated with the provision of new or physically altered parks and recreational facilities, need for new or physically altered parks and recreational facilities, the construction of which could cause significant environmental impacts, in order to maintain acceptable service ratios, response times or other performance objectives for parks and recreational facilities, and impacts related to this issue would be less than significant (DEIR, p. IV.N-26). EIR531 stated that approximately 150.8 acres or 45.2 percent of the total acreage within the project are planned as one of the following four open space classifications: Open Space-Recreation (OS-R), Open Space-Recreation/Basin (OS-R), Open Space-Conservation (OS-C), and Open Space-Conservation Habitat (OS-CH). These areas would be designed to cater to the anticipated market segment of the project's community and comply with the intent of the County's minimum park/open space standards. As per the County's requirements of five acres of parkland per 1,000 persons, 20.6 acres are designed for active park uses as part of the project. The County would require that the project include a minimum of 20.2 acres of parkland, using an assessment factor of five acres of parkland per 1,000 residents. As such, EIR531 concluded that the amount of parkland provided as part of the project would exceed the County's requirements for parkland and impacts related to parks and recreational services would be less than significant. (DEIR531 pp. IV.N-26 – IV.N-27).*

No New Impact. The proposed Project lies within the same area that was previously analyzed in EIR531. The land uses of SP382S1 remain the same as those previously analyzed. However, residential land uses within the Belle Terre community will be reduced overall from 1,282 homes to 856 homes. TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Belle Terre community lies within the Valley-wide Recreation and Park District (VWRPD) whose park requirements are to provide a total of five acres of parkland per 1,000 persons. **Table E, Parkland Requirements for SP382S1**, and **Table F, Parkland Requirements for TTM37449**, below, identifies the required park acreage for the entire Belle Terre community as per SP382S1 and TTM37449.

Table E, Parkland Requirements for SP382S1

Type of Dwelling Unit	Number of Dwelling Units	VWRPD Population Generation Factor	Total Population	Park Ratio Requirement (Acres: Per Number of Residents)	Required Parkland Acreage
Single Family	693	3.12	2,162	5:1,000	10.81
Multi-Family	163	3.01	491	5:1,000	2.45
Total					13.26

Table F, Parkland Requirements for TTM37449

Type of Dwelling Unit	Number of Dwelling Units	VWRPD Population Generation Factor	Total Population	Park Ratio Requirement (Acres: Per Number of Residents)	Required Parkland Acreage
Single Family	327	3.12	1,020	5:1,000	5.10
Total					5.10

The overall Belle Terre community provides for 16 acres of parks that meet VWRPD requirements with an additional 7.9 acres of community recreational uses. Project developer will be conditioned to construct a public park within Planning Area 5 concurrently with any development that occurs within Planning Areas 1, 3, 4 or 7 prior to the issuance of the first occupancy permit. Planning Area 5 provides for a four acre park, just short of the 5.1 acre requirement. However, VWRPD has approved the size and location of the ultimate number of parks throughout the Belle Terre community under SP382S1. Thus, parkland requirements will ultimately be met upon buildout of the Belle Terre community and the community park areas will be provided as part of the Belle Terre community in addition providing additional park amenities throughout the community. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: No Impact. EIR531 determined that the project is not located within a Community Service Area, recreation or park district. Thus, EIR531 concluded no impacts related to parks or recreation would occur. (DEIR531 p. IV.A-7).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531 and is not located within a Community Service Area or park district (RCC). Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

32. Recreational Trails☐☐☐☒

a) Include the construction or expansion of a trail system?

Source: EIR531

Findings of Fact:

a) *EIR531 Conclusion: EIR531 inadvertently omitted a direct discussion of this threshold.*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. SP382S1 contains a comprehensive sidewalk, bike lane and decomposed granite walkway systems that will connect neighborhoods to parks, recreational areas, and parks. This will help facilitate non-vehicular circulation and will not result in environmental impacts as these systems will be developed within dedicated right-of-way. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

TRANSPORTATION Would the project:				
33. Transportation	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
a) Conflict with a program, plan, ordinance, or policy addressing the circulation system, including transit, roadway, bicycle, and pedestrian facilities?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
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?	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
c) Substantially increase hazards due to a geometric design feature (e.g., sharp curves or dangerous intersections) or incompatible uses (e.g. farm equipment)?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
d) Cause an effect upon, or a need for new or altered maintenance of roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Cause an effect upon circulation during the project's construction?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
f) Result in inadequate emergency access or access to nearby uses?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, RCTC, WEBB-C

Findings of Fact:

- a) *EIR531 Conclusion: Significant and Unavoidable. The project would generate traffic that would exceed the significance thresholds for intersections and road segments, but the implementation of roadway improvements would reduce this impact to less than significant. However, some of the impacted intersections fall within other jurisdictions outside of the County of Riverside. Since the County can't enforce implementation of improvements at intersections outside of their jurisdiction, impacts at these intersections and roadway segments would remain significant and unavoidable (DEIR531 pp. IV.O-38 – IV.O-71, FEIR531 p. IV-23). The impact is significant and unavoidable even with the implementation of Mitigation Measures O-1 through O-6. (DEIR531, pp. IV.O-121 – IV.O-125).*

The project's consistency with relevant policies, plans, and programs related to transportation/traffic is discussed in detail in Section IV.K (Land Use and Planning). As discussed, the project would be consistent with all relevant policies related to public transit, bikeways, and pedestrian facilities. Therefore, impacts related to this issue would be less than significant. (DEIR531 p. IV.O-73, FEIR531 p. IV-24).

Less Than Significant New Impact with Mitigation Incorporated. The proposed Project occupies the same area as previously analyzed in EIR531 and does not increase the land use site intensity. A *Traffic Impact Analysis (TIA) for TTM37449* was prepared by Albert Webb Associates dated April 2019 (WEBB-C) to analyze traffic resulting from the development of the implementing Project. The Project will generate approximately 3,512 daily trips (WEBB-C, p. 4-2), which is within the 12,205 daily trips analyzed and anticipated for buildout of the Belle Terre community under EIR531 (DEIR531, p. IV.O-39). Thus, the anticipated traffic from the proposed Project site has already been considered within EIR531.

The Project is proposed to be constructed in three phases across approximately 76.5 acres as follows:

- Phase 1 – Construct 97 single family detached homes
- Phase 2 – Construct 95 single family detached homes
- Phase 3 – Construct 180 single family detached homes

Phases 1 and 2 will have access to Belle Terre Parkway to the east which leads to Fields Drive and Keller Road. Phase 3 will have access to Belle Terre Parkway to the west which leads to Fields Drive and Keller Road.

The Phase 1 site plan includes the following:

1. North/South (N/S) driveway at Belle Terre Parkway with two-way stop control.
2. East/West (E/W) driveway at Belle Terre Parkway with one-way stop control.

The Phase 2 site plan includes the following:

1. E/W driveway (northern) at Belle Terre Parkway with one-way stop control.
2. E/W driveway (southern) at Belle Terre Parkway with two-way stop control.

The Phase 3 site plan includes the following:

1. E/W driveway (northern) at Belle Terre Parkway with one-way stop control.
2. E/W driveway (southern) at Belle Terre Parkway with two-way stop control.
3. N/S driveway at Fields Drive with one-way stop control.

Based on the TIA, a significant impact occurs if the proposed Project causes an intersection to degrade to an unacceptable level of service from an acceptable level of service or causes further delay for an already failing intersection. For intersections in the County of Riverside, the determination of significant impacts used in this study 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 in different jurisdictions (WEBB-C, pp. 3-18 – 3-19):

- 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.

For signalized intersections impacts are considered significant if the following occur:

- Any study intersection that is operating at a LOS 'A', 'B', 'C' or 'D' for any study scenario without project traffic in which the addition of project traffic causes the intersection to degrade to a LOS 'E' or 'F'.

In this scenario, the Project shall mitigate the impact to bring the intersection back to at least LOS 'D'.

- Any study intersection that is operating at a LOS 'E' or 'F' for any study scenario without project traffic

In this scenario, the Project shall mitigate any impacts so as to bring the intersection back to the overall level of delay established prior to project traffic being added.

- For scenarios which include the addition of Cumulative Project Traffic (i.e. shared impacts).

In this scenario, the study intersections shall be mitigated to LOS 'D' or better.

And last, for unsignalized intersections an impact is considered significant if the study determines that either Section A or both Section B and Section C occur as identified below:

Section A

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.

TIA evaluated the following study scenarios for evaluation of potential traffic impacts:

- Year 2018 Existing Conditions (E)
- Year 2019 Existing Plus Project Conditions (E+P) Phase 1
- Year 2021 Existing Plus Project Conditions (E+P) Phase 2
- Year 2022 Existing Plus Project Conditions (E+P) Phase 3
- Year 2019 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 1
- Year 2021 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 2
- Year 2022 Existing Plus Ambient Growth Plus Project Conditions (E+A+P) Phase 3
- Year 2019 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 1
- Year 2021 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 2
- Year 2022 Existing Plus Ambient Growth Plus Cumulative Plus Project Conditions (E+A+C+P) Phase 3

E

The Existing Conditions (E) includes intersection levels of service (LOS) for the existing roadway system and the existing AM and PM peak hour intersection volumes. The following intersections are operating at an unacceptable level of service under this scenario:

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour

17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

E+P

The Existing plus Project Conditions includes existing traffic, planned development traffic, ambient growth traffic (2 percent per year), and Project traffic.

Phase 1

The following intersection is operating at an unacceptable level of service under E+P Conditions (Phase 1):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

Phase 2

The following intersection is operating at an unacceptable level of service under E+P Conditions (Phase 1 + Phase 2):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

Phase 3

The following intersection is operating at an unacceptable level of service under E+P Conditions (Phase 1 + Phase 2 + Phase 3):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

E+A+P

The Existing plus Ambient plus Project Conditions includes existing traffic, ambient growth traffic (2 percent per year) and Project traffic.

Phase 1

The following intersections are operating at an unacceptable level of service under E+A+P Conditions (Phase 1):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

Phase 2

The following intersection is operating at an unacceptable level of service under E+A+P Conditions (Phase 1 + Phase 2):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

Phase 3

The following intersection is operating at an unacceptable level of service under E+A+P Conditions (Phase 1 + Phase 2 + Phase 3):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
3. Leon Road (NS) / Scott Road (EW) – LOS E in the PM peak hour

17. Winchester Road (NS) / Max Gillis Boulevard- Thompson Road (EW) – LOS F in the AM and PM peak hour

E+A+C+P

The Existing plus Ambient plus Cumulative plus Project Conditions includes traffic from other nearby developments.

Phase 1

The following intersections are operating at an unacceptable level of service under E+A+C+P Conditions (Phase 1):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
3. Leon Road (NS) / Scott Road (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard - Thompson Road (EW) – LOS F in the AM and PM peak hour
18. Winchester Road (NS) / Benton Road (EW) – LOS E in the PM peak hour

Phase 2

The following intersection is operating at an unacceptable level of service under E+A+C+P Conditions (Phase 1 + Phase 2):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
3. Leon Road (NS) / Scott Road (EW) – LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard - Thompson Road (EW) – LOS F in the AM and PM peak hour
18. Winchester Road (NS) / Benton Road (EW) – LOS E in the PM peak hour

Phase 3

The following intersection is operating at an unacceptable level of service under E+A+C+P Conditions (Phase 1 + Phase 2 + Phase 3):

1. Winchester Road (NS) / Domenigoni Parkway (EW) – LOS F in the PM peak hour
3. Leon Road (NS) / Scott Road (EW) – LOS E in the AM and LOS F in the PM peak hour
17. Winchester Road (NS) / Max Gillis Boulevard - Thompson Road (EW) – LOS F in the AM and PM peak hour
18. Winchester Road (NS) / Benton Road (EW) – LOS E in the PM peak hour

However, the proposed Project will implement the following project design features (PDF's) for the following phases:

Phase 1 PDF's

Intersection

- Construct the intersection of "A" Street (NS) and Keller Road (EW) to include the following geometrics:
Northbound: One lane shared by left-turn and right-turn movements. Stop- controlled.
Southbound: Not Applicable.
Eastbound: One lane shared by through and right turn movements.
Westbound: One lane shared by through and right turn movements.
- Construct the intersection of Belle Terre Parkway (NS) and Fields Drive (EW) to include the following geometrics with a Traffic Circle.
Northbound: Not Applicable.
Southbound: One lane shared by left-turn and right-turn movements.

Eastbound: One lane shared by left-turn and right-turn movements.

Westbound: One lane shared by left-turn and right-turn movements

Roadway and Safety

- Construct full width improvements on all internal roadways
- Construct full width improvements on Keller Road at its ultimate cross-section as a local road adjacent to the project boundary line. The project will construct one lane in the eastbound direction and one lane in the westbound direction.
- Construct full width improvements on Fields Drive at its ultimate cross-section as a local road adjacent to the project boundary line. The project will construct one lane in the eastbound direction and one lane in the westbound direction.
- Construct full width improvements on Belle Terre Parkway at its ultimate cross-section as an internal local road within the project site. The project will construct one lane in northbound direction and one lane in southbound direction.
- Construct half width improvements to easterly side of Washington Street along the project boundary.
- Signing/stripping modifications on adjacent roadways should be implemented in conjunction with detailed construction plans.
- 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 parking lots and internal roadways as needed.

Phase 2 PDF's

Intersection

- Construct the intersection of "A" Street (NS) and Keller Road (EW) to include the following geometrics:
Northbound: One lane shared by left-turn and right-turn movements. Stop- controlled.
Southbound: Not Applicable.
Eastbound: One lane shared by through and right turn movements.
Westbound: One lane shared by through and right turn movements.
- Construct the intersection of Belle Terre Parkway (NS) and Fields Drive (EW) to include the following geometrics with a Traffic Circle.
Northbound: Not Applicable.
Southbound: One lane shared by left-turn and right-turn movements.
Eastbound: One lane shared by left-turn and right-turn movements.
Westbound: One lane shared by left-turn and right-turn movements.

Roadway and Safety

- Construct full width improvements on all internal roadways.
- Signing/stripping modifications on adjacent roadways should be implemented in conjunction with detailed construction plans.
- 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 parking lots and internal roadways as needed.

Phase 3 PDF's

Intersection

- Construct the intersection of “A” Street (NS) and Keller Road (EW) to include the following geometrics:
Northbound: One lane shared by left-turn and right-turn movements. Stop- controlled.
Southbound: Not Applicable.
Eastbound: One lane shared by through and right turn movements.
Westbound: One lane shared by through and right turn movements.
- Construct the intersection of Belle Terre Parkway (NS) and Fields Drive (EW) to include the following geometrics with a Traffic Circle.
Northbound: Not Applicable.
Southbound: One lane shared by left-turn and right-turn movements.
Eastbound: One lane shared by left-turn and right-turn movements.
Westbound: One lane shared by left-turn and right-turn movements.

Roadway and Safety

- Construct full width improvements on all internal roadways.
- Signing/stripping modifications on adjacent roadways should be implemented in conjunction with detailed construction plans.
- 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 parking lots and internal roadways as needed,

The Project will implement all traffic-related mitigation measures identified in EIR531 (Mitigation Measures **O-1** through **O-6**) to the extent they are applicable to the Project. **Tables G** through **I** below provide for an Intersection Analysis for the E+A+P conditions with and without improvements for each Phase described above and **Tables J** through **K** provide Intersection Analysis for the E+A+C+P conditions with and without improvements for each Phase described above.

Table G, Intersection Analysis for E+A+P Conditions (Phase 1) with Improvements

Intersection		Existing			EAP			EAP (w/Improvements) (Phase 1)	
		LOS Standards	Peak Hour	Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
1	Winchester Road (Hwy 79) / Domenigoni Parkway	D	AM PM	Signalized	31.2 86.8	C F	Signalized	28.6 44.2	C D
17	Winchester Road (Hwy 79) / Max Gillis Blvd – Thompson Rd	D	AM PM	Signalized	120.9 177.9	F F	Signalized	40.9 47.6	D D

Source: WEBB-C, Table 5-10

BOLD = Unacceptable LOS / Significant impact in delay**Table H, Intersection Analysis for E+A+P Conditions (Phase 2) with Improvements**

Intersection		Existing			EAP			EAP (w/Improvements) (Phase 1+2)	
		LOS Standards	Peak Hour	Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
1	Winchester Road (Hwy 79) / Domenigoni Parkway	D	AM PM	Signalized	39.2 98.2	D F	Signalized	28.6 44.3	C D
17	Winchester Road (Hwy 79) / Max Gillis Blvd – Thompson Rd	D	AM PM	Signalized	136.6 207.0	F F	Signalized	41.0 47.9	D D

Source: WEBB-C, Table 5-11

BOLD = Unacceptable LOS / Significant impact in delay

Table I, Intersection Analysis for E+A+P Conditions (Phase 3) with Improvements

Intersection		Existing			EAP			EAP (w/Improvements) (Phase 1)	
		LOS Standards	Peak Hour	Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
1	Winchester Road (Hwy 79) / Domenigoni Parkway	D	AM PM	Signalized	40.0 104.8	D F	Signalized	28.7 44.4	C D
3	Leon Road / Scott Road	D	AM PM	AWSC	15.8 41.4	C E	Signalized	26.6 23.1	C C
17	Winchester Road (Hwy 79) / Max Gillis Blvd – Thompson Rd	D	AM PM	Signalized	146.3 218.8	F F	Signalized	41.3 48.4	D D

Source: WEBB-C, Table 5-12

BOLD = Unacceptable LOS / Significant impact in delay

AWSC = All way stop sign

Table J, Intersection Analysis for E+A+C+P Conditions (Phase 1) with Improvements

Intersection		Existing			EACP			EACP (w/Improvements) (Phase 1)	
		LOS Standards	Peak Hour	Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
1	Winchester Road (Hwy 79) / Domenigoni Parkway	D	AM PM	Signalized	35.4 85.1	D F	Signalized	35.0 43.9	D D
3	Leon Road / Scott Road	D	AM PM	AWSC	22.8 67.2	C F	Signalized	11.9 14.1	B B
17	Winchester Road (Hwy 79) / Max Gillis Blvd – Thompson Rd	D	AM PM	Signalized	160.8 283.4	F F	Signalized	38.4 51.9	D D
18	Winchester Road (Hwy 79) / Benton Road	D	AM PM	Signalized	18.1 64.6	B E	Signalized	15.6 46.0	B D

Source: WEBB-C, Table 5-16

BOLD = Unacceptable LOS / Significant impact in delay

Table K, Intersection Analysis for E+A+C+P Conditions (Phase 2) with Improvements

Intersection		Existing			EACP			EACP (w/Improvements) (Phase 1+2)	
		LOS Standards	Peak Hour	Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
1	Winchester Road (Hwy 79) / Domenigoni Parkway	D	AM PM	Signalized	34.7 100.4	C F	Signalized	35.1 44.0	D D
3	Leon Road / Scott Road	D	AM PM	AWSC	28.6 90.1	D F	Signalized	11.8 14.1	B B
17	Winchester Road (Hwy 79) / Max Gillis Blvd – Thompson Rd	D	AM PM	Signalized	201.9 305.7	F F	Signalized	38.6 52.0	D D
18	Winchester Road (Hwy 79) / Benton Road	D	AM PM	Signalized	19.5 71.2	B E	Signalized	15.7 47.0	B D

Source: WEBB-C, Table 5-17

BOLD = Unacceptable LOS / Significant impact in delay**Table L, Intersection Analysis for E+A+C+P Conditions (Phase 3) with Improvements**

Intersection		Existing			EACP			EACP (w/Improvements) (Phase 1+2+3)	
		LOS Standards	Peak Hour	Traffic Control	Delay (sec)	LOS	Traffic Control	Delay (sec)	LOS
1	Winchester Road (Hwy 79) / Domenigoni Parkway	D	AM PM	Signalized	35.4 106.7	D F	Signalized	35.4 44.1	D D
3	Leon Road / Scott Road	D	AM PM	AWSC	37.3 117.4	EF	Signalized	11.7 14.2	B B
17	Winchester Road (Hwy 79) / Max Gillis Blvd – Thompson Rd	D	AM PM	Signalized	213.4 317.3	F F	Signalized	39.0 52.5	D D
18	Winchester Road (Hwy 79) / Benton Road	D	AM PM	Signalized	20.0 77.1	B E	Signalized	15.9 48.5	B D

Source: WEBB-C, Table 5-18

BOLD = Unacceptable LOS / Significant impact in delay

As reflected in **Tables G** through **L** above, with incorporation of PDFs and Mitigation Measure **TRANS-1**, impacts are less than significant.

As stated in the EIR531, the Project will not be able to incorporate improvements on roadways that are outside the County of Riverside's jurisdiction. (DEIR531, pp. IV.O-135 – IV.O-139). However the Project will participate in the cost of off-site improvements through the payment of "fair share" fees which include Transportation Uniform Mitigation Fee (TUMF), Road and Bridge Benefit District Fees (RBBD), and Development Impact Fees (DIF) as reflected in **Table M, Project Fair Share Contribution**, below summarizing the associated fair share contribution.

Table M, Project Fair Share Contribution

No	Intersection	Phase	Improvement	Fair Share	
				AM %	PM %
1	Winchester Road (NS)/ Domenigoni Pkwy (EW)	All	Improve intersection geometrics to include: <ul style="list-style-type: none"> Northbound-Add a right-turn overlap 	9.8	9.8
17	Winchester Road (NS)/ Max Gillis Road (EW)	All	Improve intersection geometrics to include: <ul style="list-style-type: none"> Southbound-Add a third through lane Northbound-Add a third through lane Eastbound-Add a second through lane Westbound-Add a second through lane and a right turn overlap 	7.5	5.6
18	Winchester Road (NS)/ Benton Road	1 (EACP), 2 & 3	Improve intersection geometrics to include: <ul style="list-style-type: none"> Northbound-Restripe the existing right-turn lane to provide a shared through and right-turn lane. 	7.8	9.1

Mitigation Measure **TRANS-2** will require the Project proponents to pay the fair share contributions as shown in **Table M**. Nevertheless, while the Project's will be conditions to contribute its fair share towards these improvements, the timing of these improvements is not known so intersections 1, 17, and 18 will continue to operate at an unacceptable LOS and impacts for these intersections will remain significant and unavoidable.

The 2011 *Riverside County Congestion Management Program* (RCTC) has designated specific roadways that need to comply with the RCTC's LOS standards (RCTC, p. 2-1). The Project is in close proximity to Highway 79 (the Project site is approximately 0.6 miles east of Highway 79), which is a designated highway under RCTC's congestion management plan (RCTC, Exhibit 2-1 and p. 2-5). The LOS standard required for this roadway under RCTC is LOS E or better (RCTC, p. 4-1). However, the Project's TIA determined that an acceptable LOS is LOS D or better (WEBB-C, p. 3-18). The TIA further determined that the Project will be able to achieve a LOS D or better on all Project area roadways (which includes areas of Highway 79 near the Project site) through PDFs and mitigation. Mitigation Measure **TRANS-2** will help reduce impacts to roadways outside the County of Riverside's jurisdiction, as shown in **Table M**. However, since the timing of these improvements is not known, intersections 1, 17, and 18 will continue to operate at an unacceptable LOS, and impacts to these intersections will remain significant and unavoidable. Further, the proposed Project will be consistent with the Highway 79 policy area as discussed above under the Land Use/Planning thresholds. Since Project impacts will not result in an unacceptable LOS for roadways under a congestion management

program, the Project does not conflict with an applicable congestion management program. 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 EIR531, 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. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

- b) *EIR531 Conclusion: EIR531 inadvertently omitted a direct discussion of this threshold.*

No New Impact. The proposed Project occupies the same area as previously analyzed. A Traffic Impact Analysis (TIA) for TTM37449 was prepared by Albert Webb Associates dated April 2019 (WEBB-C) to analyze traffic resulting from the development of the implementing Project. The Riverside County Transportation Commission is the County of Riverside's designated Congestion Management Agency. The 2011 Riverside County Congestion Management Program (RCTC) has designated specific roadways that need to comply with the RCTC's LOS standards (RCTC, p. 2-1). The Project is in close proximity to Highway 79 (the Project site is approximately 0.6 miles east of Highway 79), which is a designated highway under RCTC's congestion management plan (RCTC, Exhibit 2-1 and p. 2-5). The LOS standard required for this roadway under RCTC is LOS E or better (RCTC, p. 4-1). However, the Project's TIA determined that an acceptable LOS is LOS D or better (WEBB-C, p. 3-18). The TIA further determined that the Project will be able to achieve a LOS D or better on all Project area roadways (which includes areas of Highway 79 near the Project site) through PDFs and Mitigation Measures **TRANS-1** (WEBB-C, pp. 3-3, 6-3 – 6-7). Mitigation Measure **TRANS-2** will require the Project proponents to pay the fair share contributions as shown in **Table M**. Nevertheless, while the Project's will be conditions to contribute its fair share towards these improvements, the timing of these improvements is not known so intersections 1, 17, and 18 will continue to operate at an unacceptable LOS and impacts for these intersections will remain significant and unavoidable. Further, the proposed Project will be consistent with the Highway 79 policy area as discussed previously. Since Project impacts will not result in an unacceptable LOS for roadways under a congestion management program, the Project does not conflict with an applicable congestion management program. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

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. Further, implementation of the Project

will not increase the site's intensity beyond what was already analyzed in EIR531. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

- c) *EIR531 Conclusion: No Impact. The project includes various on-site and offsite roadway improvements. Wherever necessary, roadways adjacent to the project site, site access points, and site-adjacent intersections would be constructed in consultation with the County and would be consistent with the roadway classifications and respective cross-sections in the County's General Plan Circulation Element. Additionally, all traffic signing and striping would be implemented in conjunction with detailed construction plans for the project. Sight distance at each project access point would be reviewed with respect to standard Caltrans and County sight distance standards at the time of preparation of final grading, landscape, and street improvement plans. Through compliance with applicable roadway standards, no roadway design features of the project would be hazardous. Additionally, the project would not require the use of farm equipment or any other equipment that is not typical of a residential neighborhood. Therefore, no significant impacts related to this issue would occur (DEIR531 p. IV.O-71, FEIR531 p. IV-23).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531 and will not result in an increase in traffic hazards due to design or incompatible uses. Design features meet applicable Riverside County standards. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

- d) *EIR531 Conclusion: No Impact. The project includes various on-site and offsite roadway improvements, all of which would be developed and funded by the project. On-going maintenance of the roadways associated with the project would be funded through payment of development impact fees (DIFs) by the project proponents and payment of taxes by future residents of the project site. Therefore, no significant impacts related to road maintenance would occur. (DEIR531 p. IV-O-72, FEIR531 p. IV-23).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. 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 increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

- e) *EIR531 Conclusion: No Impact. The project would be developed in phases, as the market permits. During the construction phases, most of the construction equipment would be driven to the project site and stored at the site, and would not travel on the roadways on a daily basis. Daily worker trips would occur outside of the peak hours (before 7:00 AM and after 6:00 PM). Also, daily vendor and haul trips would occur during non-peak hours (after 9:00 AM and before 4:00 PM). Construction traffic would be intermittent and temporary would not create a need for new transportation infrastructure. No impacts related to this issue would occur. (FEIR531 p. IV-22).*

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. During the construction of the Project, construction traffic will occur as stated in EIR531, including the storage of construction equipment and timing of daily worker, daily vendor, and haul trips outside of peak hours. Construction traffic will be intermittent, temporary, and not

create a need for new infrastructure. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

- f) *EIR531 Conclusion: No Impact. All roadways adjacent to the project site, site access points, and site-adjacent intersections would be constructed in consultation with the County and would be consistent with the roadway classifications and respective cross-sections in the County's General Plan Circulation Element and requirements of the Riverside County Fire Department (RCFD). Additionally, all traffic signing and striping would be implemented in conjunction with detailed construction plans for the project. Additionally, all project development would be required to comply with County standards regarding emergency access and would be reviewed by RCFD staff to ensure that all standards are met. Therefore, no significant impacts related to emergency access would occur. (DEIR531 pp. IV.O-72 – IV.O-73, FEIR531 p. IV-23).*

Further, the project would be developed in phases, as the market permits. During the construction phases, most of the construction equipment would be driven to the project site and stored at the site, and would not travel on the roadways on a daily basis. Daily worker trips would occur outside of the peak hours (before 7:00 AM and after 6:00 PM). Also, daily vendor and haul trips would occur during non-peak hours (after 9:00 AM and before 4:00 PM). Construction traffic would be intermittent and temporary would not create a need for new transportation infrastructure. No impacts related to this issue would occur. (FEIR531 p. IV-22).

No New Impact. The proposed Project occupies the same area as previously analyzed in EIR531. All roadways are required to be designed to Riverside County standards. Emergency access throughout the proposed Project site will be developed in accordance to County policies, all traffic signing and striping will be required to be implemented in conjunction with detailed construction plans for the Project, and all Project development will be required to comply with County standards regarding emergency access. Further, all development plans will require review by RCFD staff to ensure that all standards are met. During the construction of the Project, construction traffic will occur as stated in EIR531, including the storage of construction equipment and timing of daily worker, daily vendor, and haul trips outside of peak hours. Construction traffic will be intermittent, temporary, and not create a need for new infrastructure. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect and include the following additional measure:

MM TRANS-1: Install a traffic signal at the intersection of Leon Road (NS) and Scott Road (EW) to include the following geometrics with signalized control:

- Northbound: One lane shared by left-turn, through and right-turn movements.
- Southbound: One lane shared by left-turn, through and right-turn movements.
- Eastbound: One lane shared by left-turn, through and right-turn movements.
- Westbound: One lane shared by left-turn, through and right-turn movements.

MM TRANS-2: Intersections 1, 17, and 18 shall pay fair share fees in accordance with **Table M, Project Fair Share Contribution,** of EIR531-A1.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

34. Bike Trails

☐
☐
☐
☒

a) Include the construction or expansion of a bike system or bike lanes?

Source: EIR531

Findings of Fact:

38) *EIR531 Conclusion: EIR531 inadvertently omitted a direct discussion of this threshold.*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531 and will not interfere with planned development that will improve bike trails within roadways within the site. 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. Therefore, no new or substantially increased impacts result from the Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

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:

35. Tribal 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)?

☐☐☐☒

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: EIR531

Findings of Fact:

a-b) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531, prepared in 2012 (certified in 2014), did not include a discussion related to tribal cultural resources as this requirement was stemmed from Assembly Bill 52 requiring projects with a NOP or a notice of negative declaration filed or mitigated negative declaration on or after July 1, 2015 to discuss tribal cultural resources. EIR531 did comply with Senate Bill 18, which requires a city or county to consult with the NAHC and any appropriate Native American tribe for the purpose of preserving relevant Traditional Tribal Cultural Places prior to the adoption, revision, amendment, or update of a city's or county's general plan (DEIR531, p. IV.F-3). The NAHC was contacted on October 15, 2012 to elicit pertinent cultural resources information available through a Sacred Lands file search covering the project location and vicinity. In response, the NAHC stated that a Sacred Land files search did not indicate the presence of Native American cultural resources or sacred sites in the immediate project area or vicinity. However, the absence of specific site information in the Sacred Lands file does not necessarily indicate the absence of cultural resources in the project area. Therefore, the NAHC provided a list of Native American individuals and Tribal representatives within the Project region to contact for more information (DEIR531, p. IV.F-24).*

On November 13, 2012, six Native American individuals and Tribal representatives on the NAHC contact list were contacted by letter. These individuals are nearest to the project location, and they have shown the most interest during previous studies in the French Valley region, while the others generally defer comment to them. As of December 6, 2012, two written responses from Native American individuals have been received, as discussed below (DEIR531, p. IV.F-24).

In a letter dated November 30, 2012, Anna Hoover, Cultural Analyst for Pechanga Tribe of Luiseño Indians, requests (1) participation in all archaeological surveys, a field visit to the property to view the recorded cultural sites, and a meeting with the County, the Applicant, and Applied EarthWorks to discuss avoidance, preservation, and archaeological testing; (2) notification once the Project begins the entitlement process; (3) copies of all applicable

archaeological reports, site records, proposed grading plans, and environmental documents; (4) government-to-government consultation with the Lead Agency, as well as discussions with the Applicant and Project archaeologist regarding the cultural sites on the Project; (5) monitoring by a Riverside County qualified archaeologist and a professional Pechanga Tribe monitor during earthmoving activities; and reserves the right to make additional comments and recommendations once the environmental documents have been received and fully reviewed and after a meeting with the County, the Applicant, and the Project archaeologist (DEIR531, pp. IV.F-24 – IV.F-25).

Joseph Ontiveros of the Soboba Band of Luiseño Indians responded in a letter dated November 13, 2012 to request (1) consultation with the Project Applicant (developer and landowner); (2) progress reports of the project as soon as development occurs; (3) that the Tribe continues to act as a consulting tribal entity for the project; (4) that a Native American Monitor from the Tribe's Cultural Resource Department be present during and ground disturbing proceedings, including testing; and (5) that procedures (such as treatment and disposition of artifacts and/or remains) and requests of the Soboba Band be honored (DEIR531, p. IV.F-25).

In addition to tribal consultation, EIR531 identified one significant historic resource, the San Diego Canal, located adjacent to the project site. Because the significance of the Second San Diego Canal stems from its association with an important historical event, and its setting does not play a substantial role in the measure of its historical integrity, residential development near its perimeter would not cause a substantial adverse change in the significance of the Second San Diego Canal. Thus, implementation of the project has no potential to directly or indirectly affect the significance of this resource. EIR531 concluded impacts were less than significant (DEIR531 p. IV.F-40). EIR531 identified four significant archeological resource sites within the project's APE: CA-RIV-10949/H, CA-RV-10950/H, CA-RV-11084, and 33-021033. Implementation of Mitigation Measures **F-1** through **F-10** would ensure that the requests from the Pechanga Tribe of Luiseño Indians and the Soboba Band of Luiseño Indians as a result of tribal consultation are addressed, and impacts to archeological resources are reduced to less than significant. (DEIR531 pp. IV.F-40 – IV.F-47, FEIR531 pp. IV-14 – IV-16).

No New Impact. The proposed Project lies within the same area previously analyzed. As such, development of the proposed Project will result in the same disturbance area. Thus, development of the proposed Project will result in the same disturbance area for which impacts were found to be less than significant. Further, Mitigation Measures **F-1** through **F-10** remain in effect for this Project, with revisions to **F-1** through **F-3** and **F-5** through **F-9** as written previously to ensure impacts remain less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: Mitigation measures **F-4** and **F-10** related to this issue that were identified in EIR531 remain in effect as well as revised mitigation measures **F-1** through **F-3** and **F-5** through **F-9**.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

UTILITIES AND SERVICE SYSTEMS Would the project:

36. Water

a) Require or result in the relocation or construction of new or expanded water, wastewater treatment, or storm

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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?

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Sources: EIR531, WEBB-A

Findings of Fact:

- a-b) *EIR531 Conclusion: Less than Significant Impact. A Water Supply Assessment (WSA) was prepared for the project for the purposes of assisting the County in determining the adequacy of EMWD's total supply and ability to serve the project. A majority of the estimated demand would be for landscape irrigation. The project would include low water-use landscaping, which would reduce the projected project demand significantly. The project would be constructed with a dual pipeline system, potable and reclaimed, such that when reclaimed facilities are constructed to the site, parks and common landscape areas would be served with reclaimed water. This would also reduce the projected project demand for treated, potable water. Thus, the existing water treatment plants would have adequate capacity to treat any water needed to supply water to the project. A water tank and access roads may be developed on this northeast parcel of the project, if additional storage is needed to create adequate water pressure for the project. In addition, the project would construct off-site and on-site water facilities needed to distribute water throughout the project area. Therefore, EIR531 concluded that impacts related to water treatment would be less than significant. The project's water supply needs would be provided by EMWD via existing pumps, reservoirs, and piping to the main points of connection. The project would use a public system of domestic and recycled water and would connect to the existing water lines in the vicinity of the project. EMWD concluded that the land use and size of the current project is consistent with the land use and size proposed by prior owners when the Riverside County Center for Demographic Research made the 2010 Projection. Thus, the water demand for the project is within the limits of projected demand accounted for in the 2010 Urban Water Management Plan and would be included in the projected demand. As such, EMWD concluded that the project's demand for water could be accommodated by EMWD's existing and projected supplies in average years, dry years, and multiple dry years. The project would not require the expansion or acquisition of new water supplies. (DEIR531 pp. IV.P-16 – IV.P-19).*

The Project site falls within the service boundaries of the EMWD. Wastewater treatment services are provided to the Project area by the Temecula Valley Regional Water Reclamation Facility (TVRWRF), which is located in the City of Temecula approximately 12 miles southwest of the Project site. The facility currently has a capacity of 18.0 million gallons per day (mgd), though current wastewater flows through the facility are approximately 12.0 mgd. (DEIR531 p, IV.P-1)

Implementation of the Project would generate an approximate average daily flow of 448,700 gallons of wastewater per day. The Project includes construction of a sewer facility along Brookridge Lane and French Valley Open Channel connecting to the existing 18-inch diameter trunk line located in Abelia Street (refer to Figure III-13 in Section III [Project Description]). For the southeast 55.2-acre portion of the Project site, an 8-inch diameter sewer line would be constructed within public right-of-way within TTM #30837 parallel to the sewer line(s) constructed to serve TTM #30387 and would extend northeasterly along Washington Street. The sewer line would confluence to a proposed 15-inch diameter sewer line at Fields Drive. Internal 8-inch to 12-inch pipelines would collect wastewater within the Project site and convey to the proposed 15-inch sewer line at Fields Drive. Based on hydraulic modeling completed by

EMWD, the existing 18-inch trunk sewer in Abelia Street has the capacity to service the Project in its entirety. Additionally, the TVRWRF has an approximately additional daily treatment capacity of 6.0 mgd, which would be adequate to serve the Project's wastewater treatment requirements. As such, the Project would not require the expansion of wastewater treatment capacity. The analysis of Project impacts related to wastewater services, also takes into consideration development of off-site areas and assumes the access and utility infrastructure improvements. Thus, no additional wastewater services impacts beyond those already identified would occur as a result of development of the improvements. Therefore, Project impacts related to wastewater services would be less than significant. (DEIR531 pp. IV.P-1, IV.P-3 – IV.P-4).

Implementation of the project would not create or contribute runoff water that would exceed the capacity of existing or planned stormwater drainage systems. A drainage plan was developed for the project. A total of six existing storm drain systems and one proposed storm drain system have been identified that would limit the maximum flow rate the project could convey to the connection point. As a result, the storm drain alignments and hydrology were prepared in a manner to balance the project's watershed areas. The balancing of the watershed would result in a drainage solution for the proposed condition flow rates to produce flow rates that would be equal or less than the existing approved flow rates for the downstream systems. Additionally, the proposed storm drain alignments identified potential locations for detention basins and Low Impact Development "Best Management Practices" (LID BMPs) that would function as part of the drainage solution. The detention basins would be used to mitigate increased runoff to satisfy the criteria for "Hydrological Conditions of Concern" (HCOC). The project's drainage would require several detention basins at the downstream end of the proposed facilities in order to satisfy the criteria for HCOCs. Thus, EIR531 concluded that the project would provide adequate stormwater drainage capacity and would not exceed the existing or planned stormwater drainage system; impacts would be less than significant. (DEIR531 pp. IV.J-31 – IV.J-39).

No New Impact. The proposed Project lies within the same area as previously analyzed, and does not increase the land use site intensity. EIR531 identified that the entire Belle Terre project site is served by EMWD which will accommodate the Project's demand for water supply and that no additional sources (such as additional groundwater) will be required to meet water demand. As SP382S1 will result in 426 fewer homes and TTM 37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas, additional sources to meet water demand such as groundwater, are will be less than significant. Water is currently conveyed from the Pat Road Booster Station and a 48 inch diameter transmission main in Leon Road primarily through an 18 inch transmission main along Ruft Road and Abelia Street to the eastern border of the 1627 pressure zone, where the Belle Terre community is located. The nearest storage tank for the 1627 pressure zone is the Menifee Village Tank located about 7 miles northwest of the Belle Terre site with a storage volume of 5 million gallons. The Pat Road Booster Station, located on the southern border of the 1627 pressure zone, is the nearest source of supply to Belle Terre community and the French Valley area. Facilities are proposed to accommodate the demands of the Belle Terre community and improve the hydraulic performance of the existing water facilities in the neighboring French Valley area.

The following facilities are proposed as part of TTM37449:

- 18 inch diameter along Fields Dr. between Washington St. and proposed water tank (±5,600 ft)

- 12 inch diameter pipeline along Belle Terre Parkway and Washington Street from the end of the existing 12 inch diameter pipeline in Washington Street to Fields Drive ($\pm 5,100$ ft)
- 8 inch diameter pipelines within tract streets for TTM37499

The proposed Project is expected to have adequate pressure when connected to the 1627 pressure zone as long as a reservoir is constructed in the French Valley area. Further, land use designations are consistent with what has already been planned and analyzed for the planning areas within SP382S1. Thus, the Project will likely generate less water supply and water treatment demand. Hence, water demand generated from the Project will be consistent with or less than the EIR531 analysis, and thus supply and water treatment capacity will be adequate for the Project site. Thus, impacts are less than significant.

A project-specific Drainage Plan has been prepared for TTM37449 (WEBB-A). As stated above, the overall Belle Terre community will result in 426 fewer homes under SP382S1 and TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The proposed will require construction of drainage facilities, however, these facilities were contemplated as part of EIR531 and fully analyzed. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

37. Sewer

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?

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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?

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Source: EIR531

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact. The Project site falls within the service boundaries of the EMWD. Wastewater treatment services are provided to the Project area by the TVRWRF, which is located in the City of Temecula approximately 12 miles southwest of the Project site. The facility currently has a capacity of 18.0 million gallons per day (mgd), though current wastewater flows through the facility are approximately 12.0 mgd. (DEIR531 p. IV.P-1)*

Implementation of the Project would generate an approximate average daily flow of 448,700 gallons of wastewater per day. The Project includes construction of a sewer facility along Brookridge Lane and French Valley Open Channel connecting to the existing 18-inch diameter trunk line located in Abelia Street (refer to Figure III-13 in Section III [Project Description]). For the southeast 55.2-acre portion of the Project site, an 8-inch diameter sewer line would be constructed within public right-of-way within TTM #30837 parallel to the sewer line(s) constructed to serve TTM #30387 and would extend northeasterly along Washington Street.

The sewer line would confluence to a proposed 15-inch diameter sewer line at Fields Drive. Internal 8-inch to 12-inch pipelines would collect wastewater within the Project site and convey to the proposed 15-inch sewer line at Fields Drive. Based on hydraulic modeling completed by EMWD, the existing 18-inch trunk sewer in Abelia Street has the capacity to service the Project in its entirety. Additionally, the TVRWRF has an approximately additional daily treatment capacity of 6.0 mgd, which would be adequate to serve the Project's wastewater treatment requirements. As such, the Project would not require the expansion of wastewater treatment capacity. The analysis of Project impacts related to wastewater services, also takes into consideration development of off-site areas and assumes the access and utility infrastructure improvements. Thus, no additional wastewater services impacts beyond those already identified would occur as a result of development of the improvements. Therefore, Project impacts related to wastewater services would be less than significant. (DEIR531 pp. IV.P-1, IV.P-3 – IV.P-4).

No New Impact. The proposed Project lies within the same area as previously analyzed, and does not increase the land use site intensity.

The following facilities are proposed as part of TTM37449:

- 18 inch diameter along Fields Dr. between Washington St. and proposed water tank (±5,600 ft)
- 12 inch diameter pipeline along Belle Terre Parkway and Washington Street from the end of the existing 12 inch diameter pipeline in Washington Street to Fields Drive (±5,100 ft)
- 8 inch diameter pipelines within tract streets for TTM37499

The proposed Project is expected to have adequate pressure when connected to the 1627 pressure zone as long as a reservoir is constructed in the French Valley area. Further, land use designations are consistent with what has already been planned and analyzed for the planning areas within SP382S1. Thus, the Project will likely generate less water supply and water treatment demand. Hence, water demand generated from the Project will be consistent with or less than the EIR531 analysis, and thus supply and water treatment capacity will be adequate for the Project site. Thus, impacts are less than significant.

- b) *EIR531 Conclusion: Less than Significant Impact. EIR531 stated that the project would generate an average daily flow of approximately 448,700 gallons of wastewater per day. Based on hydraulic modeling completed by EMWD, the existing 18-inch trunk sewer in Abelia Street has the capacity to service the project in its entirety. Additionally, the Temecula Valley Regional Water Reclamation Facility has an approximately additional daily treatment capacity of 6.0 million gallons per day, which would be adequate to serve the project's wastewater treatment requirements. As such, EIR531 concluded that the project would not require the expansion of wastewater treatment capacity and impacts would be less than significant. (DEIR531 p. IV.P-3).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The overall Belle Terre community will result in 426 fewer homes under SP382S1 and TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Project will result in a lower density as fewer dwelling units are proposed than analyzed for these Planning Areas. Thus, the capacity needed to serve the proposed Project will be consistent or less than the EIR531 analysis, and wastewater capacity will be adequate to serve the Project site. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

38. Solid 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?

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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)?

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Source: EIR531

Findings of Fact:

a-b) *EIR531 Conclusion: Less than Significant Impact. Because the project is not developed with any structures, no demolition activities would occur as a result of construction of the project. Construction of the project would generate a total of approximately 5,146 tons of solid waste, conservatively assuming no recycling efforts. The project would generate approximately 7.84 tons (15,679 pounds) of solid waste per day during its operation, conservatively assuming no recycling efforts. The remaining combined daily intake capacity of the landfills serving the project area is 10,605 tons per day (tpd). As such, these landfills would have adequate capacity to accommodate the average daily construction and operation waste generated by the project. Additionally, adherence to AB 939 and required use of recycling facilities would reduce further the amount of waste that could be deposited in the landfills. Therefore, impacts related to construction and operational solid waste disposal would be less than significant. (DEIR531 pp. IV.P-27 – IV.P-28).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The overall Belle Terre community will result in 426 fewer homes under SP382S1 and TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Project will result in a lower density as fewer dwelling units are proposed than analyzed for these Planning Areas. Thus, the solid waste generated from the proposed Project will be consistent to or less than the EIR531 analysis, and landfill capacity will be adequate to serve the Project site. Further, the Project will be required to comply with all relevant statutes, regulations, and recycling policies. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

39. 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?

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b) Natural gas?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
c) Communications systems?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
d) Street lighting?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
e) Maintenance of public facilities, including roads?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
f) Other governmental services?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Source: EIR531

Findings of Fact:

- a-b) *EIR531 Conclusion: Less than Significant Impact. Southern California Edison (SCE) would supply the project from its existing system in the vicinity of the project site. Electrical conduits, wiring, and associated infrastructure would be brought from existing SCE lines in the surrounding streets to the project during construction. The project itself would not require new (off-site) energy supply facilities and distribution infrastructure. Therefore, the project would not result in the need for additional distribution facilities. According to the County of Riverside General Plan Update EIR, electrical consumption at buildout (year 2030) of the General Plan would be roughly 684,601,745 kilowatts per hour (kWh) per year, which is supplied by SCE annually. The conservatively estimated project-related annual electricity consumption of 7,213,173 kWh per year would represent approximately two percent of this forecasted electricity consumption in 2030 for the County of Riverside as a whole. Therefore, it is anticipated that SCE's existing and planned electrical capacity and electricity supplies would be sufficient to support the project's electricity consumption. Therefore, the project would not require the acquisition of additional electricity resources beyond those that are anticipated by SCE. In addition, the project's consistency with the CALGreen Code for building efficiency would help alleviate electrical demand. It should also be again noted that the project's estimated electricity consumption is based on usage rates that conservatively do not account for the project's energy conservation features (design features). Therefore, the project's actual electricity consumption would likely be lower than that forecasted. Overall, impacts related to electricity would be less than significant.*

The design features for building efficiency would help to reduce the project's overall natural gas demand. Southern California Gas (SoCal Gas) has an obligation to serve projects in its service area. Therefore, SoCal Gas would be able to accommodate the project's demand for natural gas with existing natural gas supplies. The natural gas demand is based on natural gas usage rates from the SCAQMD and conservatively does not account for the project's energy conservation features that would reduce natural gas usage. the project's natural gas consumption of roughly 5.1 million cf/month would represent a fraction of one percent of SoCal Gas's total natural gas consumption for projected year 2030 in the County, which is roughly 5.3 billion cf. The project would not require the acquisition of additional natural gas resources beyond those that are anticipated by SoCal Gas. The project's operation would result in the irreversible consumption of non-renewable natural gas and would thus limit the availability of this resource. However, the continued use of natural gas would be on a relatively small scale and consistent with regional and local growth expectations for the area. In addition, the project's design features would help alleviate a portion of the forecasted demand for natural gas. The project would be in compliance with Title 24 requiring building energy efficiency standards to be incorporated into the project. Overall, impacts related to natural gas would be less than significant. (DEIR531 pp. IV.P.4-37 – IV.P.4-39).

No New Impact. The proposed Project lies within the same area as previously analyzed, and does not increase the land use site intensity The Project will result in a lower density as fewer

dwelling units are proposed than analyzed for these Planning Areas. Thus, as the Project proposed fewer dwelling units than planned, demand for electricity and gas will be consistent with or less than the EIR531 analysis, and thus capacity to fulfill this demand will be adequate to serve the Project site. Further, the Project will comply with all SP382 design features regarding gas and electricity consumption, and be consistent with Title 24 building energy efficiency standards. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- c-e) *EIR531 Conclusion: No Impact. The applicant shall be responsible for financing construction of the infrastructure improvements required to support the project, such as perimeter and internal streets, water lines, sewers, and storm drains. All necessary infrastructure improvements shall be developed in conjunction with the roadway improvements. The financing of construction, operation, and maintenance of public improvement and facilities would include funding through a combination of financing mechanisms. However, the developer shall be ultimately responsible for all fair-share costs associated with implementing the project, including but not limited to the costs of providing infrastructure and complying with mitigation measures, conditions of approval, and other requirements of the project.*

Financing may involve a combination of impact fees and exacting, special assessment districts, landscaping and lighting districts, and other mechanisms agreed to by the developer and the County. Developer-funded improvements may be subject to a reimbursement agreement or credits against fees pursuant to provisions of a development agreement or conditions of approval. The County and developer will cooperate to ensure that the public/utility facilities are built in accordance with all requirements of SP382 and EIR531. A development agreement and conditions of approval may be used to facilitate this process. Thus, no impacts related to these issues would occur as a result of the project, and no further analysis of these issues is required. (DEIR531 pp. IV.A-7 – IV.A-8).

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The overall Belle Terre community will result in 426 fewer homes under SP382S1 and TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Project will result in a lower density as fewer dwelling units are proposed than analyzed for these Planning Areas. As stated in EIR531, the Project applicant and developer will be responsible for financing construction and infrastructure improvements, and that they are built to the requirements of SP382 and EIR531. The proposed Project does not result in an overall increase in intensity. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- f) *EIR531 Conclusion: EIR531 inadvertently omitted a direct discussion of this threshold. 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 in EIR531. The overall Belle Terre community will result in 426 fewer homes under SP382S1 and TTM37449 proposes development of 372 homes within Planning Areas 1, 3, 4, and 7 which is less than the 599 homes previously analyzed for development within these Planning Areas. The Project will result in a lower density as fewer dwelling units are proposed than analyzed for these Planning Areas. Thus, no other governmental services are anticipated. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

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:

40. Wildfire Impacts

a) Substantially impair an adopted emergency response plan or emergency evacuation plan?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
e) Expose people or structures either directly or indirectly, to a significant risk of loss, injury, or death involving wildland fires?	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Sources: EIR531, GP, ORD 787, RCIT

Findings of Fact:

- a) *EIR531 Conclusion: Less than Significant Impact with Mitigation. EIR531 stated that construction of the project, including development of new roadways and improvements within existing roadways, could result in temporary traffic obstructions. In particular, Washington Street to the west, Keller Road to the north, Fields Drive to the west, and Jean Nicholas to the southwest are major arterials in the vicinity of the project. However, EIR531 concluded that with implementation of Mitigation Measure I-1, potential impacts related to interference with the County’s Emergency Operations Plan would be reduced to less than significant. (DEIR531 p. IV.I-14).*

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. The Project site is bordered by Washington Street to the west, and is in close proximity to Keller Road (near the northwest corner of the Project site) and Fields Drive (to the west of the Project site). Similar to EIR531, the proposed Project will be required to implement Mitigation Measure I-1 to ensure that there are no conflicts or interference with the County’s Emergency Operations Plan. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- b-d) *EIR531 Conclusion: No Impact. Per EIR531, the Project site is not located within a high fire area (as designated by the County of Riverside; the State defers to local municipalities to make these designations). Thus no further analysis of this issue is required. (DEIR531 p. IV.I-13 – IV.I-14). Elevations within the project site range from approximately 1,300 feet above mean sea level to 1,600 feet above mean sea level. The overall topography of the project site slopes gently-to-moderately in a southwesterly direction. However, relatively steep slopes/ridges are located within the northeastern portion of the project site. Development would occur within the flatter*

portions of the project site. The northeastern portion with the hillier terrain would be preserved as open space. The overall topography of the site would not change substantially as a result of the project. Therefore, EIR531 concluded no significant impacts related to slopes would occur. (DEIR531 p. IV.G-13, FEIR531 p. IV-17). Further, the project would not include cut or fill slopes greater than 2:1 or higher than 10 feet (DEIR531 p. IV.A-2).

No New Impact. The proposed Project lies within the same area as previously analyzed in EIR531. Similar to EIR531, development of the Project site will avoid the steeper northeastern area, mostly remaining to the west of the San Diego Canal. The planning areas east of the San Diego Canal remain as open space. Overall topography of the Project site will not change. There are no cut/fill slopes will be greater than 2:1. There are some cut/fill slopes proposed as higher than 10 feet. However, these slopes have been designed in accordance with the 2016 California Building Code and per the recommendations of the Geotechnical Report so as not to create any significant impacts.

According to Figure S-11 in the Riverside County General Plan (GP), and confirmed by Riverside County's Map Viewer (RCIT), the proposed Project is now located within a high fire risk area of high and very high fire hazard. Riverside County's Wildland Urban Interface identifies that communities create extremely dangerous and complex fire conditions, posing a threat to public and firefighter safety. As wildland fires meet structural developments, vegetation ceases to burn but catastrophic fire can continue, sustained by structures igniting. Thus, the proposed Project may have the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. However, Ordinance No. 787 (ORD 787) requires that any proposed development located within an identified Hazardous Fire Area prepare and implement a Fire Protection Plan (FPP). The FPP will identify the setback/fuel modification distance and measurement criteria for application of fuel modified areas, including determination of fuel-modified vegetation and improvements and maintenance. The County Fire Department will review new developments and fire services to ensure adequate emergency services and facilities to residents and businesses. Further, all new construction is required to comply with the California Fire and Building Codes and County Fire staff will review the design and will require emergency vehicle access, per County Fire Department standards. As conditions of approval will require compliance with all regulatory requirements concerning fire protection, impacts are less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

- e) *EIR531 Conclusion: No Impact. Per EIR531, the Project site is not located within a high fire area (as designated by the County of Riverside; the State defers to local municipalities to make these designations). Thus no further analysis of this issue is required. (DEIR531 p. IV.I-13 – IV.I-14).*

No New Impact. According to Figure S-11 in the GP, and confirmed by RCIT, the proposed Project is located within a high fire risk area of high and very high fire hazard. Riverside County's Wildland Urban Interface identifies that communities create extremely dangerous and complex fire conditions, posing a threat to public and firefighter safety. As wildland fires meet structural developments, vegetation ceases to burn but catastrophic fire can continue, sustained by structures igniting. Thus, the proposed Project may have the potential to expose people or structures to a significant risk of loss, injury or death involving wildland fires. However, ORD 787 requires that any proposed development located within an identified Hazardous Fire Area prepare and implement a FPP. The FPP will identify the setback/fuel modification distance and measurement criteria for application of fuel modified areas, including determination of fuel-

modified vegetation and improvements and maintenance. The County Fire Department will review new developments and fire services to ensure adequate emergency services and facilities to residents and businesses. Further, all new construction is required to comply with the California Fire and Building Codes and County Fire staff will review the design and will require emergency vehicle access, per County Fire Department standards. As conditions of approval will require compliance with all regulatory requirements concerning fire protection, impacts are less than significant. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

MANDATORY FINDINGS OF SIGNIFICANCE Does the Project:

41. 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?
- ☐ ☐ ☐ ☒

Sources: EIR531, above checklist

Findings of Fact:

- 45) *EIR531 Conclusion: Less Than Significant Impact with Mitigation with Respect to Biological Resources, Less Than Significant With Mitigation, Less than Significant, and No Impact with Respect to Cultural Resources, and Less than Significant Impact with Mitigation with Respect to Tribal Cultural Resources.*

No New Impact. Implementation of the proposed Project will 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. The proposed Project does not result in any impacts beyond what was previously analyzed and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

42. 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)?
- ☐ ☐ ☐ ☒

Sources: EIR531, above checklist

Findings of Fact:

- 46) *EIR531 Conclusion: Less Than Significant Impact with Mitigation for all thresholds (at most) except Air Quality, Greenhouse Gas Emissions, Noise, and Transportation/Traffic; which were found to be Significant and Unavoidable.*

No New Impact. The Project does not have impacts which are individually limited, but cumulatively considerable as discussed above. The proposed Project does not result in any impacts beyond what was previously analyzed and all mitigation remains in effect. Therefore, no new or substantially increased impacts result from the proposed Project beyond those previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

<p>43. Have environmental effects that will cause substantial adverse effects on human beings, either directly or indirectly?</p>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
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Sources: *EIR531, above checklist*

Findings of Fact:

47) *EIR531 Conclusion: EIR531 determined in its Initial Study that the project has a potentially significant impact (DEIR531 Appendix I, p. 34).*

No New Impact. The proposed Project will not result in environmental effects which will 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 previously analyzed in the certified EIR531.

Mitigation: All mitigation measures related to this issue that were identified in EIR531 remain in effect.

Monitoring: Monitoring for all mitigation measures remains as identified in EIR531.

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 Impact Report 531 (SCH No. 2012111070) certified December 2, 2014

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

Location: County of Riverside Planning Department
4080 Lemon Street, 12th Floor
Riverside, CA 92505

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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- CARB 2012 California Air Resources Board, *LEV III and ZEV Regulation Amendments for Federal Compliance Option*, December 31, 2012. (Available at <http://www.arb.ca.gov/regact/2012/leviiidtc12/leviiidtc12.htm>, accessed April 15, 2019.)
- CDTSC California Department of Toxic Substances Control, *Hazardous Waste and Substances Site List*, dated 2018. (Available at https://www.dtsc.ca.gov/SiteCleanup/Cortese_List.cfm, accessed August 1, 2018.)
- CEC California Energy Commission, *Electricity and Natural Gas Consumption by Entity*. (Available online at <http://ecdms.energy.ca.gov/Default.aspx>, accessed April 16, 2019.)
- CE-A Cadre Environmental, *Biological Resources Technical Report, Belle Terre Project Site, Unincorporated Riverside County, California*, dated July 2019. (Appendix A)
- CE-B Cadre Environmental, *MSHCP Determination of Biological Equivalent of Superior Preservation/Consistency Analysis, Belle Terre Project Site, Unincorporated Riverside County, California*, dated July 2019. (Appendix A)
- DOC 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_w_15_16_WA.pdf, accessed June 11, 2018).
- EIR531 County of Riverside, *Environmental Impact Report No. 531 to the Belle Terre Specific Plan No. 382*, certified December 9, 2014. (Available at the County of Riverside).
- FEMA Federal Emergency Management Agency, Flood Map Service Center, Panels 06065C2090G and 06065C2730G (both unprinted). (Available at <https://msc.fema.gov/portal/home>, accessed October 29, 2018).
- FMMP California Department of Conservation, *Farmland Mapping and Monitoring Program Riverside County Important Farmland 2016 Sheet 1 of 3*, dated July 2017. (Available at ftp://ftp.consrv.ca.gov/pub/dlrp/FMMP/pdf/2016/riv16_w.pdf, accessed June 11, 2018).
- GHG Tables County of Riverside, *Greenhouse Gas Screening Tables, Belle Terre Tract No. 37449*. (Appendix F).
- GP County of Riverside, *County of Riverside General Plan*, dated December 8, 2015. (Available at <http://planning.rctlma.org/ZoningInformation/GeneralPlan.aspx>, accessed June 19, 2018).

GW	Geocon West, Inc., <i>Geotechnical Update, Belle Terre, East of Washington Street, South of Keller Road, French Valley Area, Riverside County, California</i> , dated October 6, 2017. (Appendix B)
ORD 457	County of Riverside, <i>Ordinance 457.103</i> , adopted September 28, 2010. (Available at https://www.rivcocob.org/ords/400/457.pdf , accessed May 22, 2019).
ORD 460	County of Riverside, <i>Ordinance 460 (As Amended through 460.154)</i> , last amended July 15, 2014. (Available at https://www.rivcocob.org/wp-content/uploads/2009/10/Final-Ordinance-No.-460.pdf , accessed May 22, 2019).
ORD 625	County of Riverside, <i>Ordinance 625 (As Amended through 625.1)</i> , last amended November 8, 1994. (Available at https://www.rivcocob.org/ords/600/625.1.pdf , accessed May 22, 2019).
ORD 655	County of Riverside, <i>Ordinance 655 (As Amended through 559.7)</i> , last amended October 26, 2000. (Available at http://www.rivcocob.org/ords/500/559.7.pdf , accessed May 9, 2019).
ORD 659	County of Riverside, <i>Ordinance 659 (As Amended through 659.13)</i> , last amended January 13, 2015. (Available at https://www.rivcocob.org/wp-content/uploads/2009/10/659.13.pdf , accessed May 22, 2019).
ORD 787	County of Riverside, <i>Ordinance 787 (As Amended through 787.8)</i> , last amended November 15, 2016. (Available at https://www.rivcocob.org/ords/700/787.pdf , accessed May 22, 2019).
RCALUC	Riverside County Airport Land Use Commission, <i>French Valley Airport Policies and Compatibility Map</i> , dated January 2012. (Available at http://www.rcaluc.org/Portals/0/15%20-%20Vol.%201%20French%20Valley%20Amd%202011.pdf?ver=2016-08-15-151151-090 , accessed June 19, 2018).
RCC	Riverside County Community and Cultural Services Division, <i>County Service Areas</i> . (Available at https://rivcoccsd.org/csa/ , accessed June 4, 2018).
RCIT	Riverside County Information Technology, <i>Riverside County Map My County</i> , dated 2018. (Available at https://gis.rivcoit.org/ , accessed October 24, 2018).
RCTC	Riverside County Transportation Commission, <i>2011 Riverside County Congestion Management Plan</i> , dated December 14, 2011. (Available at http://www.rctcdev.info/uploads/media_items/congestionmanagementprogram.original.pdf , accessed October 24, 2018).
SCAQMD	South Coast Air Quality Management District, <i>Rule 402 Nuisance</i> , dated May 7, 1976. (Available at http://www.aqmd.gov/docs/default-source/rule-book/rule-iv/rule-402.pdf?sfvrsn=4 , accessed July 23, 2018).
SP382	County of Riverside, <i>Belle Terre Specific Plan No. 382</i> , dated February 2015. (Available at http://planning.rctlma.org/SpecificPlans/ApprovedSpecificPlansDocuments.aspx , accessed June 4, 2018).
TVUSD	Temecula Valley Unified School District, <i>Letter regarding Belle Terre Specific Plan and School Facilities Agreement</i> , dated March 12, 2019. (Appendix E)
WEBB-A	Albert A. Webb Associates, <i>Preliminary Hydraulic Study, Belle Terre Tentative Tract Map 37449, Riverside County, California</i> , dated July 2018. (Appendix C)

- WEBB-B Albert A. Webb Associates, *Project Specific Preliminary Water Quality Management Plan for TTM 37449*, dated July 10, 2018. (Appendix C)
- WEBB-C Albert A. Webb Associates, *Traffic Impact Analysis for TT37449*, dated April 2019. (Appendix D)

IX. ACRONYMS

<u>Acronym</u>	<u>Definition</u>
A-1-2 ½	Light Agriculture
A-1-5	Light Agriculture
A-1-10	Light Agriculture
A-P	Light Agriculture with Poultry
AB	Assembly Bill
AQMP	Air Quality Management Plan
APE	Area of Potential Effects
Basin	South Coast Air Basin
BAU	Business-As-Usual
BAT	Best Available Technology Economically Achievable
BCT	Best Conventional Pollutant Control Technology
BMP	Best Management Practices
Caltrans	California Department of Transportation
CAP	County of Riverside Climate Action Plan
CBC	California Building Code
CC&Rs	Covenants, Conditions & Restrictions
CDFW	California Department of Fish and Wildlife
CE	Cadre Environmental
CEQA	California Environmental Quality Act
cf	cubic feet
CNEL	Community Noise Equivalent Level
CO	Carbon Monoxide
County	County of Riverside
CSA	Community Service Area
CWA	Clean Water Act
CZ1800020	Belle Terre Specific Plan No. 382, Change of Zone No. 1800020
dba	A-weighted decibels
DBESP	Determination of Biological Equivalent or Superior Preservation
DEIR531	Draft Environmental Impact Report No. 531
DIF	Development Impact Fee
DOC	California Department of Conservation
DU/AC	Dwelling units/acre
EA	Environmental Assessment
EA42506	Environmental Assessment No. 42506
EIR	Environmental Impact Report
EIR531	Environmental Impact Report No. 531
EIR531-A1	Environmental Impact Report No. 531, Addendum No. 1
EMWD	Eastern Municipal Water District
EPD	Environmental Programs Division
ESA	Environmental Site Assessment
FCWCD	Riverside County Flood Control and Water Conservation District
FEIR531	Final Environmental Impact Report 531
FEMA	Federal Emergency Management Agency
FIRM	Flood Insurance Rate Map
FMMP	Farmland Mapping and Monitoring Program
GHG	Greenhouse Gas
GP	City of Menifee General Plan
HCOC	Hydrological Conditions of Concern
HCP	Habitat Conservation Plan
HDR	High Density Residential

HOA	Homeowner Association
HUSD	Hemet Unified School District
kWh	Kilowatt hour
LDR	Low Density Residential
LID	Low Impact Development
LST	Localized Significance Threshold
MBTA	Migratory Bird Treaty Act
MDR	Medium Density Residential
MHDR	Medium High Density Residential
MLD	Most likely descendants
MRZ	Mineral Resource Zone
MSHCP	Western Riverside Multiple Species Habitat Conservation Plan
NOI	Notice of Intent
NOP	Notice of Preparation
NO _x	Nitrogen Oxides
OS-C	Open Space - Conservation
OS-CH	Open Space – Conservation Habitat
OS-R	Open Space – Recreation and Open Space – Recreation/Basin
PA	Planning Area
PDF	Project Design Feature
PF	Public Facilities
PM ₁₀	Particulate matter less than 10 microns in size
PM _{2.5}	Particulate matter less than 2.5 microns in size
Project	SP382S1, TTM37449, EIR531-A1, and CZxxxx
R-A-2 ½	Residential Agriculture - 2 ½ Acre Minimum
R-1	One-Family Dwellings
R-5	Open Area Combining Zone Residential Developments
RCA	Western Riverside County Regional Conservation Authority
RCFD	Riverside County Fire Department
RCHCA	Riverside County Habitat Conservation Agency
RCSD	Riverside County Sheriff's Department
RCTC	Riverside County Transportation Commission
RM	Rural Mountainous
RR or R-R	Rural Residential
RWQCB	Regional Water Quality Control Board
SAA	Streambed Alteration Agreement
SB	Senate Bill
SCAQMD	South Coast Air Quality Management District
SCAG	Southern California Association of Governments
SCE	Southern California Edison
SKR	Stephen's Kangaroo Rat
SO _x	Sulfur oxides
SoCal Gas	Southern California Gas
SP	Specific Plan
SP286	Winchester Specific Plan No. 286
SP310	Domenigoni Specific Plan No. 310
SP380	Keller Crossing Specific Plan No. 380
SP382	Belle Terre Specific Plan No. 382
SP382S1	Belle Terre Specific Plan No. 382, Substantial Conformance No. 1
SWPPP	Stormwater Pollution Prevention Plan
TAC	Toxic Air Contaminant
tpd	Tons per day
TTM	Tentative Tract Map

TTM29883	Tentative Tract Map No. 29883
TTM30837	Tentative Tract Map No. 30837
TTM33423	Tentative Tract Map No. 33423
TTM37449	Tentative Tract Map No. 37449
TVUSD	Temecula Valley Unified School District
USACE	United States Army Corps of Engineers
USFWS	United States Fish and Wildlife Service
Valley-Wide	Valley-Wide Recreation and Park District
VdB	Vibration velocity level
VOC	Volatile organic compound
WQMP	Water Quality Management Plan
WSA	Water Supply Assessment

Mitigation Monitoring and Reporting Program

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
IV.D Air Quality				
Mitigation Measure D-1: Construction Emissions During the Project's construction phase, water or a stabilizing agent shall be applied to exposed surfaces at least three times per day to prevent generation of dust plumes.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-2: Construction Emissions During the Project's construction phase, the construction contractor shall utilize at least one of the following measures at each vehicle egress from the project site to a paved public road: <ul style="list-style-type: none">• Install a pad consisting of washed gravel maintained in clean condition to a depth of at least six inches and extending at least 30 feet wide and at least 50 feet long;• Pave the surface extending at least 100 feet and at least 20 feet wide;• Utilize a wheel shaker/wheel spreading device consisting of raised dividers at least 24 feet long and 10 feet wide to remove bulk material from tires and vehicle undercarriages; or• Install a wheel washing system to remove bulk material from tires and vehicle undercarriages.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-3: Construction Emissions During the Project's construction phase, all haul trucks hauling soil, sand, and other loose materials shall be covered (e.g., with tarps or other enclosures that would reduce fugitive dust emissions).	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-4: Construction Emissions During the Project's construction phase, construction activity on unpaved surfaces shall be suspended when wind speed exceed 25 miles per hour (such as instantaneous gusts).	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-5: Construction Emissions During the Project's construction phase, ground cover in disturbed areas shall be replaced as quickly as possible.	On-going through any construction phase	County of Riverside - Building and Safety Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure D-6: Construction Emissions During the Project's construction phase, apply non-toxic soil stabilizers according to manufacturers' specifications to all inactive construction areas (previously graded areas inactive for ten days or more).	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-7: Construction Emissions During the Project's construction phase, traffic speeds on all unpaved roads to be reduced to 15 mph or less.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-8: Construction Emissions During the Project's construction phase, sweep streets at the end of the day if visible soil is carried onto adjacent public paved roads. If feasible, use water sweepers with reclaimed water.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-9: Construction Emissions During the Project's construction phase, heavy-duty equipment operations shall be suspended during first and second stage smog alerts.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-10: Construction Emissions During the Project's construction phase, equipment and vehicle engines shall be maintained in good condition and in proper tune per manufacturers' specifications.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-11: Construction Emissions During the Project's construction phase, all diesel-powered off-road construction equipment greater than 50 horsepower shall meet USEPA Tier 4 or higher emissions standards. In addition, all construction equipment shall be outfitted with best available control technology (BACT) devices certified by CARB. Any emissions control device used by the contractor shall achieve emissions reductions that are no less than what could be achieved by a CARB-defined Level 3 diesel emissions control strategy for a similarly sized engine.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-12: Construction Emissions During the Project's construction phase, all diesel-powered construction equipment shall use CARB Level 2 or higher diesel particulate filters.	On-going through any construction phase	County of Riverside - Building and Safety Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Mitigation Measure D-13: Construction Emissions During the Project's construction phase, electricity shall be utilized from power supply sources rather than temporary gasoline or diesel power generators, as feasible.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-14: Construction Emissions During the Project's construction phase, heavy-duty trucks shall be prohibited from idling in excess of five minutes, both on- and off-site.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-15: Construction Emissions During the Project's construction phase, the Project shall utilize low VOC paints for the interior and exterior of structures.	On-going through any construction phase	County of Riverside - Building and Safety Division		
Mitigation Measure D-16: Operation Emissions Prior to issuance of a building permit, the County Building Department shall ensure that the Project does not include hearths or includes only natural gas hearths.	Prior to issuance of any building permit	County of Riverside - Building and Safety Division		
Mitigation Measure D-17: Operation Emissions (Revised) <u>The owners of implementing projects shall incorporate into the project Covenants, Conditions & Restrictions (CC&Rs) a requirement to use low VOC cleaning supplies in future households. Homeowner Associations (HOAs) shall notify residents of this requirement. The CC&Rs with this requirement shall be provided to the County to approve prior to map recordation.</u> Prior to issuance of a certificate of occupancy, the County Building Department shall ensure that the Project uses low VOC cleaning supplies.	Prior to issuance of any certificate of occupancy map recordation	County of Riverside - Building and Safety Division		
Mitigation Measure D-18: Operation Emissions Prior to issuance of a certificate of occupancy, the County Waste Management Department shall ensure that the Project incorporates compost and recycling services.	Prior to issuance of any certificate of occupancy	County of Riverside - Building and Safety Division		
Mitigation Measure D-19: Operation Emissions Prior to issuance of a building permit, the County Building Department shall ensure that the Project incorporates water conservation strategies designed to meet CalGreen reductions of 20 percent in indoor water use. This should include incorporating low water, Energy Star-compliant	Prior to issuance of any building permit	County of Riverside - Building and Safety Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
appliances and furniture, dual flush or toilets that use less than 1.6 gallons per flush (gpm), install faucets and showerheads using 2.5 gpm or less, water-saving landscape techniques such as drip irrigation.				
Mitigation Measure D-20 The Project shall incorporate light-colored paving and roofing materials.	Prior to issuance of certificate of occupancy	County of Riverside - Building and Safety Division		
Mitigation Measure D-21 Prior to issuance of a certificate of occupancy, the County Building and Safety Department shall ensure that electric or propane outlets are provided for barbecues in residential areas.	Prior to issuance of certificate of occupancy	County of Riverside - Building and Safety Division		
Mitigation Measure D-22 (Revised) <u>The owners of implementing project shall incorporate into the project CC&Rs a requirement to use electric lawn mowers and leaf blowers in future households. HOAs shall notify residents of this requirement. The CC&Rs with this requirement shall be provided to the County to approve prior to map recordation.</u> Prior to issuance of a certificate of occupancy, the County Planning Department shall ensure that that the Project's Homeowner's Association enforces the use of electric lawn mowers and leaf blowers.	Prior to issuance of a certificate of occupancy <u>Prior to issuance of a certificate of occupancy map recordation</u>	County of Riverside - Planning Division		
IV.E Biological Resources				
Mitigation Measure E-1: MSHCP Local Development Mitigation Fee Payment Prior to issuance of a grading permit, the Project Applicant shall pay MSHCP Local Development Mitigation fees as established and implemented by the County.	Prior to issuance of grading permit	County of Riverside - Environmental Programs Division		
Mitigation Measure E-2: SKR HCP Fee Assessment Area Fee Payment Prior to issuance of a grading permit, the Project Applicant shall pay the fees pursuant to County Ordinance 663.10 for the Riverside County SKR HCP Fee Assessment Area as established and implemented by the County.	Prior to issuance of grading permit	County of Riverside - Environmental Programs Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure E-3: Burrowing Owl</p> <p>Prior to issuance of a grading permit, a 30-day burrowing owl preconstruction survey shall be conducted immediately prior to the initiation of ground-disturbing construction to ensure protection for this species and compliance with the conservation goals as outlined in the MSHCP. The survey shall be conducted in compliance with both MSHCP and CDFW guidelines. A report of the findings prepared by a qualified biologist shall be submitted to the County prior to any permit or approval for ground disturbing activities.</p> <p>If burrowing owls are detected on-site during the 30-day preconstruction survey, during the breeding season (February 1 to August 31), then construction activities shall be limited to beyond 300 feet of the active burrows until a qualified biologist has confirmed that nesting efforts are complete or not initiated. In addition to monitoring breeding activity, if during the breeding season, a burrowing owl mitigation plan shall be developed based on the County EPD, CDFW, and USFWS requirements for the active relocation of individuals to the Lake Mathews Preserve.</p>	Prior to issuance of any grading permit	County of Riverside - Environmental Programs Division		
<p>Mitigation Measure E-4: Migratory Bird Treaty Act</p> <p>Mitigation for potential direct/indirect impacts to common and MSHCP covered sensitive passerine and raptor species shall require compliance with the federal MBTA. Construction outside the nesting season (between September 1 and January 31) does not require pre-removal nesting bird surveys. If construction is proposed between February 1 and August 31, a qualified biologist shall conduct a nesting bird survey(s) no more than fourteen days prior to initiation of grading to document the presence or absence of nesting birds within or directly adjacent (100 feet) to the Project site.</p> <p>The survey(s) shall focus on identifying any raptors and/or passerines nests that could be directly or indirectly affected by construction activities. If active nests are documented, species-specific measures shall be prepared by a qualified biologist and implemented to prevent abandonment of the active nest. At a minimum, grading in the vicinity of a nest shall be deterred until the young birds have fledged. A minimum exclusion buffer of 100 feet shall be maintained during construction, depending on the species and location. The perimeter of the nest setback zone shall be fenced or adequately demarcated with stakes and flagging at 20-foot intervals, and</p>	Prior to issuance of any grading permit	County of Riverside - Environmental Programs Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
construction personnel and activities restricted from the area. A survey report by a qualified biologist verifying that no active nests are present, or that the young have fledged, shall be submitted to the County prior to initiation of grading in the nest-setback zone. The qualified biologist shall serve as a construction monitor during those periods when construction activities occur near active nest areas to ensure that no inadvertent impacts on these nests occur. A report of the findings prepared by a qualified biologist shall be submitted to the County prior to construction that has the potential to disturb any active nests during the nesting season. Any nest permanently vacated for the season would not warrant protection pursuant to the MBTA.				
Mitigation Measure E-5: MSHCP Proposed Conservation Area (Revised) Prior to issuance of a grading permit, the Project Applicant shall provide <u>initiate legal agreements (i.e Donation Agreement)</u> the RCA or similar entity with fee title/ownership and management responsibilities for the 406.85-106.90 <u>106.90</u> -acre MSHCP Proposed Conservation Area designated by the County of Riverside EPD as illustrated on Figure III-1 (refer to Section III [Project Description]).	Prior to issuance of grading permit	County of Riverside - Environmental Programs Division		
Mitigation Measure E-6: Riparian/Riverine/Vernal Pool Resources (Revised) To meet the criteria of a biologically equivalent or superior alternative, the Project Applicant shall offset impacts to 4.29 <u>1.13</u> acres of MSHCP riparian/riverine habitat by restoring 2.58 <u>4.21</u> acres of non-riparian/riverine habitat as directed by the RCA, USFWS, CDFW, USACE, and RWQCB. The 2.58 <u>4.21</u> acres of mitigation lands shall be identified, restored and located adjacent to the existing, on-site riparian corridor. Specifically, the proposed restoration shall occur within the on-site MSHCP Proposed Conservation Area, which shall have been conveyed in fee title, or by conservation easement, to the RCA. An MSHCP DBESP shall be prepared and submitted to the County, RCA, and wildlife agencies for review and approval prior to issuance of a grading permit.	Prior to the issuance of grading permit	County of Riverside - Environmental Programs Division		
Mitigation Measure E-7: Riparian/Riverine/Vernal Pool Resources (Revised) Prior to issuance of a grading permit, the Project Applicant shall obtain a 404 Nationwide Permit from the USACE, 1602 SAA from CDFW, and a	Prior to issuance of a grading permit	California Department of Fish and Wildlife Regional Water Quality Control Board		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
401 Certification issued by the RWQCB pursuant to the California Water Code Section 13260. During the permit process a Habitat Mitigation Monitoring Plan (HMMP) shall be developed and approved by the County EPD, RCA, and applicable regulatory and wildlife agencies. As outlined in E-6, mitigation ratios and restoration efforts shall occur on-site within the MSHCP Proposed Conservation Area adjacent to the riparian corridor (French Valley Creek). A total of 2.584 <u>2.1</u> acres shall be restored.		County of Riverside - Environmental Programs Division		
IV.F Cultural Resources				
<p>Mitigation Measure F-1: Cultural Resources (Revised)</p> <p><u>60 Series</u></p> <p><u>Project Archaeologist. 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.</u></p> <p><u>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. Prior to the issuance of a grading permit for any Project construction, the Project Applicant shall retain a County-qualified archaeologist to monitor all ground-disturbing activities in an effort to</u></p>	Prior to issuance of any grading permit	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>identify any unknown historic archaeological resources. During all earthmoving activities, the archaeological monitor should be present to monitor all previously undisturbed soils and to identify, document, and evaluate any potential historic, archaeological, or cultural resources that may become unearthed. This would include field and laboratory analysis of any artifacts that are recovered during the fieldwork. The locations of any new discoveries shall be plotted on a site map and described in detail in the archaeological monitoring report and updated in the appropriate existing or new DPR form. Further comparative analysis of the recovered artifacts from CA-RIV-10949/H with other historic-age farmstead sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist.</p>				
<p>Mitigation Measure F-2: Cultural Resources (Revised)</p> <p><u>60 Series</u></p> <p><u>Native American Monitor. 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.</u></p> <p><u>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.</u></p> <p><u>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.</u></p> <p><u>This agreement shall not modify any condition of approval or mitigation measure. At least 30 days prior to any grading activities, the Project Applicant shall contact the Soboba Band and Pechanga Tribe to notify them of grading, excavation, and proposed monitoring program, and to coordinate with the County and the Soboba Band or Pechanga Tribe to develop a Cultural Resources Treatment and Monitoring Agreement. The Agreement shall require the Applicant to retain a professional Tribal Monitor to monitor all ground disturbing activities, in an effort to identify any</u></p>	<p>Prior to issuance of any grading permit</p>	<p>County of Riverside – Planning Department Pechanga Tribe or Soboba Band</p>		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
historic, archaeological, and cultural resources. The Agreement shall address the treatment of known cultural resources, the designation, responsibilities, and participation of professional Native American Tribal monitors during grading, excavation, and ground disturbing activities; project grading and development scheduling; terms of compensation for the monitors; and treatment and final disposition of any cultural resources, sacred sites, and human remains discovered on the site.				
<p>Mitigation Measure F-3: Cultural Resources (Revised)</p> <p><u>A Cultural Resource Monitoring Plan (CRMP) 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. This CRMP should be prepared in conjunction with the consulting tribe. Prior to the beginning of any ground-disturbing activities, the County qualified archaeologist shall file a pre-grading report with the County (if required) to document the proposed methodology for grading activity observation. Said methodology shall include the requirement for a qualified archaeological monitor to be present and to have the authority to stop and redirect grading activities. In accordance with the agreement required in Mitigation Measure F-2, the archaeological monitor's authority to stop and redirect grading shall be exercised in consultation with the Soboba Band or Pechanga Tribe in order to evaluate the significance of any archaeological resources discovered on the property. Soboba Band or Pechanga Tribe monitors shall be allowed to monitor all on-site and offsite grading, excavation, and groundbreaking activities, and shall also have the authority to stop and redirect grading activities in consultation with the project archaeologist.</u></p> <p>The Agreement shall address the appropriate protocols should archaeological, historical, or cultural resources be found; the process for identification, evaluation, and any potential avoidance, preservation, or other mitigation options; protocols for field and laboratory analysis of any artifacts that are recovered during the fieldwork that shall take into account traditional Tribal practices; documentation of any new sites and artifacts; and any other appropriate methodology. Further comparative analysis of any recovered artifacts from CA-RIV-10950/H with other Archaic-age sites in the region and from CA-RIV-10949/H with other historic-age farmstead</p>	Prior to issuance of any grading permit	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
sites in the region and interpretation of the data should also be carried out by a County-qualified archaeologist. The archaeologist shall also be responsible for a post-grading monitoring report to be submitted to the County, the Project Applicant, the Eastern Information Center, and the Pechanga Tribe and the Soboba Band of Luiseno Indians no later than 45 days after completion of all monitoring activities.				
<p>Mitigation Measure F-4: Cultural Resources</p> <p>During the Project's construction phase, the area labeled "Avoided Cultural Resource" on the land use map (on file with the County) shall be avoided and fenced as appropriate to deter any potential impacts to the area. Fencing shall be installed prior to grading in the area, and the fencing shall be removed after all earthmoving activities have been completed in the area.</p>	On-going during any construction	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		
<p>Mitigation Measure F-5: Cultural Resources (Revised)</p> <p>The Project Applicant, the Soboba Band or Pechanga consulting Tribe, and the County-qualified archaeologist shall conduct controlled grading utilizing a paddle grader during construction impacts to CA-RIV-10950/H. <u>A controlled grading plan will be developed by the Project Archaeologist. The controlled grading plan shall require the systematic removal of the ground surface to allow for the identification, documentation and recovery of any subsurface cultural deposits. Results of the controlled grading program shall be included in the Phase IV monitoring report.</u></p> <p><u>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.</u></p> <p>The purpose of the controlled grading at and around the site as outlined in the area labeled as "Controlled Grade Area" is to afford the opportunity to determine whether any subsurface resources are associated with the site and if so, to collect the resources for appropriate treatment pursuant to</p>	On-going during any construction	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Section V(g) of the Agreement and in the Monitoring Plan to be developed by the project archaeologist in consultation with the Soboba Band or Pechanga Tribe. The Developer shall only use a paddle grader, and no other ground disturbing equipment or methods, in the "Controlled Grade Area" delineated and labeled on the attached land use map. All controlled grading shall be monitored according to the provisions of Mitigation Measure F-2.				
<p>Mitigation Measure F-6: Cultural Resources (Revised)</p> <p><u>15 Series</u></p> <p><u>Unanticipated Resources. The developer/permit holder or any successor in interest shall comply with the following for the life of this permit.</u></p> <p><u>If during ground disturbance activities, unanticipated cultural resources* are discovered, the following procedures shall be followed:</u></p> <p><u>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.</u></p> <p><u>Further ground disturbance shall not resume within the area of the discovery until the appropriate treatment has been accomplished.</u></p> <p><u>* 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.</u></p> <p><u>** 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. If inadvertent discoveries of subsurface archaeological/cultural</u></p>	On-going during any construction	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
resources are discovered during grading, the Developer, the project archaeologist, and the Soboba Band or Pechanga Tribe shall assess the significance of such resources and shall meet and confer regarding the mitigation for such resources. Pursuant to California Public Resources Code § 21083.2(b) avoidance is the preferred method of preservation for archaeological resources. If the Developer, the project archaeologist and the Soboba Band or Pechanga Tribe cannot agree on the significance or the mitigation for such resources, these issues will be presented to the Planning Director for decision. The Planning Director shall make the determination based on the provisions of CEQA with respect to archaeological resources and shall take into account the religious beliefs, customs, and practices of the Soboba Band or Pechanga Tribe. Notwithstanding any other rights available under the law, the decision of the Planning Director shall be appealable to the Planning Commission and/or Board of Supervisors.				
<p>Mitigation Measure F-7: Cultural Resources (Revised)</p> <p><u>15 Series</u></p> <p><u>Artifact Disposition</u></p> <p><u>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.</u></p> <p><u>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. 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</u></p>	Prior to issuance of any grading permit	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>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.</p> <p>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.</p> <p>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. The landowner(s) shall relinquish ownership of all cultural resources, including sacred items, burial goods, and all archaeological artifacts that are found on the project area to the Soboba Band or Pechanga Tribe for proper treatment and disposition as outlined in the Treatment and Monitoring Agreement required in Mitigation Measure F-2.</p>				
<p>Mitigation Measure F-8: Human Remains (Revised)</p> <p>15 Series</p> <p>Human Remains</p> <p>If human remains are found on this site, the developer/permit holder or any successor in interest shall comply with the following codes:</p> <p>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.</p> <p>If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission (NAHC) shall be</p>	On-going during any construction	County of Riverside – Planning Department NAHC		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>contacted by the Coroner within the period specified by law (24 hours). <u>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.</u></p> <p><u>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:</u></p> <ul style="list-style-type: none"> <u>• The nondestructive removal and analysis of human remains and items associated with Native American human remains.</u> <u>• Preservation of Native American human remains and associated items in place.</u> <u>• Relinquishment of Native American human remains and associated items to the descendants for treatment.</u> <u>• Other culturally appropriate treatment.</u> <p><u>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.</u></p> <p><u>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.</u></p> <p><u>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</u></p>				

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>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:</p> <ul style="list-style-type: none"> • 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. <p>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. If human remains are encountered, California Health and Safety Code Section 7050.5 states that no further disturbance shall occur until the Riverside County Coroner has made the necessary findings as to origin. Further, pursuant to California 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 disposition has been made. If the Riverside County Coroner determines the remains to be Native American, the Native American Heritage Commission must be contacted within 24 hours. The Native American Heritage Commission must then immediately identify the "most likely descendant(s)" of receiving notification of the discovery. The most likely descendant(s) shall then make recommendations within 48 hours, and engage in consultations concerning the treatment of the remains as provided in Public Resources Code 5097.98 and the Treatment Agreement described in Mitigation Measure F-2.</p>				

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure F-9: Cultural Resources (Revised)</p> <p>All sacred sites, <u>as described in Public Resource Code section 5097.9</u>, should they be encountered within the Project area, shall be avoided and preserved as the preferred mitigation, if feasible.</p>	On-going during any construction	County of Riverside – Planning Department Pechanga Tribe or Soboba Band		
<p>Mitigation measure F-10: Paleontological Resources</p> <p>Prior to issuance of grading permits, the Project developer shall retain a qualified paleontologist to develop a Paleontological Resource Impact Mitigation Program (PRIMP) for the excavation phase of the Project. The PRIMP shall conform to the guidelines of the County and the Society of Vertebrate Paleontology and include the following steps:</p> <ul style="list-style-type: none"> • A trained paleontological monitor shall be present during ground-disturbing activities within the Project area in sediments determined likely to contain paleontological resources. The monitor shall be empowered to temporarily halt or redirect construction activities to ensure avoidance of adverse impacts to paleontological resources. The monitor shall be equipped to rapidly remove any large fossil specimens encountered during excavation. During monitoring, samples shall be collected and processed to recover microvertebrate fossils. Processing shall include wet screen washing and microscopic examination of the residual materials to identify small vertebrate remains. • Upon encountering a large deposit of bone, salvage of all bone in the area shall be conducted with additional field staff and in accordance with modern paleontological techniques. • All fossils collected shall be prepared to a reasonable point of identification. Excess sediment or matrix shall be removed from the specimens to reduce the bulk and cost of storage. Itemized catalogs of all material collected and identified shall be provided to the museum repository along with the specimens. • A report documenting the results of the monitoring and salvage activities and the significance of the fossils shall be prepared. • All fossils collected during this work, along with the itemized inventory of these specimens, shall be deposited in a museum repository for permanent curation and storage. 	Prior to issuance of any grading permit	County of Riverside – Planning Department		
IV.G Geology and Soils				

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure G-1: Seismic-related Ground Failure/Liquefaction</p> <p>Prior to issuance of a building permit, it shall be determined by the Project Developer and the County if structural improvements are proposed within the northwestern portion of the Project site where alluvium may extend to a depth of 25 feet. The removal depth within this area may be limited to a maximum of 10 feet (or 2 feet above groundwater level) as opposed to complete removal of alluvium. However, it is recommended that construction of buildings in areas underlain by compressible silt and clays (such as the vicinity of Boring B-7) be delayed at least 4 months after grading and excavation to allow for consolidation settlement to take place. After completion of the recommended removal and prior to placing additional fill, the approved surface should be scarified a minimum of 8 inches, moisture conditioned and compacted to a minimum 90 percent of the maximum dry density in accordance with ASTM D1557. Saturated soils may require drying back to near optimum moisture content or mixing with drier materials.</p>	Prior to issuance of any grading permit	County of Riverside – Building and Safety Division		
<p>Mitigation Measure G-2: Geologic/Soli Instability</p> <p>Prior to issuance of grading permits, a detailed geotechnical investigation report shall be submitted to the County with engineered grading plans that provides site-specific recommendations to allow for development that meets the requirements of the State and County Building Code. The geotechnical report shall be prepared and signed/stamped by a Registered Civil Engineer specializing in geotechnical engineering and a Certified Engineering Geologist. This report shall include site-specific measures such as grading recommendations, foundation design recommendations, and slope stability recommendations, as appropriate.</p>	Prior to issuance of any grading permit	County of Riverside – Building and Safety Division		
IV.H Greenhouse Gas Emissions				
<p>Mitigation Measure H-1: GHG Emissions</p> <p>Prior to issuance of building permits, ensure that project design features specified in the Specific Plan are implemented.</p>	Prior to issuance of any building permit	County of Riverside – Planning Department		
<p>Mitigation Measure H-2: GHG Emissions</p>	Prior to issuance of any building permit	County of Riverside – Building and Safety Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
Prior to issuance of building permits, ensure that, through economically feasible installations, the Project achieves a 15 percent reduction in electricity and natural gas energy use beyond the 2008 Title 24 standards.				
<p><u>Mitigation Measure: GHG-1 (Added)</u></p> <p><u>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, as needed to achieve the required 100 points. Documentation may include measures incorporated into construction plans and specifications, development agreements, and/or other mechanisms.</u></p>	Prior to issuance of any building permit	County of Riverside – Building and Safety Division		
IV.I Hazards and Hazardous Materials				
<p>Mitigation Measure I-1: Emergency Response</p> <p>Prior to issuance of any grading permits, a detailed traffic control plan shall be prepared to coordinate lane closures, access, and construction work hours in order to minimize potential impacts associated with emergency response. The traffic control plan shall be approved by the County Transportation Department prior to implementation.</p>	Prior to issuance of any building permit	County of Riverside – Transportation Division		
IV.K Land Use and Planning				
<p>Mitigation Measure K-1: Highway 79 Policies (Revised)</p> <p>Prior to approval of an implementing project issuance of building permits, the County shall ensure compliance with the Highway 79 Policy Area Condition of Approval. <u>The calculated maximum amount of dwelling units within the Specific Plan is 724 for typical consistency with the Highway 79 Policy Area. The allowable number of units may be altered shall be determined</u> utilizing the ITE Trip Generation in consideration of: (a) TDM measures; (b) product types; (c) transportation improvements; or (d) a combination of (a), (b), and (c). If the County establishes a fee program to achieve compliance with the Highway 79 policies, the Project Applicant may participate in such program as an alternative to compliance with the</p>	Prior to <u>approval of an implementing project</u>	County of Riverside – Planning Department		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Highway 79 Policy Area Condition of Approval. If the Highway 79 policies are amended, <u>implementing projects shall show how they are consistent with the policies as amended</u> the Highway 79 condition may be amended in a corresponding fashion. If the Highway 79 policies are repealed, the <u>application of the Highway 79 policies' requirements</u> Condition of Approval will terminate. In any such instance, the environmental impacts of developing 1,282 units <u>as originally approved in the Specific Plan</u> have been evaluated throughout the Belle Terre Specific Plan EIR.</p>				
IV.L Noise				
<p>Mitigation Measure L-1: Construction Noise</p> <p>Prior to issuance of a grading permit, the Project developer shall prepare and submit for approval by the County a construction-related noise mitigation plan that is consistent with County Ordinance 847 and General Plan Policy N 12.3. The plan must depict the location of construction equipment and how the noise from this equipment will be mitigated during construction of this Project. Examples of potential mitigation methods include the following:</p> <ul style="list-style-type: none"> • Temporary noise attenuation fences (approximately 5 to 10 dBA reduction in noise) • Preferential location of equipment (a reduction of 3dBA for every doubling of distance) • Use of current noise suppression technology (e.g., mufflers and engine shrouds and equipment) • Notification to land uses in the vicinity of construction schedule • Posting of a contact name and number of contractor or County staff to receive complaints 	Prior to issuance of any grading permit	County of Riverside – Environmental Health		
<p>Mitigation Measure L-2: Construction Noise</p> <p>During the Project's construction phase, all construction activities shall be limited to the following time constraints (as monitored by the County's Building Department):</p> <ul style="list-style-type: none"> • During the months of June through September, construction activities shall be limited to between the hours of 6:00 a.m. and 6:00 p.m. 	On-going during all construction	County of Riverside – Building and Safety Division		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none"> During the months of October through May, construction activities shall be limited to between the hours of 7:00 a.m. and 6:00 p.m. 				
IV.O Transportation/Traffic				
<p>Mitigation Measure O-1: Intersection and Roadway Segment LOS <i>Existing-With-Project (2012) – 360 Dwelling Units</i></p> <p>Prior to issuance of a Building Permit, the Project Applicant(s) shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF, TUMF and RBBD fees in the amount and at the time specified for each funding program (refer to Table IV.O-17 in Section IV.O [Transportation/Traffic]) for the following improvements that are outside the County's jurisdiction:</p> <p>Intersection 1: I-215 Southbound Ramps/Scott Road</p> <ul style="list-style-type: none"> Construct a second westbound left-turn lane <p>Intersection 7: Margarita Road/Murrieta Hot Springs Road</p> <ul style="list-style-type: none"> Modify the traffic signal to remove the southbound (west leg) crosswalk <p>Intersection 8: SR-79/Domenigoni Parkway</p> <ul style="list-style-type: none"> Modify the traffic signal to implement overlap phasing on the northbound right turn lane Modify the traffic signal to remove the eastbound (south leg) crosswalk <p>Intersection 9: SR-79/Holland Road</p> <ul style="list-style-type: none"> Install a traffic signal <p>Intersection 11: SR-79/Keller Road</p> <ul style="list-style-type: none"> Install a traffic signal Construct a northbound left-turn lane Construct a southbound left-turn lane <p>Intersection 15: SR-79/Thompson Road</p> <ul style="list-style-type: none"> Construct a second northbound left-turn lane Modify the traffic signal to implement overlap phasing on the eastbound right-turn lane <p>Intersection 19: SR-79/Murrieta Hot Spring Road</p> <ul style="list-style-type: none"> Construct a second southbound left-turn lane 	Prior to issuance of a building permit	County of Riverside – Transportation Department		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none"> • Modify the traffic signal to implement overlap phasing on the southbound right-turn lanes • Modify the traffic signal to remove the southbound (west leg) crosswalk <p>Intersection 21: SR-79/Nicolas Road</p> <ul style="list-style-type: none"> • Modify the traffic signal to implement overlap phasing on the northbound right-turn lane • Construct a second southbound left-turn lane <p>Intersection 22: SR-79/Margarita Road</p> <ul style="list-style-type: none"> • Construct a southbound right-turn lane • Modify the traffic signal to implement overlap phasing on the southbound right turn lane <p>Intersection 23: SR-79/Ynez Road</p> <ul style="list-style-type: none"> • Modify the traffic signal to implement overlap phasing on the eastbound right-turn lane <p>Intersection 24: SR-79/I-15 Northbound Ramps</p> <ul style="list-style-type: none"> • Construct a southbound free-right-turn lane 				
<p>Mitigation Measure O-2: Intersection and Roadway Segment LOS</p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:</p> <p>Intersection 27: Pourroy Road-West/Auld Road</p> <ul style="list-style-type: none"> • Install a traffic signal <p>Intersection 33: Washington and Abelia Street</p> <ul style="list-style-type: none"> • Install a traffic signal <p>If the improvements would not be completed through the DIF or any other fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy, subject to reimbursement or fee credit issues by the County.</p>	Prior to issuance of any building permit	County of Riverside - Transportation Department		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<p>Mitigation Measure O-3: Intersection and Roadway Segment LOS <i>Existing-With-Project (2012) – 725 Dwelling Units</i></p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF and RBBD fees (refer to Table IV.O-17) for the following improvements that are outside the County:</p> <p>Intersection 6: Leon Road and Scott Road:</p> <ul style="list-style-type: none"> • Install a traffic signal • Construct a northbound left turn lane • Construct a southbound left turn lane • Construct an eastbound left turn lane • Construct a westbound left-turn lane <p>Intersection 10: SR-79 and Scott Road:</p> <ul style="list-style-type: none"> • Construct a westbound left-turn lane • Construct a westbound right-turn lane 	Prior to issuance of any building permit	County of Riverside - Transportation Department		
<p>Mitigation Measure O-4: Intersection and Roadway Segment LOS <i>Existing-Plus-Project (2012) – 1,282 Dwelling Units</i></p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF, and RBBD fees (refer to Table IV.O-17) for the following improvement that is outside the County:</p> <p>Intersection 10: SR-79/Scott Road</p> <ul style="list-style-type: none"> • Construct an eastbound left-turn lane. 	Prior to issuance of any building permit	County of Riverside - Transportation Department		
<p>Mitigation Measure O-5: Intersection and Roadway Segment LOS <i>Existing-Plus-Project (2012) – 1,282 Dwelling Units</i></p> <p>Prior to issuance of building permits, the Project Applicant shall participate in the funding of improvements to mitigate traffic conditions through the payment of DIF for the following improvements that are within the County:</p> <p>Intersection 30: Washington Street/Keller Road (North Street):</p> <ul style="list-style-type: none"> • Install a traffic signal 	Prior to issuance of any building permit	County of Riverside - Transportation Department		

Mitigation Measures	Timing/Schedule	Implementation Responsibility	Implementation and Verification	
			Action	Date Completed
<ul style="list-style-type: none"> • Construct a northbound left-turn lane • Construct a southbound left-turn lane • Construct an eastbound left-turn lane • Construct a westbound left-turn lane and a shared through-right-turn lane <p>If the improvements would not be completed through the DIF or any other fee program or by the County or any other project, the Applicant shall construct the improvements prior to the issuance of a Certificate of Occupancy and may seek a fee credit.</p>				
<p>Mitigation Measure O-6: Intersection and Roadway Segment LOS <i>Near-Term (2014) and Long-Term (2035) Cumulative Conditions</i></p> <p>Prior to issuance of building permits, the Project Applicant(s) shall participate in the funding of improvements to mitigate cumulative traffic conditions through the payment of DIF, TUMF, and RBBD fees in the amount and at the time specified for each funding program (refer to Table IV.O-17 in Section IV.O [Transportation/Traffic]).</p>	Prior to issuance of any building permit	County of Riverside - Transportation Department		
<p><u>Mitigation Measure TRANS-1: (Added)</u> <u>Install a traffic signal at the intersection of Leon Road (NS) and Scott Road (EW) to include the following geometrics with signalized control:</u></p> <ul style="list-style-type: none"> • <u>Northbound: One lane shared by left-turn, through and right-turn movements.</u> • <u>Southbound: One lane shared by left-turn, through and right-turn movements.</u> • <u>Eastbound: One lane shared by left-turn, through and right-turn movements.</u> • <u>Westbound: One shared by left-turn, through and right-turn movements.</u> 	Prior to issuance of any building permit	County of Riverside - Transportation Department		
<p><u>Mitigation Measure TRANS-2 (Added)</u> <u>Intersections 1, 17, and 18 shall pay fair share fees in accordance with Table M, Project Fair Share Contribution, of EIR531-A1.</u></p>	Prior to issuance of any building permit	County of Riverside - Transportation Department		

Mr. Matt Straite

September 17, 2014

- ☒ Utilize only Energy Star heating, cooling, and lighting devices, and appliances.

2
(Cont.)

Additional Operational Mitigation Measures – Transportation

- ☒ Provide electric car charging stations for tenants (not just electric vehicle wiring per local ordinance). Also, provide designated areas for parking of zero emission vehicles (ZEVs) for car-sharing programs.
- ☒ Provide incentives to encourage public transportation and carpooling.
- ☒ Provide incentives for employees and the public to use public transportation such as discounted transit passes, reduced ticket prices at local events, and/or other incentives.
- ☒ Implement a rideshare program for employees at retail/commercial sites.
- ☒ Create local "light vehicle" networks, such as neighborhood electric vehicle (NEV) systems.
- ☒ Require the use of 2010 compliant diesel trucks, or alternatively fueled, delivery trucks (e.g., food, retail and vendor supply delivery trucks) at commercial/retail sites upon project build-out. If this isn't feasible, consider other measures such as incentives, phase-in schedules for clean trucks, etc.

3

Additional Operational Mitigation Measures – Other

- ☒ Require use of water-based or low VOC cleaning products.
- ☒ Provide outlets for electric and propane barbecues in residential areas.
- ☒ Require use of electric lawn mowers and leaf blowers.
- ☒ Require use of electric or alternative fueled maintenance vehicles.

4

Pursuant to Public Resources Code Section 21092.5, SCAQMD staff requests that the lead agency provide the SCAQMD with written responses to all comments contained herein prior to the adoption of the Final EIR. Further, staff is available to work with the lead agency to address these issues and any other questions that may arise. Please contact Eugene Kang, Air Quality Specialist, at (909) 396-3524, if you have any questions regarding the enclosed comments.

5

Sincerely,



Ed Eckerle
Program Supervisor
Planning, Rule Development & Area Sources

EE:EK

RVC140801-06
Control Number



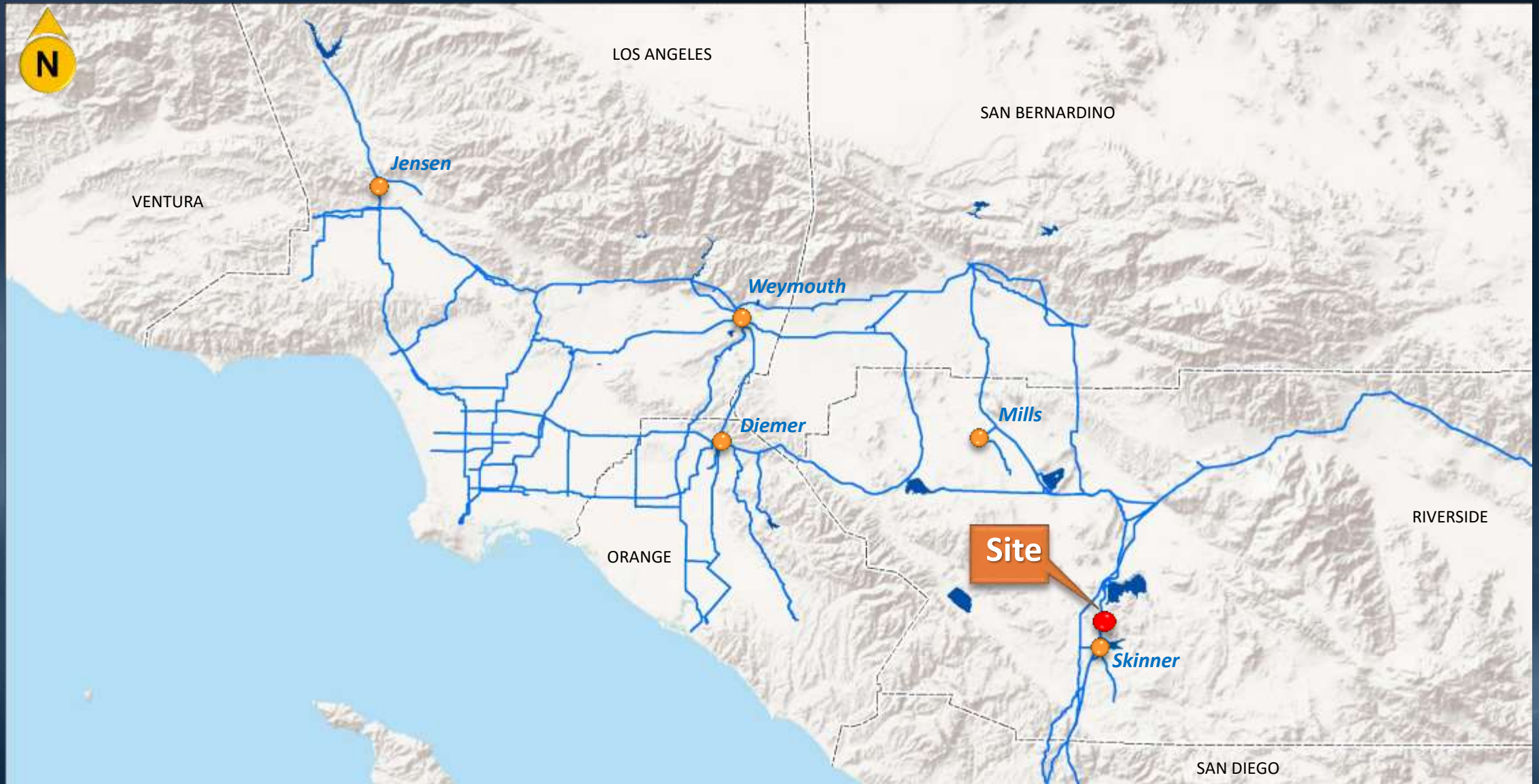
Authorize a Permanent Easement to Riverside County

Real Property & Asset Management Committee

Item 7-9

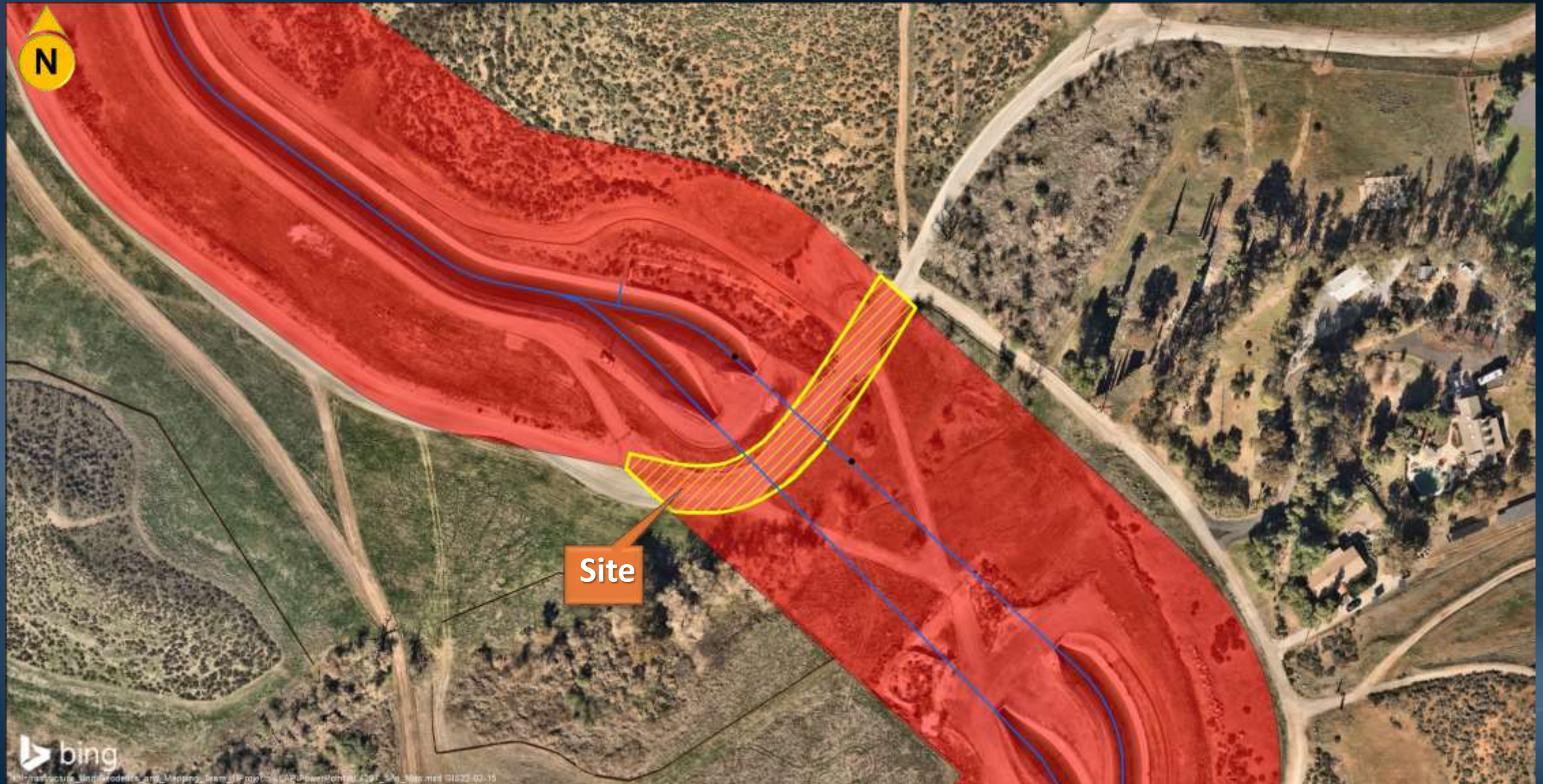
March 8, 2022

Distribution System Map



The map displays the proposed project route in blue, starting from the south near Lake Elsinore and heading north towards Winchester. The route passes through Murrieta and is marked with a red dot labeled 'Site'. Major roads shown include I-15, SR-78, and SR-52. Other labeled locations include Lake Elsinore, Murrieta, Winchester, and the 'Site'. A north arrow is located in the top left corner.

Site Map



Permanent Easement Provisions

- Compatible use between two public entities with prior rights provisions for Metropolitan
- County of Riverside is responsible for the operation and maintenance of the public road
- All plans shall be reviewed and approved by Metropolitan
- County of Riverside will maintain the easement area
- Easement will be terminated due to non-use and abandonment for a period of three consecutive years

Board Options

- Option #1
 - Review and consider the County of Riverside's certified Final Environmental Impact Report and Addendum No. 1, and take related CEQA actions; and authorize the granting of a permanent easement for public road purposes to the County of Riverside
- Option #2
 - Do not authorize the permanent easement

Staff Recommendation

- Option #1





• Board Report on Conservation (Mar 2022)

Summary

This report provides a summary of conservation activity and expenditures for January 2022.

Purpose

Informational

Detailed Report

Conservation Expenditures – FY2020/21 & FY2021/22 ⁽¹⁾







	Paid ⁽²⁾	Committed ⁽³⁾
Regional Devices	\$6.3 M	\$3.7 M
Member Agency Administered	\$2.5 M	\$9.1 M
Turf Replacement	\$12.8 M	\$16.2 M
Advertising	\$0.1 M	\$1.0 M
Other	\$2.3 M	\$1.2 M
TOTAL	\$24.0 M	\$31.2 M

(1) The Conservation Program biennial expenditure authorization was \$86 million and expected expenditures for rate setting purposes were \$50 million.

(2) As of 7/1/2020 - 1/30/2022.

(3) Committed dollars as of February 10, 2022.

Summary of Expenditures in January 2022: \$1,114,006 ⁽¹⁾

 Turf Replacement Rebates: January: 304,900 ft ² removed FY2020/21-FY2021/22: 6,480,692 ft ² removed	 Clothes Washers: January: 492 units rebated FY2020/21-FY2021/22: 25,918 units rebated
 Smart Controllers: January: 594 units rebated FY2020/21-FY2021/22: 19,611 units rebated	 Toilets: January: 583 units rebated FY2020/21-FY2021/22: 16,416 units rebated
 Rain Barrels and Cisterns: January: 73 units rebated FY2020/21-FY2021/22: 3,870 units rebated	 Sprinkler Nozzles: January: 1,064 units rebated FY2020/21-FY2021/22: 49,220 units rebated

Lifetime Water Savings to be achieved by all rebates in January 2022: 2,554 AF

FY2020/21-FY2021/22: 60,594 AF lifetime water savings

(1) Expenditures may include advertising and Water Savings Incentive Program activity in addition to the incentives highlighted above.



- **Board of Directors**
Finance and Insurance Committee

3/8/2022 Board Meeting

9-2

Subject

Review of the applicability of the Metropolitan Water District Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26

Executive Summary

Metropolitan has the statutory authority to levy property taxes to pay its expenses pursuant to the Metropolitan Water District Act (MWD Act). MWD Act, § 124. Since its creation, voters in Metropolitan's service area have approved the use of property taxes to pay for Metropolitan's major system investments and improvements, including for the Colorado River Aqueduct (CRA), other improvements, and for Metropolitan's participation in the State Water Project (SWP). More recently in Metropolitan's history, Section 124.5 of the MWD Act was enacted to provide a mechanism to limit Metropolitan's ad valorem property taxes, but it does not apply if the Board of Directors makes the required determination that it is essential to Metropolitan's fiscal integrity to collect property taxes in excess of that limit.

Section 124.5 limits property taxes to the amount needed to pay: (1) Metropolitan's general obligation bonded indebtedness (GO bonds), and (2) Metropolitan's portion of bonds used to finance construction of SWP facilities for the benefit of Metropolitan (Burns-Porter bonds). However, the Section also provides that "the restrictions contained in this Section *do not apply* if the board of directors of the district, following a hearing held to consider that issue, finds that *a tax in excess of these restrictions is essential to the fiscal integrity of the district*," and written notice is provided to the Legislature in the manner specified therein. (Emphasis added.) The Section 124.5 limitation, if applicable, does not affect the collection of property taxes to pay Metropolitan's general obligation bonds. If applicable, the Section does limit collection of property taxes to pay Metropolitan's State Water Contract (SWC) obligations for the SWP. Since fiscal year (FY) 2013/14, the Board has determined that it was essential to Metropolitan's fiscal integrity to collect property tax revenues in excess of the Section 124.5 limit and has maintained the current 0.0035 percent property tax rate to ensure payment of the SWC obligations in excess of the statutory limit. The rate of 0.0035 percent is the lowest property tax rate ever collected by Metropolitan.

Metropolitan's current budget and rate proposals also assume application of a 0.0035 property tax rate. The proposed budget for FYs 2022/23 and 2023/24 and rates and charges for calendar years (CYs) 2023 and 2024 presented to the Finance and Insurance Committee in February included a projection of approximately \$166 million per year in property tax revenues, which assumes the tax rate remains at 0.0035 percent. The Ten-Year Financial Forecast also uses a 0.0035 percent property tax rate assumption for its projections.

This letter recommends a Section 124.5 determination for the next four fiscal years, which covers a transitional financial and strategic planning period for Metropolitan. During the four-year period, Metropolitan will be completing the 2020 Integrated Resources Plan, continuing with a rate refinement review process, undertaking a long-term financial plan, and addressing Metropolitan's role as it approaches 100 years. Accordingly, the four-year proposed determination provides certainty with regards to property tax revenue assumptions for those processes and better aligns with the inherent volatility of Metropolitan's water revenues under its current rate structure, which spans more than a two-year biennial budget period.

The Board will hold the required public hearing on **March 8, 2022**, and it will consider whether to make the necessary finding regarding the applicability of Section 124.5 on **April 12, 2022**, along with its consideration of the proposed biennial budget for FYs 2022/23 and 2023/24, rates for CYs 2023 and 2024, and charges for CY 2023. Notice of the hearing has been published for the public and provided to the Legislature. The public may provide comments and listen to the hearing using the information provided at <https://mwdh2o.legistar.com/Calendar.aspx>.

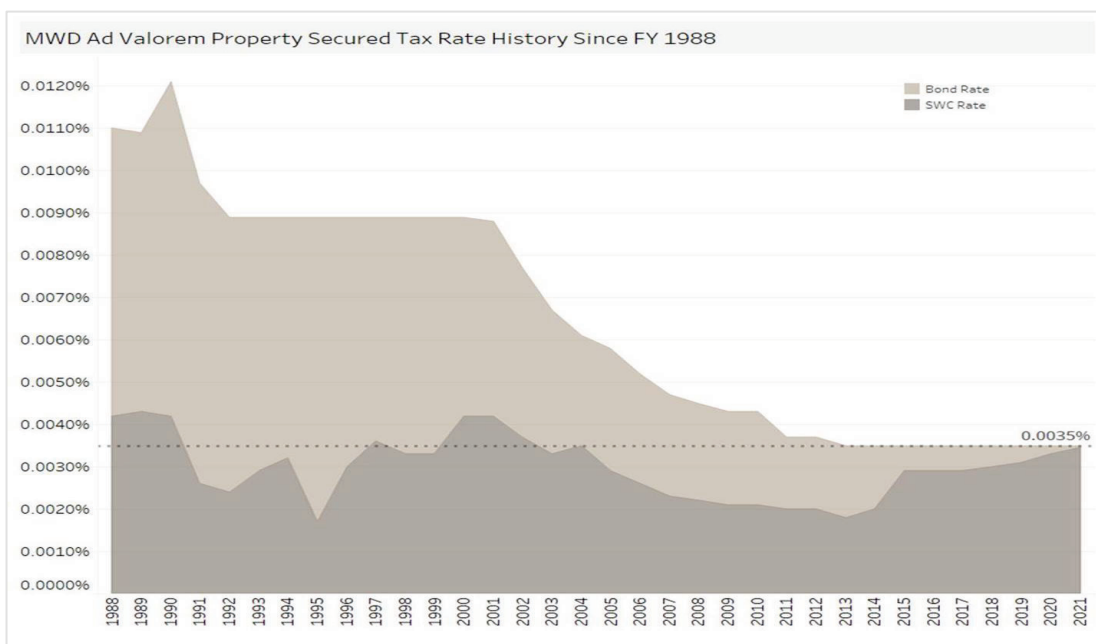
Details

History of Metropolitan's Property Tax Revenues

The shift in revenue sources from primarily property taxes to primarily water revenues provides a backdrop to Metropolitan's history. The MWD Act authorizes Metropolitan to "levy and collect taxes on all property within the district for the purposes of carrying on the operations and paying the obligations of the district," pursuant to Section 124. Prior to 1942, Metropolitan was constructing the CRA and had no water to sell; hence, all revenues came from property taxes approved by the voters for the CRA. In FY 1941/42, when Metropolitan began to sell water, most of Metropolitan's revenues were still derived from property taxes. In 1960, Metropolitan executed its SWC and the voters approved the collection of property taxes to pay for Metropolitan's SWC costs. By 1974, 50 percent of Metropolitan's revenues came from water transactions, with the remainder derived primarily from property taxes.

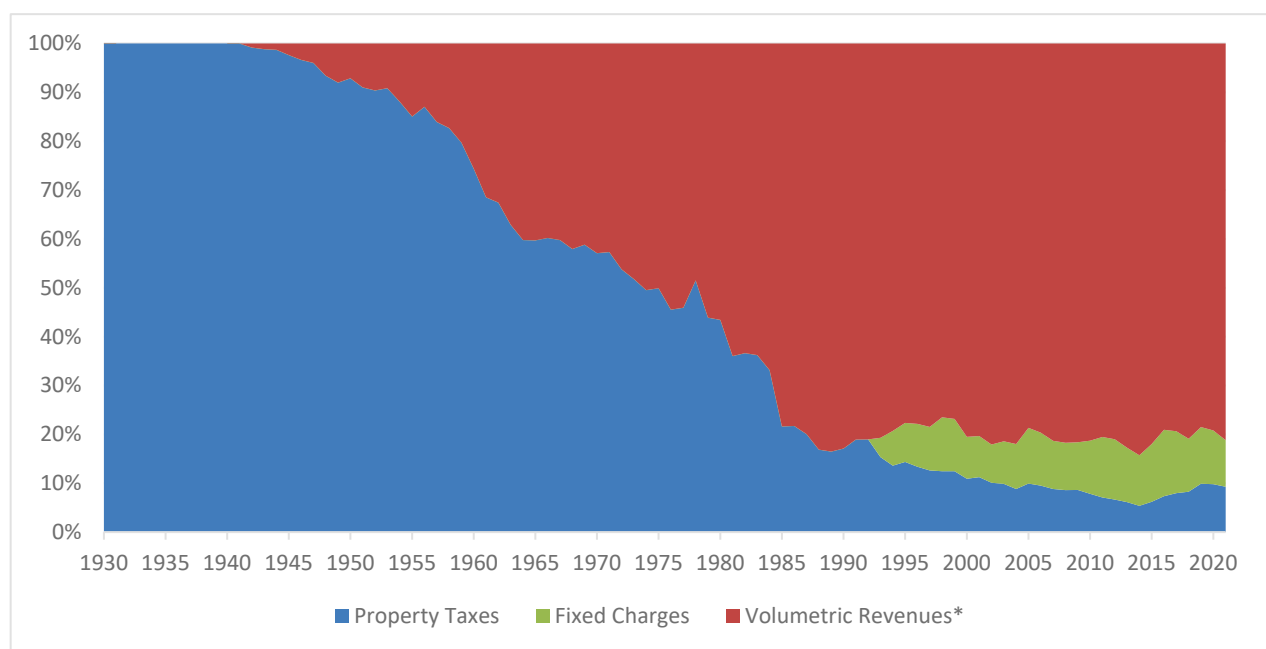
In 1984, the Legislature adopted SB 1445, amending the MWD Act to add Section 124.5, among other sections. Effective FY 1990/91, Section 124.5 limited Metropolitan's annual property tax levy at the amount needed to pay the total of annual debt service on the GO bonds and Burns-Porter bonds, unless after notice and hearing the Board finds that collecting property tax revenues beyond that limitation is essential to the District's fiscal integrity. In 1984, when SB 1445 was enacted, Metropolitan collected property taxes at the rate of 0.0237 percent, which resulted in revenues below the Section 124.5 limit at the time. However, as bond indebtedness on GO bonds and Burns-Porter bonds are paid down, the Section 124.5 limit also decreases and reduces the amount of property tax revenues that can be levied. At the same time, SWC costs continue to increase. Figure 1 shows Metropolitan's history of declining property tax rates.

Figure 1: Historical MWD Ad Valorem Property Tax Rates



Tax levy limits in Section 124.5 accelerated the shift of Metropolitan's revenues away from fixed property taxes to variable revenues. Since FY 2013/14, Metropolitan's Board has adopted a determination that it is essential to fiscal integrity to exceed the Section 124.5 limit and set the property tax rate at 0.0035 percent, approximately 1/7 of the 0.0237 percent rate in place at the time Section 124.5 was passed. In FY 2022/23, property taxes are projected to be about 9 percent of total revenue sources with water revenues from transactions accounting for about 78 percent of total revenues. Total volumetric revenues, which include power sales, interest income and other miscellaneous revenues, are about 82 percent of total revenues. Fixed Charges, which include the Readiness-To-Serve Charge and Capacity Charge, are about 9 percent of total revenues. **Figure 2** shows the history of the revenue source mix since 1930.

Figure 2: Historical Revenue Sources



* Includes water sales, exchanges, and wheeling

Background Regarding State Water Contract Obligations and Voter Approval of Property Taxes

Metropolitan is one of 29 agencies that contract with the State for participation in the SWP. Metropolitan's SWC was the first contract executed, and the prototype for the State Water Contracts that followed, and its terms were validated by the California Supreme Court in *Metropolitan Water Dist. v. Marquardt* (1963) 59 Cal.2d 159. Metropolitan is the largest participant in the SWP in terms of the number of residents in its service area, the allocation of SWP water that it has contracted to potentially receive, and the allocation of SWP infrastructure and power costs. As a result, Metropolitan pays the highest percentage of total annual payments made to the Department of Water Resources of all the agencies with State Water Contracts.

Under the SWC, Metropolitan is obligated to pay allocable portions of the cost of construction of the SWP system and ongoing operating and maintenance costs. Metropolitan is obligated to pay these fixed costs regardless of quantities of water available and received from the project. In contrast, a smaller portion of payments are based on actual deliveries of water received for the costs of power and offsets for credits received. **Approximately 70 percent of Metropolitan's SWC obligations are fixed and unrelated to the quantity of water delivered.**

The ability of State Water Contractors to levy property taxes sufficient to satisfy their SWC obligations was a foundation of the Burns-Porter Act, and a factor relied on by California voters in approving it. *Goodman v. County of Riverside* (1983) 140 Cal.App.3d 900, 905-06; see also, *Alameda County Flood Control v. Department*

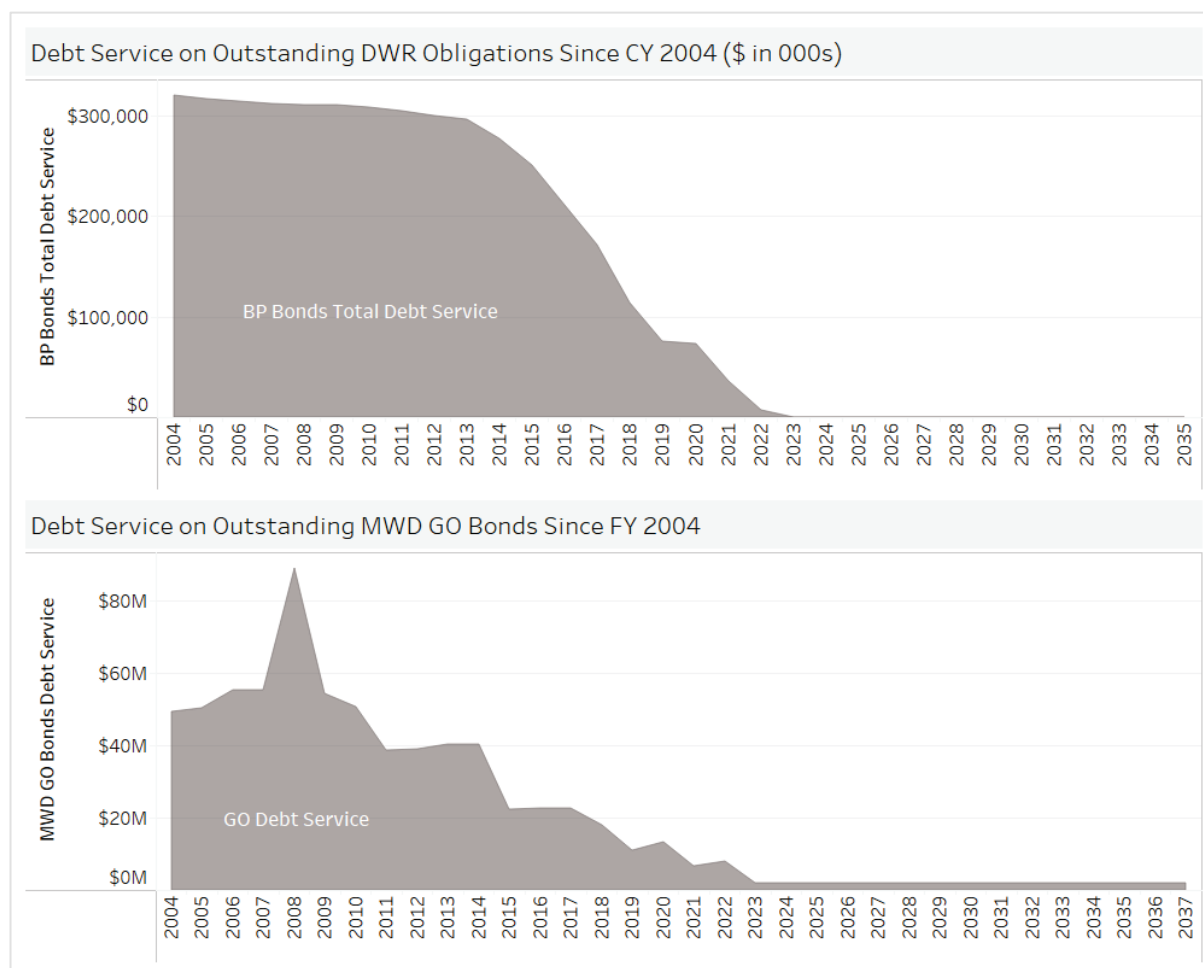
of Water Resources, Antelope Valley-East Kern Water Agency (2013) 213 Cal. App. 4th 1163. In approving the Burns-Porter Act, California’s voters approved “an indebtedness in the amount necessary for building, operating, maintaining, and replacing the [State Water] Project, and they intended that the costs were to be met by payments from local agencies with water contracts. Further, the voters necessarily approved the use of local property taxes whenever the boards of directors of the agencies determined such use to be necessary to fund their water contract obligations” *Goodman*, 140 Cal.App.3d at 910. Thus, SWC obligations are voter-approved indebtedness that may be funded by override property taxes (taxes above the one percent general tax limit established by Article XIII A (Proposition 13) of the State constitution).

Many SWP contractors substantially rely on property taxes to satisfy their SWC obligations. Metropolitan is unique in that since FY 1990/91, and unless otherwise determined by the Board, Section 124.5 has reduced its property taxes to a declining balance of its share of the Burns-Porter bonds—which has become an increasingly smaller portion of Metropolitan’s SWC payment obligation.

Review of State Water Project Costs

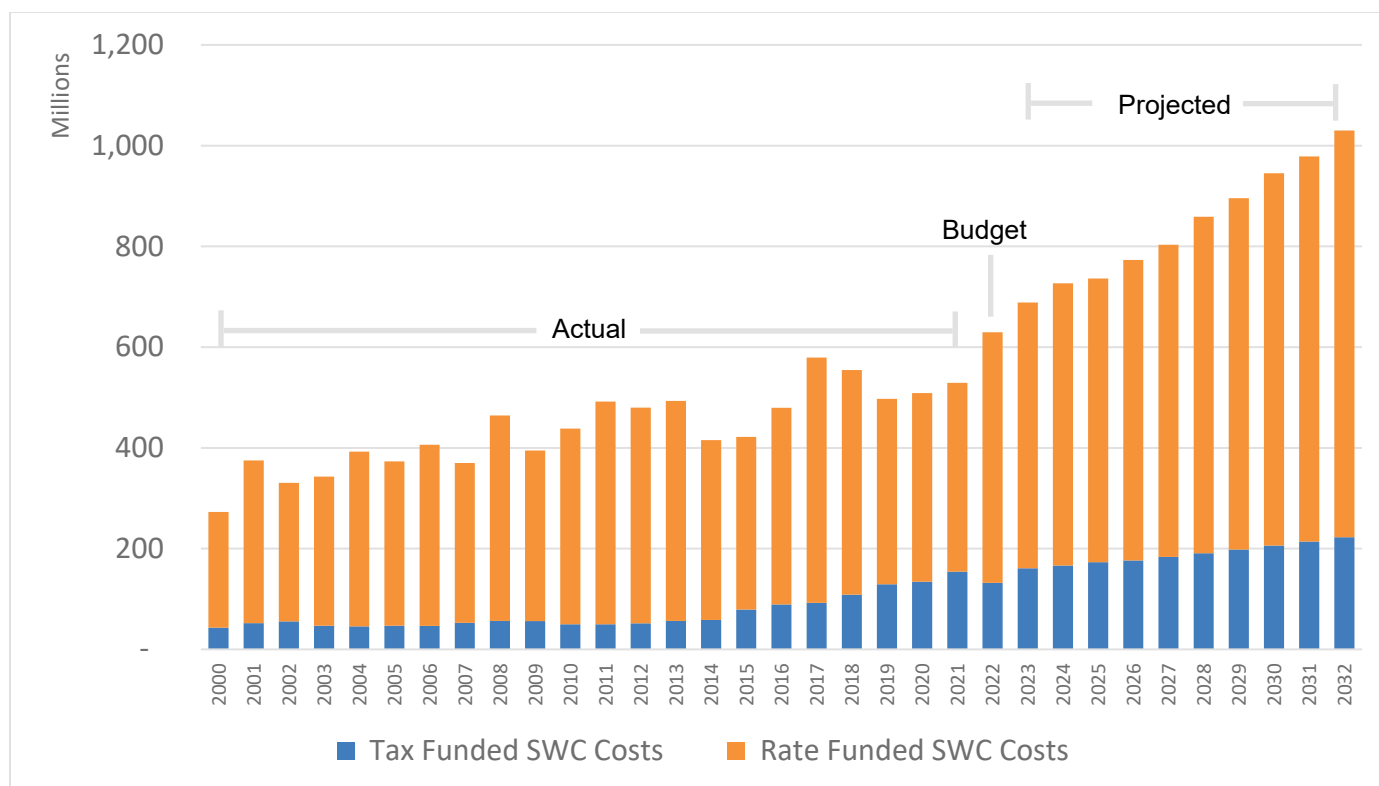
Prior to FY 2013/14, under Section 124.5’s restriction, the property tax rate had decreased steadily in line with the decreasing debt service for the GO bonds and Burns-Porter bonds. The property tax rate would continue to decrease as the GO bonds and Burns-Porter bonds are ultimately paid off; provided the Board does not make a determination that the Section 124.5 limitation would not apply. Since FY 2013/14, the Board has determined that it was essential to Metropolitan’s fiscal integrity to maintain the current 0.0035 percent property tax rate. **Figure 3** shows the declining debt service that is the subject of Section 124.5, shown since 2004.

Figure 3: Debt Service on Outstanding DWR Burns-Porter Bonds and MWD GO Bonds



Conversely, Metropolitan's SWC payment obligations have been increasing and are expected to continue to increase. For example, the State is expecting substantial costs associated with repair and replacement of the 50-year-old SWP infrastructure, such as the Oroville Spillway repair, work necessary to address subsidence damage, and California Aqueduct improvements. **Figure 4** shows the portion of SWC costs paid with property tax revenues, assuming Metropolitan maintains the 0.0035 percent in excess of the Section 124.5 limitation.

Figure 4: State Water Contract Costs



Proposed Budget SWC costs of \$688.7 million in FY 2022/23 and \$726.7 million in FY 2023/24 comprise approximately 35 percent of Metropolitan's annual expenditures and are Metropolitan's single largest cost category. If property taxes are reduced to Section 124.5 limits, in FY 2022/23 the amount of property taxes available to satisfy SWC obligations will only be approximately \$0.6 million, and the proportion of SWC obligations that would be covered would be less than one tenth of 1.0 percent, even though the voters approved use of the property taxes to pay for Metropolitan's SWC obligations.

What is the Meaning of "Essential to Fiscal Integrity" in Section 124.5?

The determination of fiscal integrity is a determination of financial health and strength. Although the Legislature set a limit on property taxes, it left the determination of necessity for fiscal integrity to the discretion of the Board. Section 124.5 does not define the meaning of "essential to fiscal integrity." Merriam-Webster defines "essential" in many ways, including "of the utmost importance," and "something necessary, indispensable, or unavoidable." "Fiscal" simply means it is related to a financial issue. And "integrity" is defined by Merriam-Webster as "an unimpaired condition: soundness," or "the quality or state of being complete or undivided." (Definitions taken from www.merriam-webster.com/dictionary.) Accordingly, "essential to fiscal integrity" is reasonably interpreted to mean important or valuable for financial soundness or to financial health/condition. "Essential to fiscal integrity" does not mean an act is necessary to avoid an emergency financial crisis. Nowhere in Section 124.5 does the Legislature reference a need for the existence of a fiscal "emergency."

In the absence of a statutory definition of the phrase “essential to fiscal integrity,” Metropolitan has looked to financial industry standards and its own financial policies to evaluate whether continuing the current fixed property tax revenues is essential to its fiscal integrity.

Financial Industry Guidance for Evaluating Fiscal Integrity

Credit rating agencies provide criteria for rating debt issued by public agencies based on various financial, demographic, legal and socio-economic factors, among others. Essentially, ratings provide an overview of an agency’s financial health, i.e., fiscal integrity, to assess risk exposure generally and (in this instance) an agency’s ability to repay its debt obligations. In the previous report to the Board on this matter, staff cited Fitch Rating’s U.S. Water and Sewer Rating Criteria, published November 29, 2018. In it, Fitch set forth relevant criteria that provided guidance on this matter. Whereas Fitch was more explicit with some of its recommended targets—specifically the proportion of fixed revenue to total revenue, today it operates under an updated set of criteria published March 18, 2021, designed to give it more flexibility in evaluating the unique circumstances of public agencies.

Instead of stating an explicit target of 30 percent or more of fixed revenue to total revenue, Fitch now more broadly describes (and relies on) “revenue defensibility” as key elements to assessing the financial health of a public agency in the water and sewer sector. Fitch’s rating process includes an analysis of a utility’s financial flexibility under certain stress-test scenarios over a five-year horizon.

“[P]articular aspects of [Fitch’s] criteria may have applicability depending on the type of operations and related risks of a given utility.” However, one criterion that stands out is the significance fixed revenue (such as Metropolitan’s property taxes) has for purposes of evaluating an agency’s fiscal health.

Fitch Criteria: Revenue Defensibility entails “...an assessment of a utility’s exposure to demand volatility and the flexibility within its rate-setting framework to recover costs of service and maintain operating profitability.”

- “In its assessment of revenue defensibility, Fitch analyzes the historical patterns of revenue performance through economic and investment cycles, as well as growth trends over time, considering the **utility’s revenue mix**, customer characteristics, contractual framework, the economic underpinnings of its service area, and its capability to preserve revenue generation through rate increases or other measures.” (Page 4.)
- “Fitch may also determine the rate flexibility assessment to be higher...if characteristics are present that would tend to...lead to overall revenue stability...**utilities who collect a significant amount of revenues from fixed charges, including revenues from property taxes or assessments, etc., may be assessed higher...given the nature of this income would...ensure greater revenue stability...**” (Page 7.)
- “Fitch evaluates a utility’s vulnerability to sudden drops in demand and the impact on revenue defensibility...” (Page 7.)

Applying Fitch’s revised criteria for fixed revenues to Metropolitan supports that maintaining property tax revenues (a fixed revenue source) is essential to Metropolitan’s fiscal integrity. Metropolitan is a voluntary cooperative with varying collective demands from its member agencies based on, among other things, hydrological conditions, availability of local resources, and availability of Metropolitan’s own water system and resources. Accordingly, fixed revenue sources help Metropolitan respond to such demand volatility. Additionally, SWP capital costs are consistently growing and are projected to continue to grow. Maintaining a fixed revenue source for that purpose enhances Metropolitan’s ability to manage growing SWP capital and other costs. Moreover, property taxes represent nearly 50 percent of Metropolitan’s fixed revenues (and 8 percent of total revenues). All fixed revenue sources for Metropolitan represent only about 18 percent of total revenues, making property tax revenues essential to Metropolitan’s fiscal integrity and supportive of its current high credit ratings, in accordance with Fitch’s stated importance of revenue defensibility.

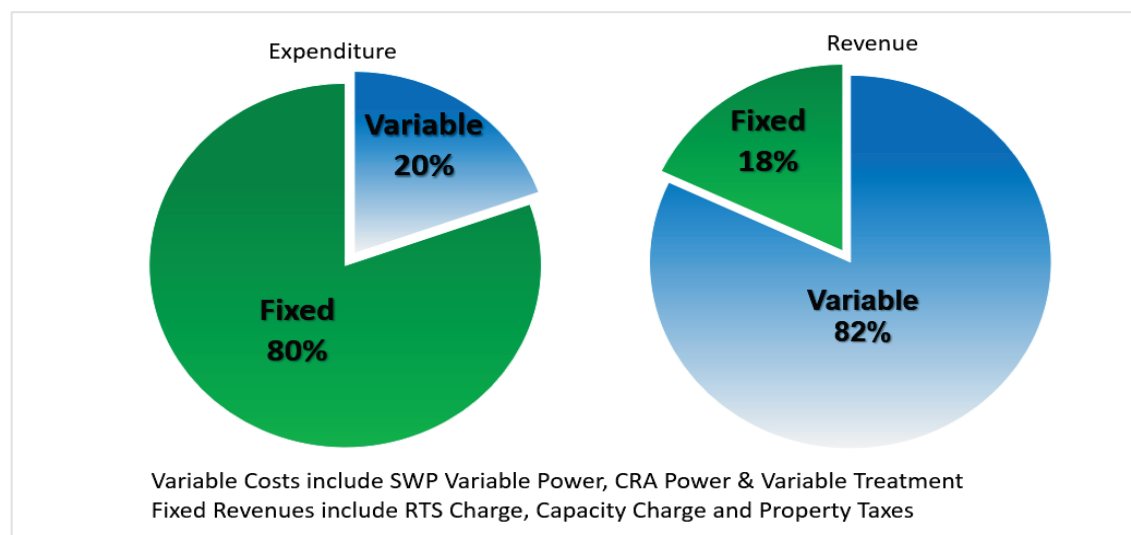
Metropolitan Financial Policies Provide Guidance for Evaluating Fiscal Integrity

Metropolitan's Board has adopted financial policies that are also relevant to determining its fiscal integrity. The Metropolitan Water District Administrative Code provides a fixed-charge coverage ratio of 1.2 times and a minimum and target for reserves at Section 5202. The Board has also adopted a revenue bond coverage target of 2.0 times. A reduction in fixed charges increases dependence on variable revenue, thereby increasing the likelihood of not meeting Metropolitan's financial policies during periods of low water transactions.

Limiting Property Taxes Pursuant to Section 124.5 Would Reduce Metropolitan's Fixed Revenues

Transfer of revenue from a fixed source to a volumetric rate or charge does not strengthen Metropolitan's financial integrity. Metropolitan's expenditures consist mostly of fixed costs (80 percent), while its fixed revenue sources make up only about 18 percent of total revenue. If the Section 124.5 limit were implemented, Metropolitan would lose about \$163 million in property tax revenues annually, or about half of its fixed revenues.

Figure 5: Fixed vs. Variable Components of Metropolitan Revenues and Expenditures – Proposed FY 2022/23 Budget



Current hydrologic conditions are less predictable and more extreme as our climate changes and, therefore, volumetric revenues have become even more unpredictable. This increased volatility in water transactions further supports a finding that maintaining fixed property tax revenues is essential to increasing revenue stability, which is key to fiscal integrity. Without Metropolitan's property tax and fixed charges, additional volumetric rates and/or higher volumetric rates would be required to cover total expenses.

Summary of Review

Continuing an Ad Valorem Property Tax Rate at the Existing Rate is Essential to Fiscal Integrity

Considering the significance of achieving a financially healthy mix between variable and fixed revenue sources, it is important that the Board maintain fixed sources in line with growing increased SWP fixed costs. Service area voters approved property tax levies for the purpose of paying Metropolitan's SWC obligations, which are projected to be approximately \$699 million and \$781 million for FYs 2022/23 and 2023/24, respectively. If the property tax rate continues at its current 0.0035 percent rate, property tax revenue would pay about 22 percent of that SWC obligation. If the property tax rate were reduced to the Section 124.5 limits, property tax revenue would pay less than 2 percent of the SWC obligation. Continuing the current tax rate of 0.0035 significantly contributes to Metropolitan's long-term fiscal health and stability. It maintains diversity in fixed revenue sources, balancing

the mechanisms for funding the immediate and anticipated obligations of the SWC. It also helps maintain Metropolitan's creditworthiness as measured by various national credit rating agencies through their established methodologies. Maintaining Metropolitan's fixed revenue sources also provides the Board with flexibility as it funds Metropolitan's SWC obligations and other obligations, and is in line with credit rating criteria.

Maintenance of fixed revenues also supports Metropolitan's financial policies. Metropolitan has adopted a set of financial policies, including revenue bond coverage and fixed-charge coverage targets, capital paid for from revenues (Pay-As-You-Go, or PAYGO), and reserve policies that support Metropolitan's strong credit ratings. An important element of these financial policies is a diversity of revenue sources and fixed revenue sources. Utilities funded primarily from variable volumetric charges face economic risks because volumes of deliveries are subject to declines in revenue based on hydrology and consumption changes.

Property taxes are also important to fiscal health because they help Metropolitan equitably distribute the costs of Metropolitan's services. As a wholesale water agency, Metropolitan's customers are its 26 member agencies. Each member agency pays volumetric rates based on the amount of water Metropolitan sells and delivers to it. In contrast, property taxes are levied directly on residents and businesses that are property owners within Metropolitan's service area. All property owners within Metropolitan's service area benefit from the water system that allows water to be sold and delivered in Southern California, thereby enhancing those properties. Property taxes ensure that residences and businesses pay a modest share of costs of maintaining and improving the Metropolitan water delivery system.

Four-Year Determination of the Applicability of the MWD Act Section 124.5 limitation is Appropriate

Staff proposes that a four-year determination of the applicability of Section 124.5 is appropriate given (1) the flexibility required to manage Metropolitan's finances during current drought conditions, (2) the time required to complete ongoing financial and strategic planning efforts, (3) inherent volatility found in Metropolitan's financial profile, and (4) the scope of financial planning timeframes.

First, Metropolitan is currently managing an ongoing drought emergency, during which it is essential to maintain financial flexibility to ensure the reliability of Metropolitan's services. It is essential that Metropolitan maintain its dedicated fixed revenue sources to pay the SWC costs the voters approved and intended for Metropolitan to pay with property taxes, thereby freeing up volumetric revenues to address current emergency drought conditions. Second, Metropolitan is currently undergoing and commencing various financial and strategic planning processes and it is appropriate to fix the Section 124.5 determination during this timeframe required to complete and implement those processes. For example, Metropolitan is undergoing a rate refinement review process that is likely to span longer than the next biennial budget cycle, and in that process, the Board will consider whether "Property Tax Alternatives" should be incorporated in Metropolitan's rate structure. Similarly, the ten-year term for the member agencies' Purchase Orders and the applicability of the Tier 2 Supply rate ends December 31, 2024. The Board will need to consider whether to adopt any alternative to the Purchase Order structure. Accordingly, maintaining a set determination through the time period of these significant reviews provides more financial certainty to Metropolitan investors. The four-year term will also provide the Board with time to consider whether Section 124.5 continues to be necessary or appropriate given updated circumstances and following any updates to Metropolitan's rate structure. The additional time of this determination also will allow the Board to discuss whether to seek legislative amendment of Section 124.5 to establish a different standard than what is currently required.

Third, the recommended four-year timeframe of this determination better aligns with the inherent volatility of Metropolitan's water revenues, which spans more than a two-year biennial budget period. Fourth, the timeframe of a four-year determination is within the scope of typical time horizons used in the financial sector for various projections and analysis. For example, three- to five-year business plans, five-year or greater coverage projections for revenue bond disclosures, Fitch's rating stress-test scenarios covering a five-year horizon, and in fact, Metropolitan's own ten-year financial forecast all support the reasonableness of the timeframe of this proposed determination.

Conclusion and Next Steps

A determination that continued collection of fixed property tax revenues in excess of the Section 124.5 limit for FYs 22/23-25/26 is supported by the information and analysis provided herein, as well as additional supporting information available at <https://www.mwdh2o.com/who-we-are/budget-finance/property-tax-rate-for-fy-202021/>, which includes information on past determinations and the currently proposed determination.

The Board will hold a **public hearing on March 8, 2022**, to receive public comments on the applicability of Section 124.5. At its regular April meeting on **April 12, 2022**, the Board will determine whether it is essential to fiscal integrity to continue to collect property taxes in excess of the Section 124.5 limit for FYs 2022/23 through 2025/26. If it makes such a finding, Section 124.5 will not apply in that timeframe. **In August of each year, the Board may then set the property tax rate for the appropriate fiscal year in excess of the Section 124.5 limit or at any rate below the 124.5 limit. The determination does not require the Board to set any particular tax rate.** However, the proposed FYs 2022/23 and 2023/24 proposed budget and CY 2023 and 2024 rates and charges contain an assumption that the property tax rate will be continued at 0.0035 percent.

Policy

Metropolitan Water District Act Section 124: Taxes, Levy and Limitation

Metropolitan Water District Act Section 124.5: Ad Valorem Tax Limitation

Metropolitan Water District Act Section 130: General Powers to Provide Water Services

Metropolitan Water District Act Section 133: Fixing of Water Rates

Metropolitan Water District Act Section 134: Adequacy of Water Rates; Uniformity of Rates Metropolitan Water

District Act Section 134.5: Water Standby or Availability of Service Charge

Metropolitan Water District Administrative Code Section 4301: Cost of Service and Revenue Requirement

Metropolitan Water District Administrative Code Section 4304: Apportionment of Revenues and Setting of Water Rates

Metropolitan Water District Administrative Code Section 5107: Biennial Budget Process

Metropolitan Water District Administrative Code Section 5109: Capital Financing

Metropolitan Water District Administrative Code Section 5112: State Water Contract Payments

Metropolitan Water District Administrative Code Section 5200(b): Funds Established

Fiscal Impact

If the Section 124.5 limitation applies and property tax revenues are reduced, revenue requirements from rates and charges will increase.


Katano Kasaine
Assistant General Manager/CFO
2/25/2022
Date


Adel Hagekhalil
General Manager
2/25/2022
Date



Review of the applicability of the Metropolitan Water District Act Section 124.5 ad valorem property tax limitation for fiscal years 2022/23 through 2025/26

Finance and Insurance Committee

Item 9-2

March 7, 2022

MWD Act Section 124.5

- Metropolitan Act Section 124.5, enacted in 1984, limits ad valorem property taxes to recover:
 - Metropolitan's general obligation bond debt service
 - A portion of its State Water Contract (SWC) obligations, limited to the debt service on state general obligation bonds (Burns-Porter bonds) for facilities benefitting Metropolitan
- The restrictions of Section 124.5 do not apply if the Board finds that collecting more is "essential to the fiscal integrity of the District"
- Since FY 2013/14, the Board has determined it was essential to Metropolitan's fiscal integrity to maintain the tax rate at .0035 percent

Essential to Fiscal Integrity

- Not defined in statute or elsewhere
- Applicability determination left to discretion of the Board
- No time period for the determination was established by the CA State Legislature
- Industry and Metropolitan metrics provide guidance

Legal Effect of 124.5 Determination

- Section 124.5 would not apply in the relevant time period
- No specific tax rate is set with this determination; no minimum or maximum tax rate established
- Tax rates are considered and set by the Board each August

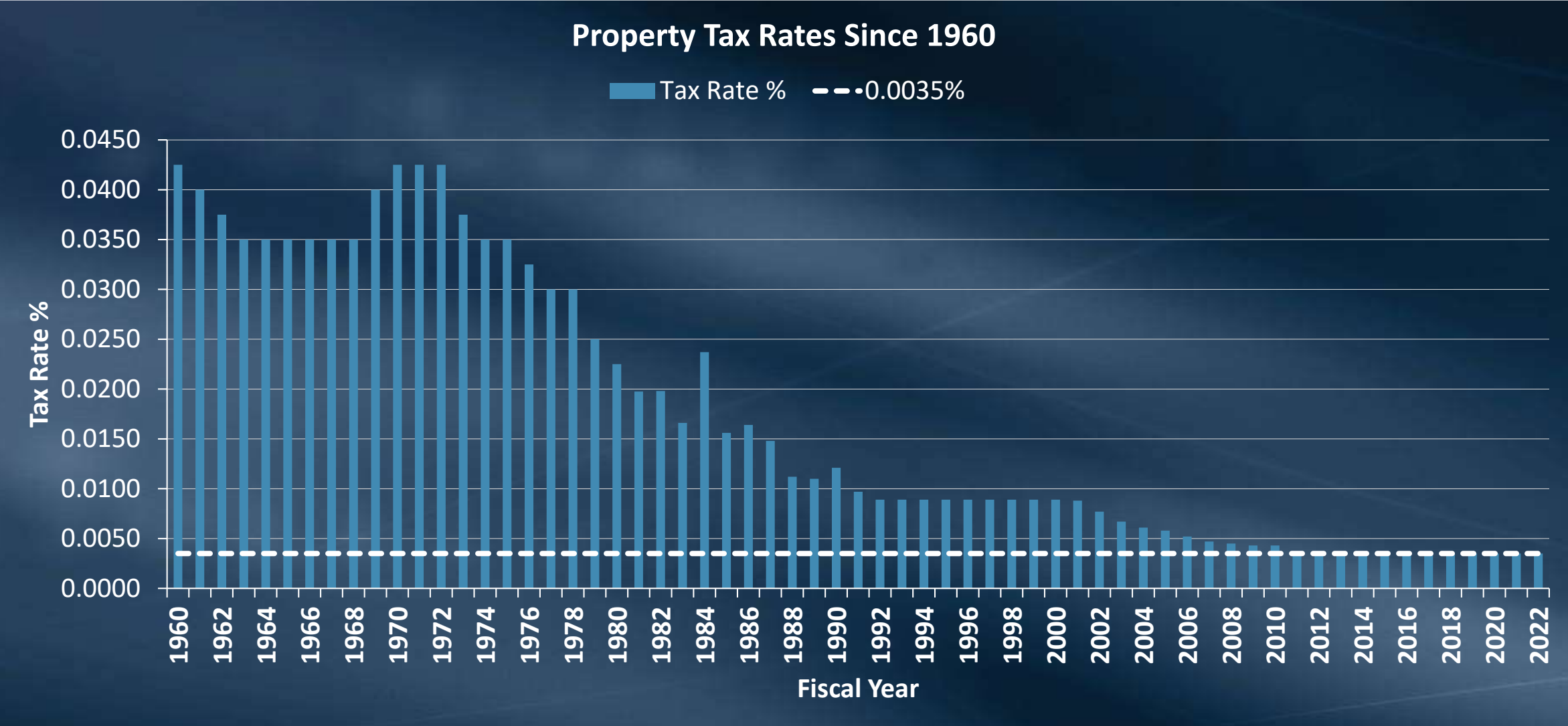
MWD Property Taxes

- Metropolitan has the statutory authority to levy property taxes to pay its expenses pursuant to the MWD Act Section 124.
- Since its creation, voters in Metropolitan's service area have approved the use of property taxes to pay for Metropolitan's major system investments and improvements:
 - CRA
 - Other improvements
 - State Water Project (SWP)

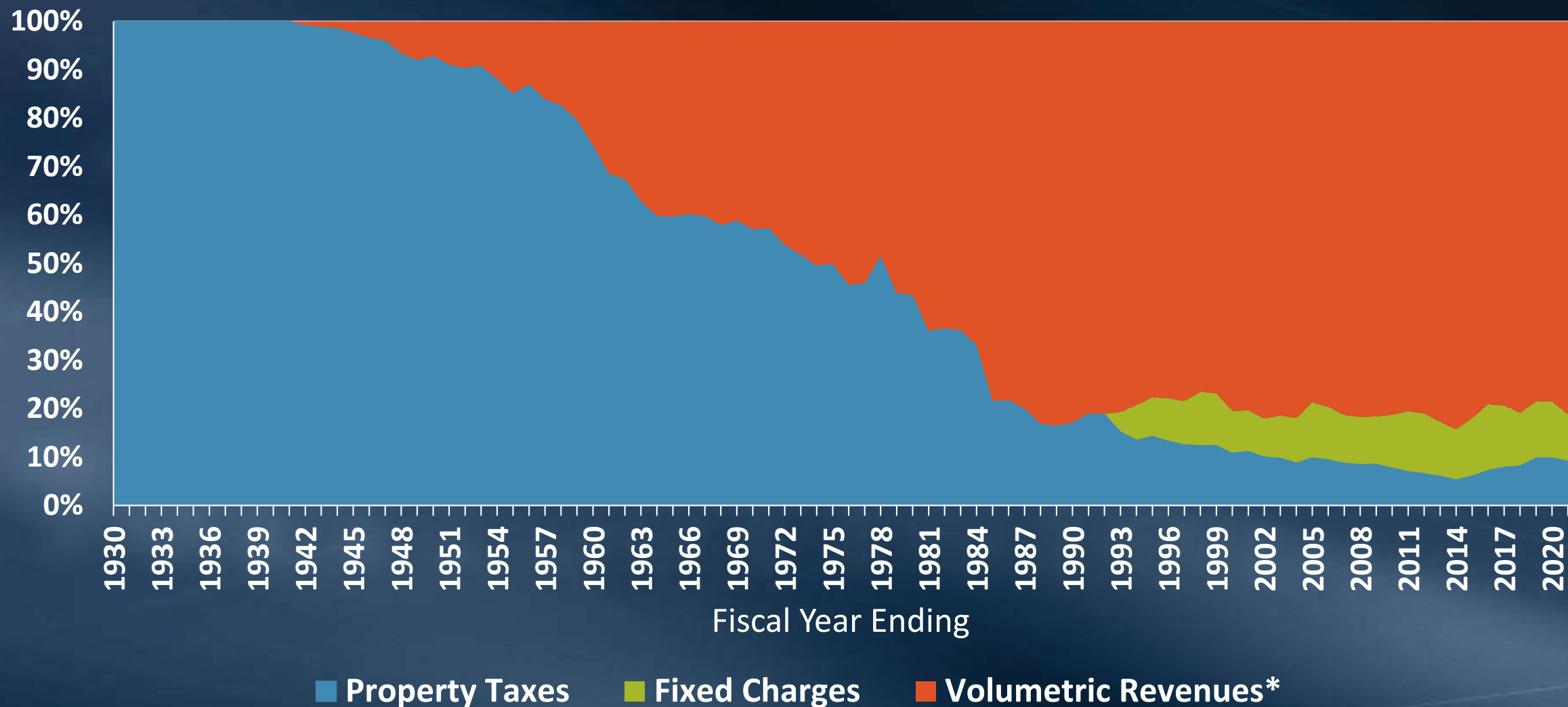
MWD Property Taxes, cont'd

- Metropolitan is one of 29 agencies that contract with the State (DWR) for participation in the SWP.
- Under the SWC, Metropolitan is obligated to pay allocable portions of the cost of construction of the SWP system and ongoing O&M costs regardless of the quantity of water delivered.
- Voters approved the use of property tax revenues for SWC expenditures, and therefore, the continued use of that revenue source would align with its intended use.

Historical Property Tax Rates



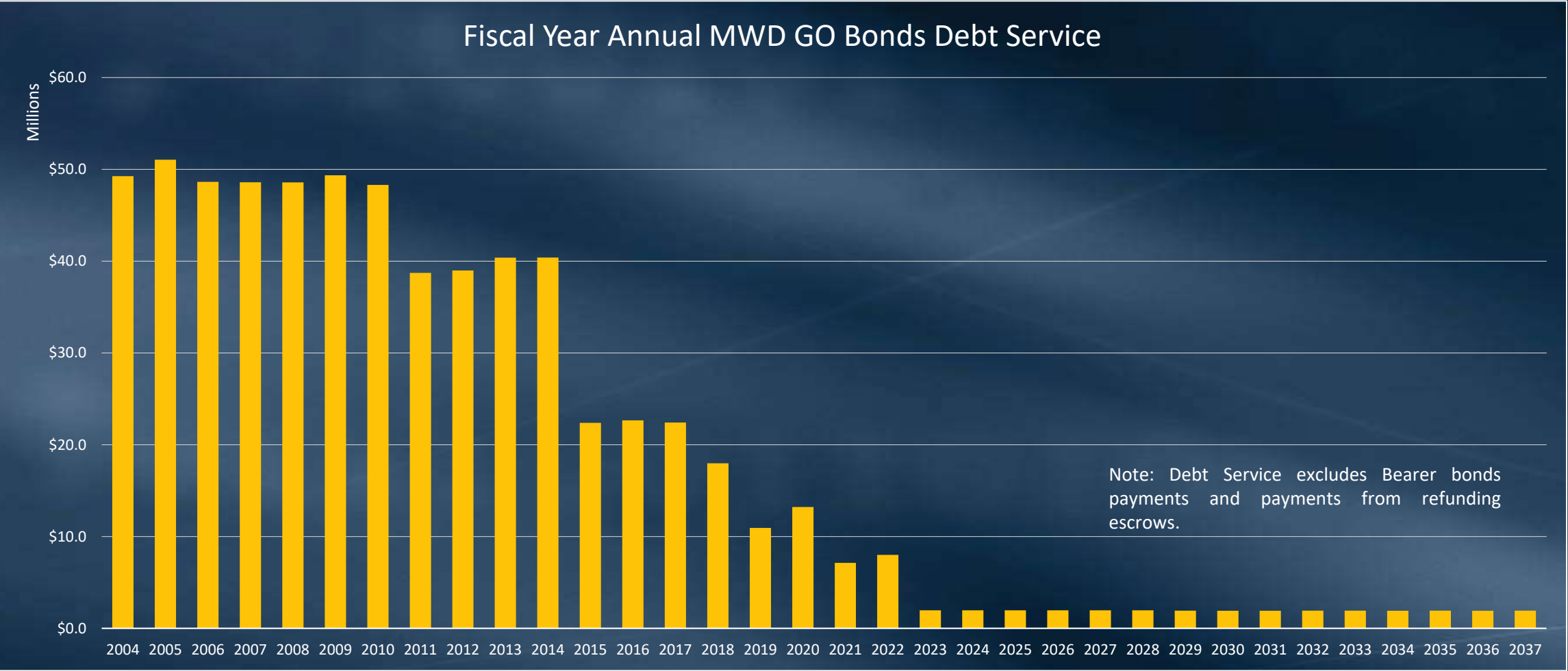
Historical Revenue Sources



* Includes water sales, exchanges and wheeling

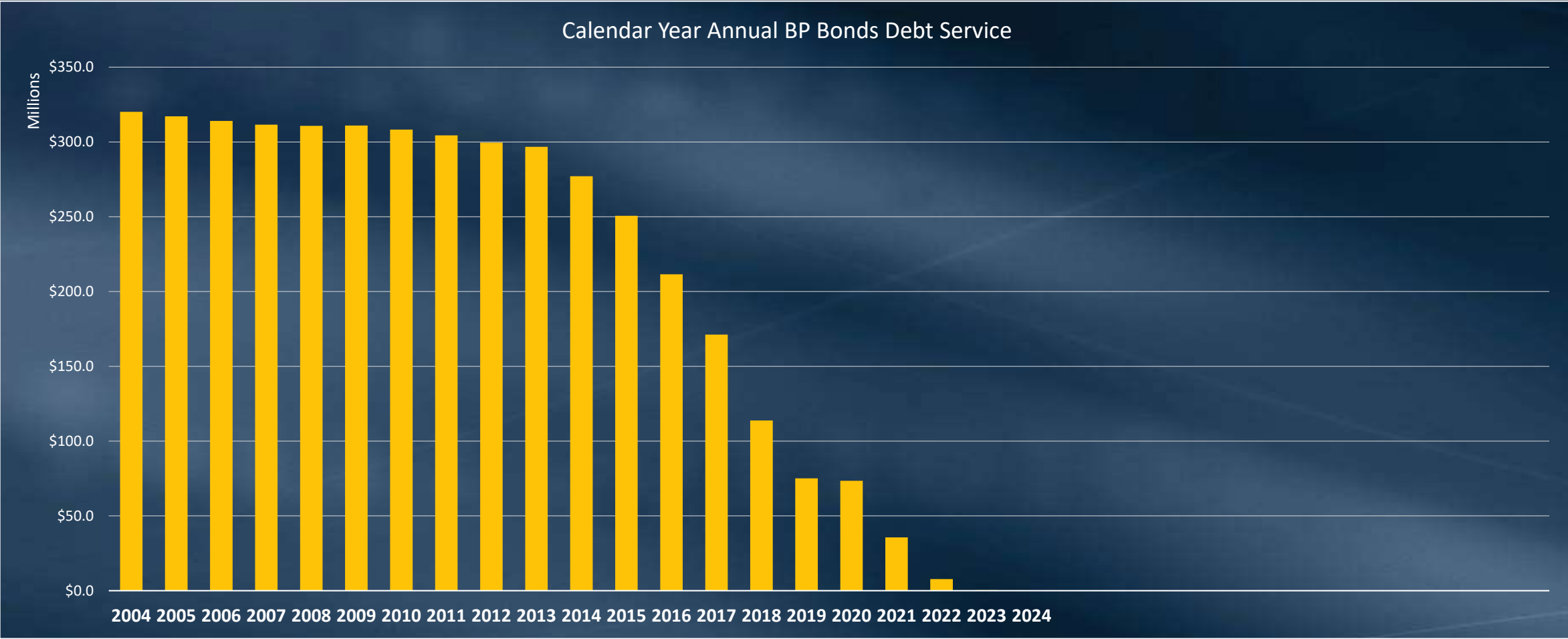
Outstanding Debt Service

MWD GO Bonds

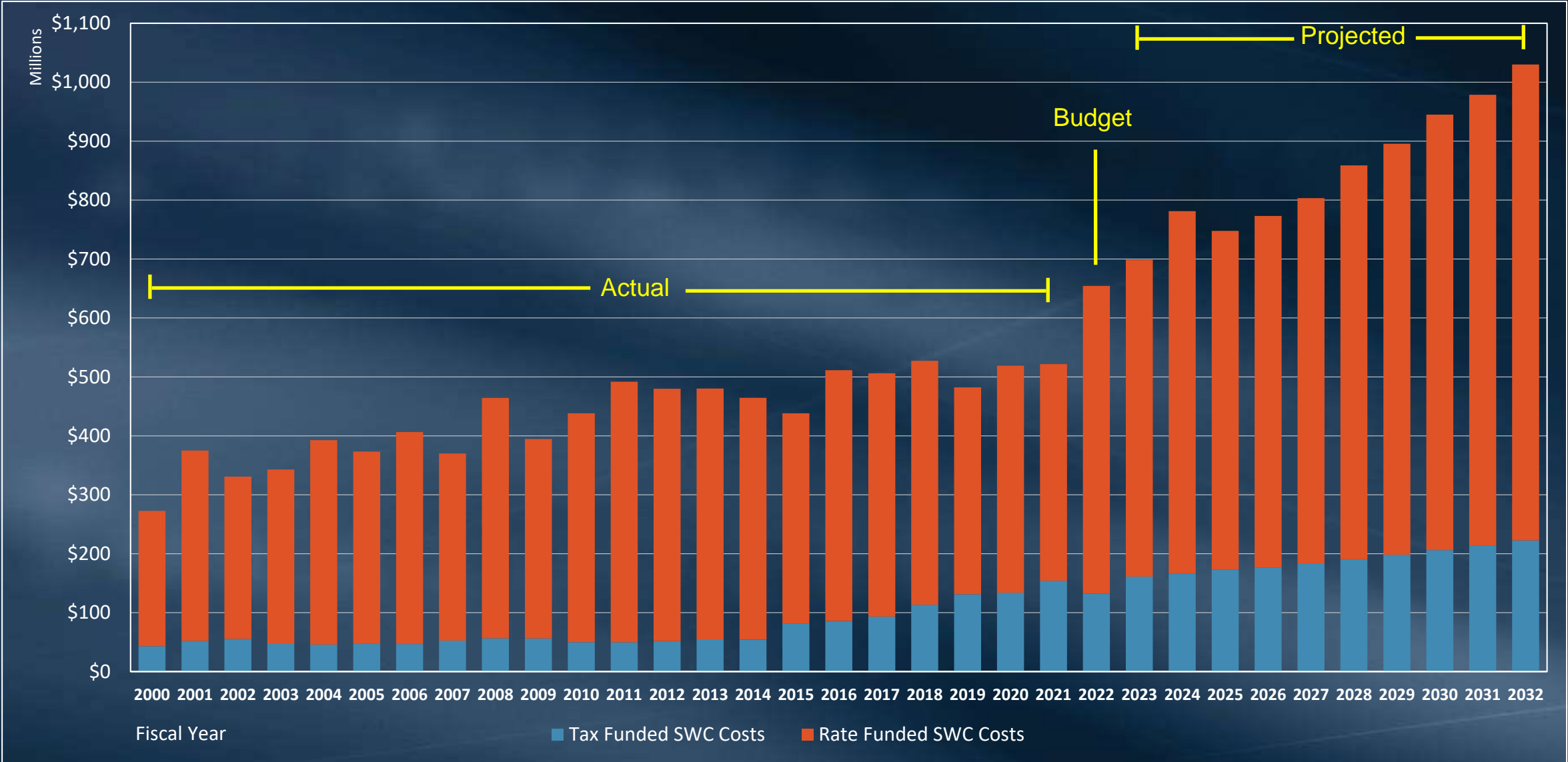


Outstanding Debt Service

DWR Burns-Porter Bonds

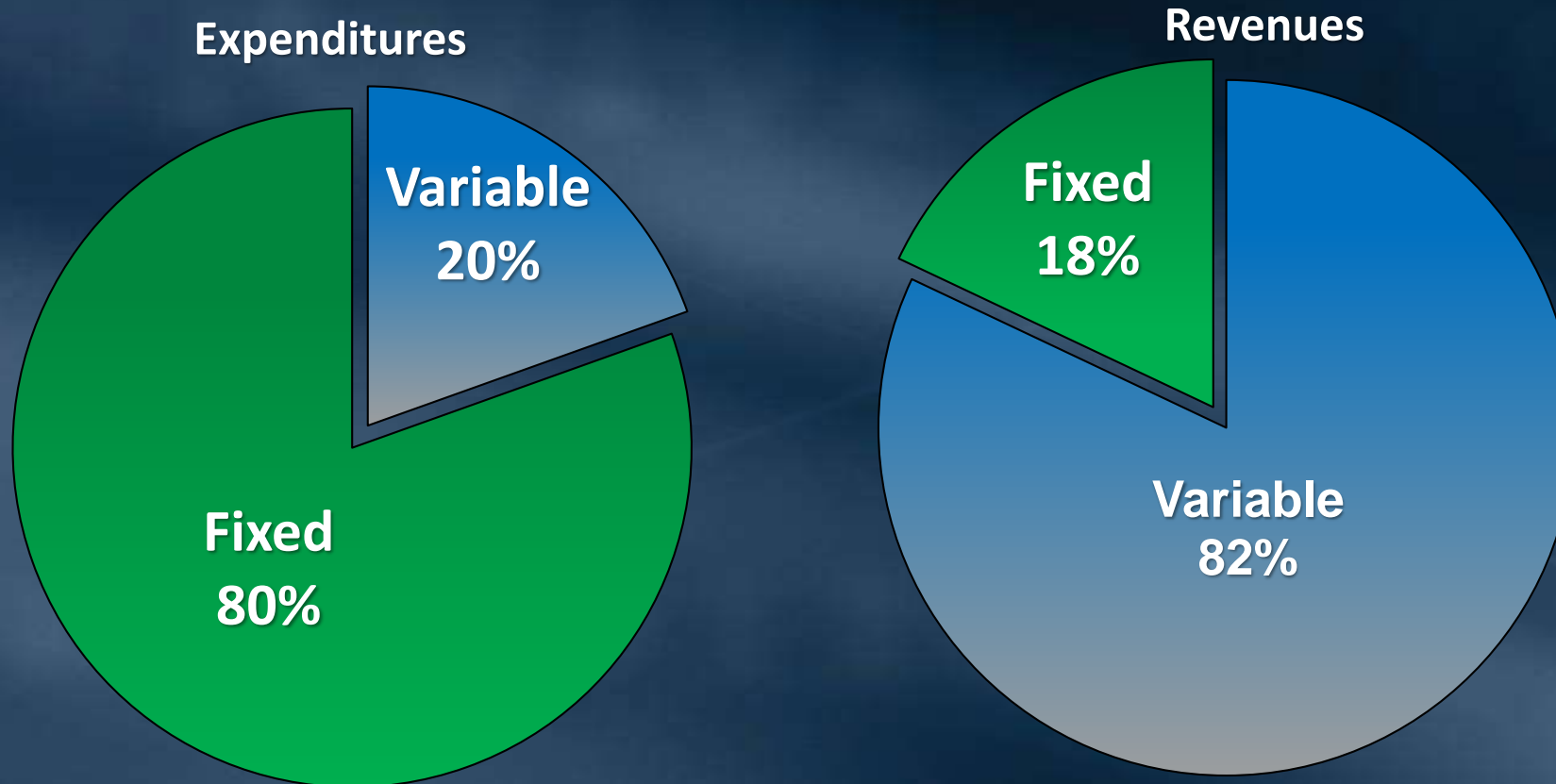


State Water Contract Costs



Fixed vs. Variable Components of Metropolitan Revenues and Expenditures

Proposed Budget FY 2022/23



Variable Expenditures include SWP Variable Power, CRA Power & Variable Treatment
Fixed Revenues include RTS Charge, Capacity Charge and Property Taxes

Credit Rating Assessment: Revenue Defensibility

- Credit ratings provide an overview of utilities' general financial health and ability to repay its debt obligations.
- Fitch Rating's U.S. Water and Sewer Rating Criteria
 - November 29, 2018 criteria included 30 percent or greater fixed revenue target
 - March 18, 2021 criteria introduce broader revenue defensibility metric
- Revenue defensibility is an "...assessment of a utility's exposure to demand volatility and the flexibility within its rate-setting framework to recover costs of service and maintain operating profitability."

Revenue Defensibility, cont'd

- “In its assessment of revenue defensibility, Fitch analyzes the historical patterns of revenue performance through economic and investment cycles, as well as growth trends over time, considering the utility’s revenue mix, customer characteristics, contractual framework, the economic underpinnings of its service area, and its capability to preserve revenue generation through rate increases or other measures.” (Page 4.)
- “Fitch may also determine the rate flexibility assessment to be higher...if characteristics are present that would tend to...lead to overall revenue stability...utilities who collect a significant amount of revenues from fixed charges, including revenues from property taxes or assessments, etc., may be assessed higher...given the nature of this income would...ensure greater revenue stability...” (Page 7.)
- “Fitch evaluates a utility’s vulnerability to sudden drops in demand and the impact on revenue defensibility...” (Page 7.)

Financial Policies and Fiscal Integrity

- The Board has adopted financial policies that provide guidance for determining its fiscal integrity.
 - Fixed-Charge Coverage Ratio of 1.20x
 - Minimum and Target Reserves
 - Revenue Bond Coverage Target of 2.00x
- A reduction in fixed charges increases dependence on variable revenue, which puts pressure on meeting the Board's financial policies during periods of higher volatility/low water transactions.

Property taxes help address Metropolitan's inherent volatility in its financial profile

- Metropolitan's inherent volatility is tied to cycles of hydrology and long-term impacts of Climate Change.
- Fixed revenues are a key factor in managing Metropolitan's financial volatility, which is tied to these underlying determinants.
- Property taxes represent approximately 50% of fixed revenues.
- As a more stable revenue stream, property taxes offset the need to adjust volumetric rates more frequently, or in a greater magnitude.
- If a determination regarding the applicability of Section 124.5 limitation is not made, an additional 9% rate increase would be required to recover costs

Metropolitan's fiscal integrity is supported by...

- Continuing an ad valorem property tax rate in excess of the 124.5 limit
- Maintaining a fixed revenue source in line with growing SWC costs
 - At its current rate of 0.0035 percent, property tax revenue would pay 22 percent of SWC obligations
 - If the Section 124.5 limit applies, property taxes would pay less than one-tenth of 1 percent of SWC obligations
- Providing a diversity of fixed revenue sources (Prop Tax, RTS/Standby Charge, Capacity Charge)
- Distributing the costs of Metropolitan's services more equitably (residences and businesses pay a modest share vs. Member Agencies) through property taxes

Support for a Four-Year Determination

- Making a four-year determination of the applicability of the MWD Act Section 124.5 is appropriate because...
 1. Provides flexibility to manage Metropolitan's finances during current drought conditions
 2. Ongoing financial and strategic planning efforts, which rely on this revenue component, won't be completed and implemented within the upcoming biennium budget period
 3. The inherent volatility found in Metropolitan's financial profile has a cyclicity beyond the biennium budget period
 4. Consistent with the scope of many financial planning timeframes

Next Steps

- The Board will hold a public hearing on March 8, 2022
 - Public comments on the applicability of Section 124.5 will be received at that time.
- At its regular Board Meeting on April 12, 2022, the Board will determine whether it is essential to fiscal integrity to continue to collect property taxes in excess of the Section 124.5 limit for FYs 2022/23 through 2025/26.
- If it makes such a finding, Section 124.5 will not apply in that timeframe.
- In August of each year, the Board may then set the property tax rate for the appropriate fiscal year. However, the Proposed Budget FYs 2022/23 and 2023/24 and CY 2023 and 2024 rates and charges assume the property tax rate is continued at 0.0035 percent.





- Board of Directors
Water Planning and Stewardship Committee

3/8/2022 Board Meeting

9-3

Subject

Review of the remaining planning process and funding needs for Sites Reservoir Project

Executive Summary

This Board letter provides an update on the planning process for the proposed multi-benefit Sites Reservoir Project (Project), and the proposed three-year budget for completion of the planning, permitting, and environmental review effort.

In 2017, 2019, and 2020, the Metropolitan Board (Board) authorized participation in the planning and environmental review/permitting effort for the proposed Project, which would be located in the Sacramento Valley in northern California, and appropriated \$1,500,000, \$4,212,500, and \$5,000,000, respectively. In 2021, the Sites Project Authority proposed a workplan and budget for funding the remaining three-year planning effort through 2024.

The workplan, referred to as the Amendment 3 Workplan, will focus on finalizing the environmental planning documents, project construction/operation permits, and a coordinated operations plan with the federal and state water projects. The Amendment 3 Workplan would be implemented through an amendment to the 2019 Reservoir Project Agreement previously executed by Metropolitan and other project participants. The overall participant budget for this Amendment 3 Workplan is \$142,863,000, which includes funding from the state of California, the United States Bureau of Reclamation (USBR), and 23 public water agencies.

For Metropolitan to continue its participation and reserve 311,700 acre-feet (AF) of storage rights, which is equivalent to approximately 50,000 AF of annual water supply reservoir releases, the additional planning cost share would total \$20 million. This cost-share amount is payable over a three-year period, \$5 million in calendar year (CY) 2022, \$7 million in CY 2023, and \$8 million in CY 2024. The obligation of the proposed Project participants to make the second and third installments is conditioned upon the Sites Project Authority and the Sites Reservoir Committee members each annually reapproving the Amendment 3 Workplan by an affirmative vote of at least 75 percent.

Continued participation in planning, permitting, and environmental review of the proposed Project will preserve the opportunity to work with the participants to jointly improve water supplies for both northern and southern California, enhance critical habitat and flows for native fish species, reduce the impacts of the frequent wet and dry hydrologic swings, and develop key analyses of project feasibility. The proposed Project is identified as one of only two priority surface water reservoir projects in the Governor's Water Resilience Portfolio and is one of the first multi-benefit reservoirs in California that would have dedicated water storage and yield to be used for fishery enhancement, instream flow releases in drier periods, and improved habitat for native species.

Metropolitan's agreement to participate in funding for the Amendment 3 Workplan does not commit Metropolitan to the proposed Project implementation.

Details

History

The proposed Project first emerged as part of a second stage of the State Water Project (SWP) proposed in the 1980s, which included multiple water-related projects in northern California. In 1996, the proposed Project was

further analyzed by the California Department of Water Resources (DWR) and the USBR as part of the state and federal water cooperative effort called the CALFED Bay-Delta process. The CALFED environmental planning process resulted in a Programmatic Record of Decision that recommended implementation of the proposed Project as a component of the Preferred Program Alternative. In 2010, the Sites Project Authority was formed as a joint powers authority to continue moving forward with development of the proposed Project. There are 31 agencies participating in the planning phases of the proposed Project, including the state of California and the USBR. In 2020, the proposed Project was identified as a priority in the Governor's Water Resilience Portfolio.

Project Location

The proposed Project would be located in rural Glenn and Colusa counties, 60 miles north of Sacramento and about 10 miles west of the town of Maxwell in northern California (**Attachment 1**). The proposed Project location is separated from the greater Sacramento Valley by a foothill range to the east, making it suitable for off-stream storage of water from the Sacramento River.

Project Description

The proposed Project is currently being analyzed as a 1.3 million to 1.5 million AF off-stream surface water storage reservoir that would divert unregulated high-flow water from the Sacramento River. The proposed Project would require the construction of two dams up to 310 feet high and nine smaller saddle dams. Water to be stored in the proposed Project would be conveyed through existing intakes on the Sacramento River at Red Bluff Pumping Plant and Glenn-Colusa Diversion Dam. Water from these diversions would be conveyed through the existing Tehama-Colusa and the Glenn-Colusa canals to the proposed Project (**Attachment 2**). Combined, the diversions could deliver as much as 3,900 cubic feet per second of water from the Sacramento River to the proposed Project. Water diversions would only occur when conditions exist that are: (1) protective of aquatic resources; (2) after all other downstream senior water rights and conditions are met; and (3) only when excess flow conditions exist in the Delta. Water discharged from the proposed Project would flow through the existing Tehama-Colusa Canal, then into the Colusa Basin Drain before reaching the Sacramento River or the Upper Yolo Bypass. Project participants would divert their share of the water as it moves through the Tehama-Colusa Canal and river system, including Central Valley Project and SWP participating agencies south of the Delta. Dedicated environmental storage funded with State Proposition 1 monies would also utilize this system to convey supplies to enhance fishery flows, habitat, and water quality.

Key Benefits

For the Metropolitan service area, key benefits include improving drought-year supply reliability, securing additional sources for SWP dependent areas, providing low-salinity groundwater recharge, reducing risk of declining groundwater storage in the service area, and assisting in the Board's water quality blending salinity objective. Other key benefits of the proposed Project include providing:

- Off-Stream, Fish-Friendly Storage. The proposed Project would provide storage off-stream of the Sacramento River using existing modern-screened fish intakes designed to minimize fish losses and not block fish migration or spawning.
- California's Largest Dedicated Ecosystem Storage. Current methods of allocating water to support ecosystem health rely on minimum flow standards. The proposed Project will be one of the first reservoirs in California that will have dedicated ecosystem water and storage to enable more flexible and effective water management during dry times. This ecosystem water will be used to enhance instream fishery flows, water temperatures for spawning, pulse flows for out-migrating fish, riparian/floodplain habitat, water quality, and other environmental purposes.
- Climate Change Resiliency to Shrinking Snowpack. The proposed Project is envisioned as a climate change adaptation measure to manage shrinking snowpack, to capture and manage the increased flood flows for use in dry times, to enhance upstream Sacramento River water temperature management for migrating salmon, and to augment flows for fishery protection. In 2021, if the proposed Project had been in operation, it is estimated that there could be close to one million AF of additional water supplies, previously stored during wet periods, available for release over a two to three-year period to farms, cities, and the environment.

- Enhance Statewide Depleted Groundwater Basins. The state estimates that approximately 50 percent of the water that could be used to replenish California's groundwater will need to come out of the Sacramento River. The proposed Project is well suited to staging and conveying water to areas where groundwater depletion is producing undesirable effects.
- Local Flood Control and Recreational Opportunities. The proposed Project will enhance flood control protection for small communities prone to flooding near the reservoir project and expand recreational opportunities in northern California.
- Diversion Only During High-Flow Events. The proposed Project will enhance the ability to store unregulated flows during high precipitation events and release those water supplies for environmental and water supply purposes during dry water years.
- Significant Local and Statewide Support. The proposed Project has significant local, statewide, and bipartisan support from more than 175 organizations, agencies, businesses, and elected officials.

Tribal, Environmental, and Local Stakeholder Outreach

Sites Project Authority has been conducting an extensive outreach process to meet with local stakeholders, including environmental, salmon fishing, and tribal interests. During the past 18 months, over 40 meetings and workshops have been conducted to communicate and listen to additional input. This includes reaching out to over a dozen Native American tribes. The Sites Project team has also been holding monthly meetings with two local tribes with known historic connection to the proposed Project area. In addition, the USBR has consulted with federally recognized tribes. The proposed Project does not occur in an area that would affect tribal hunting or water rights, nor is the alternative on tribal trust lands.

These listening sessions and public input have been used by the Sites Project Authority to substantially modify the proposed Project facilities and operations to be more protective of the environment and reduce local impacts.

Sites Project Authority Members

The Sites Project Authority was formed under California law in 2010 as a joint powers authority and currently consists of 11 public agencies: Colusa County, Glenn County, Tehama-Colusa Canal Authority, Colusa County Water District, Glenn-Colusa Irrigation District, Reclamation District 108, Westside Water District, Sacramento County Water Agency/City of Sacramento, Placer County Water Agency/City of Roseville, Western Canal Water District, and Maxwell Irrigation District. DWR and USBR also participate on the Authority as non-voting members.

For decision-making purposes, approval of at least 75 percent of the total weighted vote of both the Sites Project Authority and the Sites Reservoir Committee members is required for any material change actions, including changes to budget, schedule, and workplan. For non-material changes, an affirmative vote of a least a majority of the total weighted vote is required.

Current Participating Project Partners

Currently, there are 31 agencies participating in the proposed Project, including the state of California and the US Bureau of Reclamation, with 23 agencies reserving water supply storage in the reservoir. In 2021, Rosedale-Rio Bravo Water Storage District and Irvine Ranch Water District joined in funding the planning effort. A full list of participating agencies is attached (**Attachment 5**). Metropolitan is currently a member of the Sites Reservoir Committee, which has certain decision-making authority in carrying out the budget and workplan.

Participating agencies are currently in the process of reviewing the Amendment 3 Workplan with their governing boards to consider approving participation and funding. The Sites Project Authority is also in discussions with other water agencies that have expressed an interest in participating in the proposed Project.

Project Environmental Documentation

An initial feasibility study and Administrative Draft Environmental Impact Report (EIR) were completed in 2013 by DWR. A Public Draft EIR/ Environmental Impact Statement (EIS) for the proposed Project was released by the Sites Project Authority (state lead agency) and the USBR (federal lead agency) in August 2017.

However, with the completion of a value-planning process in 2019, a Revised Draft EIR and Supplemental EIS were initiated due to modifications that included a smaller proposed Project footprint and operational changes to enhance environmental flows. The Revised Draft EIR and Supplemental EIS were released in November 2021, with a Final EIR/EIS scheduled for completion in the Fall 2022. The formal Notice of Determination and Record of Decision are scheduled for late 2022 or early 2023.

Responses to Common Questions About Potential Environmental Impacts

In November 2021, the Sites Project Authority released a fact sheet responding to common questions about the potential environmental impacts of the proposed Project (**Attachment 7**). In addition, the Revised Draft EIR/Supplemental Draft EIS includes more details related to the analysis of the proposed Project's potential impacts on a range of environmental resource areas.

In general, the proposed Project is an off-stream facility that does not dam a major river system or block fish migration or spawning. The proposed Project diverts water only during high-flow events. In addition, after discussions with state and federal fishery agencies, local stakeholders, environmental and Native American interests, the proposed Project operations were modified to be more protective of the environment. These modifications reduced the proposed Project diversions from the Sacramento River substantially, by almost 50 percent, as compared to the criteria proposed in 2017.

Storing water in Sites Reservoir during high-flow wet periods is part of the statewide strategy for adapting to changing climate conditions and to return much-needed flexibility to enhance environmental and water user needs.

Project Yield

The current operations model estimates the annual water yield of the proposed Project at approximately 207,000 to 260,000 AF per year. This model utilizes upstream Sacramento River flow and fishery regulatory criteria to protect instream river flows and water temperatures for salmon and other native species. Additional modeling analyses will continue to be conducted as further refinements are made to proposed Project operations.

Implementation of the proposed Delta Conveyance Project could allow for greater yields south of the Delta due to potential savings in Delta carriage water losses and south Delta regulatory restrictions. In 2021, if the proposed Project had been in operation, it is estimated that there would be close to one million AF of additional water supplies, previously stored during wet periods, and available for release over a two to three-year period to farms, cities, and the environment.

For Metropolitan, that additional storage in 2021 would amount to an approximate 230,000 AF share, which could have been used to secure water for our SWP exclusive areas, provide low-salinity supplies to reduce salt impacts and recharge our region's groundwater basins, and assist in meeting the Board's 500 mg/L water quality blending salinity objective.

Final Project formulation and annual operations will determine how the reservoir storage and yield will be divided between meeting water supply and environmental improvements funded by State Proposition 1 grant and federal Water Infrastructure Investment for the Nation (WIIN) Act appropriations.

Effect of Potential Climate Change Impacts

California's climate has always featured wide swings between drought and flood events. Storing water in natural snowpack reservoirs in the winter, which is slowly released through snowmelt into California's river system during the hotter spring/summer months, is critical to our economy and natural ecosystem. In a warming world, the snowpack will become even more volatile, melting faster with more precipitation falling as rain. River flows will increase during the winter, causing more flooding, and less during the spring/summer months.

If the current climate change projections are right, the increasing temperature will require additional reservoirs to capture the more volatile runoff. Sites Reservoir helps provide more flexibility to water supply and fishery agencies to mitigate these climate change impacts. In addition, as climate temperatures increase, the effectiveness of the reservoir increase, both from a water supply and environmental flow perspective.

Operations and Coordination with Other Regional Reservoirs

The proposed Project is designed to divert water from the Sacramento River through existing state-of-the-art fish screens, only when actual flows on the Sacramento River exceed that needed by more senior water right holders, the Delta is in excess conditions, and based on stringent criteria to protect aquatic resources. Releases from the reservoir will be based on environmental needs, water user participant requests, and regulatory permit conditions.

The proposed Project's unique location, south of Lake Shasta and Lake Oroville but north of the Delta, allows it to enhance the environmental, water quality, flood control, recreational, and water supply functions those existing reservoirs serve. Sites Reservoir allows the state and federal fishery agencies and water supply operators more flexibility to adapt to changing river, climate, Delta flow, and water quality conditions.

As an example, the proposed Project could be operated in coordination with Lake Shasta to preserve and enhance cold water for endangered salmon in the Sacramento River. The proposed Project could also contribute to the increased fresh-water flow into the Delta during drier periods to assist with salinity management of this critical estuary. The proposed Project would not compete for the water resources stored in these state and federal facilities but would increase the total amount of managed water in storage. With the uncertainty associated with California's varying snowmelt runoff in the next century, having Sites Reservoir will enhance the conservation of our critical statewide water supplies.

Proposed Participant Budget and Metropolitan Cost Share

The proposed participant budget for the Amendment 3 Workplan is \$142,863,000, which includes:

Revenue Source	2022	2023	2024	TOTAL
State (Proposition 1)	\$ 18,300,000	--	--	\$ 18,300,000
Federal (WIIN Act)	\$ 10,000,000	\$ 20,000,000	\$ 20,000,000	\$ 50,000,000
Water User Participants	\$ 16,762,000	\$ 23,467,000	\$ 26,819,000	\$ 67,048,000
Sites Joint Powers Authority	\$ 505,000	\$ 505,000	\$ 505,000	\$ 1,515,000
Carryover Funds	\$ 6,000,000	--	--	\$ 6,000,000
TOTAL	\$ 51,567,000	\$ 43,972,000	\$ 47,324,000	\$ 142,863,000
Metropolitan Share	\$ 5,000,000	\$ 7,000,000	\$ 8,000,000	\$ 20,000,000

Costs associated with the proposed Project planning activities currently are being allocated to each water user participant based on its share of an assumed project yield of approximately 168,000 AF, which does not include the state or federal shares. The total assumed project yield for all participants is 234,000 AF. At present, Metropolitan holds 50,000 AF of participation rights in the proposed Project, which equates to 29.8 percent. Thus, Metropolitan's cost share for this next phase of planning activities would total \$20 million. This cost share would be paid over a three-year period, \$5 million in 2022, \$7 million in 2023, and \$8 million in 2024. Subsequently, costs associated with the proposed Project would be allocated based on each participant's share of the ultimate storage capacity approved for construction. As before, participation in this planning phase does not commit Metropolitan to participate in the construction phase of the proposed Project.

The obligation of the Project participants under the 2019 Reservoir Project Agreement and Third Amendment (**Attachments 3 and 4**) to make the second installment and third installment is conditioned upon the Sites Project Authority and the Sites Reservoir Committee members each annually reapproving the Amendment 3 Workplan by an affirmative vote of at least 75 percent.

The final amount of water supplies available to Metropolitan and other participants from the proposed Project, if it is implemented, and the unit costs will depend on state and federal participation levels, the total dollar amount that Metropolitan and others elect to contribute through future phases, and the final costs and yield for the proposed Project.

Estimated Overall Project Cost

In 2019, the Sites Project Authority and participating agencies conducted a value-planning effort to minimize potential Project costs and impacts. That effort resulted in an improved Project that reduced costs from \$5.2 billion to approximately \$3.9 billion (in 2021 dollars). Cost savings came primarily from the removal of the proposed 13.5-mile Delevan Diversion pipelines and intake facility on the Sacramento River. The annual costs for operations, maintenance, and power are estimated at \$83 million to \$100 million annually. The estimated average cost per AF of yield ranges from \$700 to \$900 per AF at the reservoir. For Metropolitan, it is estimated that an additional \$300 to 400 per AF would be added to the yield cost to take care of conveyance losses in the Delta, SWP pumping costs, and Metropolitan water treatment costs. Efforts are underway by the Sites Project Authority to continue refining the proposed Project cost estimates as potential additional state and federal funding becomes available.

State and Federal Investment Funding

In 2017, the Sites Project Authority applied for State Proposition 1 grant funding to the California Water Commission. Proposition 1 included \$2.7 billion for new storage projects. In 2018, the California Water Commission approved \$816 million in state investment to advance the proposed Project, the largest grant award given to any project requesting Proposition 1 support. The State's Proposition 1 investment was increased in 2020 to \$836 million. To date, the state has released approximately \$40 million to the proposed Project for completion of the environmental documentation and permit process. This state investment will pay for a portion of the reservoir cost, and in return, the state will receive flood control and recreation benefits as well as a portion of the water and storage produced by the proposed Project to be dedicated to environmental benefits in the watershed and Delta. On the federal side, the proposed Project has been awarded \$104 million in WIIN Act grants by the US Environmental Protection Agency. In addition, the proposed Project was awarded a \$449 million US Department of Agriculture loan that can be used to build the intertie between the Glen-Colusa Irrigation District and Tehama-Colusa Irrigation District canals to assist in water operations for the Project and its partners. The proposed Project has submitted a letter of interest for a Water Infrastructure Finance and Innovation Act loan of up to \$600 million and is awaiting the results of EPA's review process.

Schedule

The proposed key milestones to be completed over the next three years include:

- Mar 2022 – Section 7 Biological Assessment for the US Fish & Wildlife Service (USFWS) and National Marine Fisheries Service (NMFS)
- Oct 2022 – Final Revised EIR and Supplemental EIS issued
- Mar 2022 – CDFW Incidental Take Permit issued for Operations and Construction
- Oct 2022 – Section 106 – National Historic Preservation Act Final Programmatic Agreement
- Dec 2022 – Federal ESA – Receive Biological Opinions from USFWS & NMFS
- Dec 2022 – Execute State (DWR) and Federal (USBR) Coordinated Operations Agreements
- Apr 2023 – Section 408 US Army Corps of Engineers Levee & Flood Permit and Central Valley Flood Protection Board Encroachment Permit issues
- Jun 2023 – Section 401 and 404 US EPA Clean Water Act Permit issued
- Jun 2023 – Section 1602 CDFW Streambed Alteration Agreement issued
- Oct 2023 – State Water Resources Control Board Water Right Permit issued
- Dec 2023 – 30 percent engineering design completed
- Nov 2023 – Proposition 1 Water Storage Investment Program final award from California Water Commission

Final engineering design for the project is scheduled to be completed by 2026, with reservoir construction completed by 2030 (**Attachment 6**).

Previous Metropolitan Board Authorizations

In April 2017, the Metropolitan Board authorized appropriation of \$1.5 million and participation in the Phase 1 Sites Reservoir Project Agreement. The \$35 million budget for the 2017/18 Workplan includes funding from the state of California, USBR, and public water agencies.

On February 12, 2019, the Metropolitan Board authorized appropriation of \$4,212,500, and participation in the 2019 Reservoir Project Agreement (**Attachment 3**) through December 31, 2019. The budget for the 2019 agreement was approximately \$15 million.

On October 12, 2020, the Metropolitan Board authorized appropriation of \$5 million and participation in the Phase 2 Workplan and the Second Amendment to the 2019 Reservoir Project Agreement. The budget for the Phase 2 Workplan was \$31.75 million, and included funding from the state of California, USBR, and public water agencies.

Policy

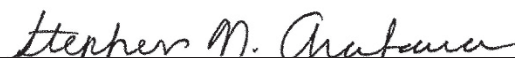
By Minute Item 45753, dated May 11, 2004, the Board adopted refined Bay-Delta finance and cost allocation policy principles for communication with the California Bay-Delta Authority and interested parties, as set forth in the letter signed by the Chief Executive Officer on April 20, 2004.

By Minute Item 46637, dated April 11, 2006, the Board adopted the policy principles regarding long-term actions for the Sacramento-San Joaquin River Delta as described in the revised letter signed by the General Manager on April 4, 2006.

By Minute Item 47135, dated June 12, 2007, the Board supported, in principle, the proposed Delta Action Plan, as set forth in the letter signed by the General Manager on May 25, 2007.

Fiscal Impact

Funding for Metropolitan's cost-share amount of the Amendment 3 Workplan is payable over a three-year period, \$5 million in CY 2022, \$7 million in CY 2023, and \$8 million in CY 2024. Payments due in CY 2023 and CY 2024 (\$7 million and \$8 million, respectively) were included in Metropolitan's proposed fiscal year 2022/23 and 2023/24 budget. Funding for CY 2022 (\$5 million) is proposed to be funded out of Metropolitan's existing fiscal year 2021/22 budget. Staff is scheduled to bring this item for Board consideration in April 2022.


 Stephen N. Arakawa
 Manager, Bay-Delta Initiatives

2/25/2022
 Date


 Adel Hagekhalil
 General Manager

3/1/2022
 Date

Attachment 1 – Sites Reservoir Location Map

Attachment 2 – Sites Reservoir Facilities Map

Attachment 3 – 2019 Reservoir Project Agreement

Attachment 4 – Third Amendment to the 2019 Reservoir Project Agreement

Attachment 5 – Sites Reservoir Project Participants

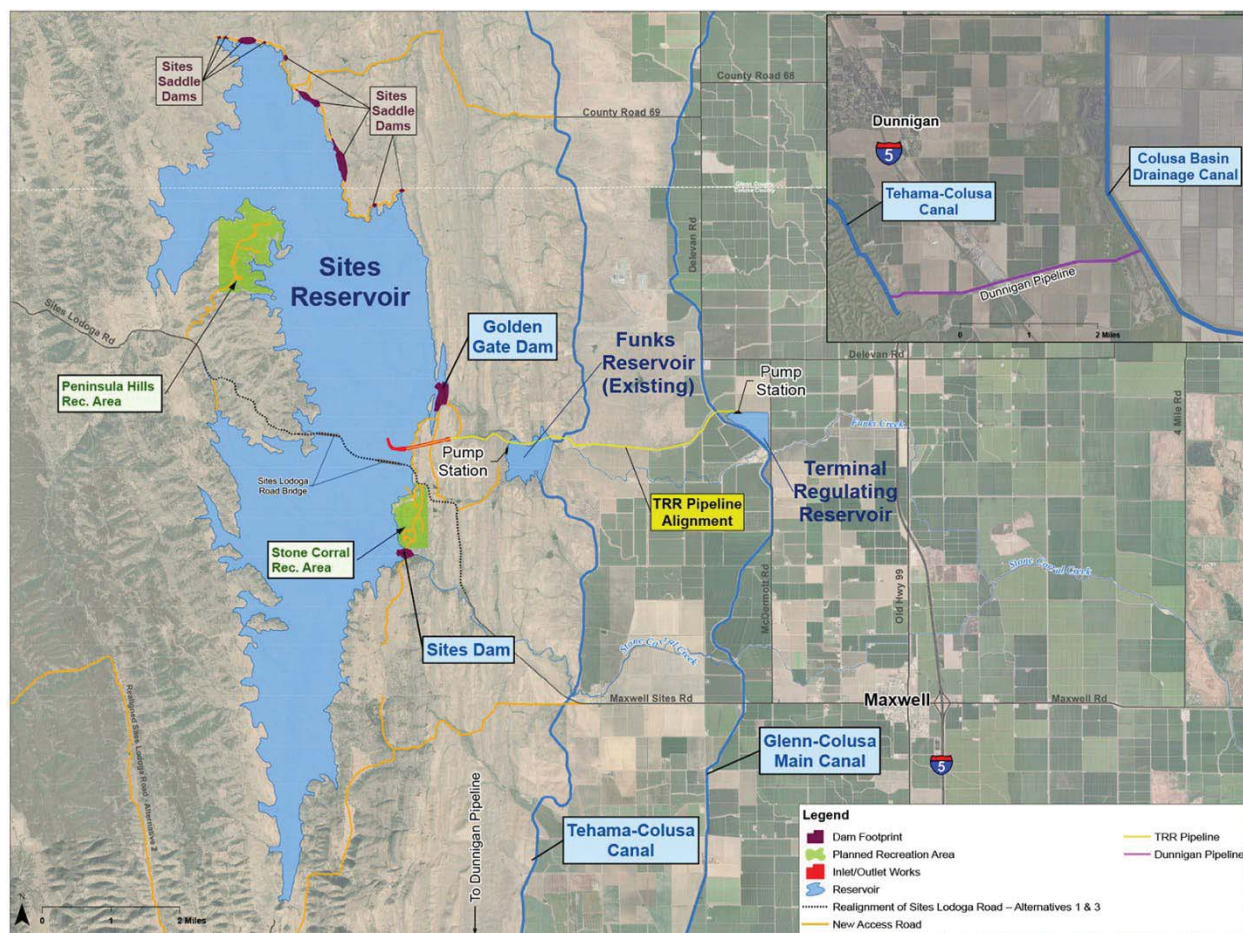
Attachment 6 – Sites Reservoir Schedule

Attachment 7 – Sites Reservoir RDEIR-SDEIR Common Questions & Responses

Sites Reservoir – Location Map



Sites Reservoir Project – Facilities Map



SITES PROJECT AUTHORITY

2019 RESERVOIR PROJECT AGREEMENT

DATED AS OF APRIL 1, 2019

BY AND AMONG

SITES PROJECT AUTHORITY

AND

THE PROJECT AGREEMENT MEMBERS LISTED HEREIN

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THIS 2019 RESERVOIR PROJECT AGREEMENT is made effective as of April 1, 2019, by and among (a) the Sites Project Authority (the “Authority”) and (b) certain Members and/or Non-Member Participating Parties, listed on the attached **Exhibit A** and is made with reference to the following facts:

RECITALS

A. Various public agencies in the Sacramento River Watershed created the Authority in 2010. Various public agencies in the Sacramento River Watershed, including certain Project Agreement Members, previously entered into the Fourth Amended and Restated Sites Project Authority Joint Exercise of Powers Agreement, dated November 21, 2016, pursuant to which they are developing the Sites Reservoir Project, which is contained in the CalFed Bay-Delta program Programmatic Record of Decision, August 28, 2000. The Joint Powers Agreement provides a mechanism for “Project Agreements” (as defined in the Joint Powers Agreement) to undertake specific work activities for the development of the Sites Reservoir Project. On September 17, 2018, the Authority’s Board of Directors also adopted Bylaws for Phase 2 of the Sites Reservoir Project, which also address Project Agreements and their management through Reservoir Project Committees.

B. On April 11, 2016, certain Authority Members of the Authority entered into the PHASE 1 RESERVOIR PROJECT AGREEMENT which was amended and restated as of November 21, 2016.

C. The Authority and certain Project Agreement Members have undertaken a process to negotiate a 2019 Reservoir Project Agreement to undertake specific work activities.

D. The Project Agreement Members wish to continue development of the Project pursuant to a Work Plan approved by the Authority on November 19, 2018 and the Reservoir Project Committee on November 16, 2018 and a summary of which is described in **Exhibit B** attached hereto. The Project will be undertaken in the name of the Authority and in accordance with the Authority’s stated Mission as set forth in the fourth Recital of the Joint Powers Agreement. The Project Agreement Members are entering into this Project Agreement to satisfy the requirements of Article VI of the Joint Powers Agreement.

E. All members of the Authority have also been given the opportunity to enter into this Project Agreement. The form of this Project Agreement was determined to be consistent with the Joint Powers Agreement and the Bylaws and approved by the Authority’s Board of Directors on September 17, 2018.

F. The Authority and the Project Agreement Members acknowledge that one of the Authority’s goals, in addition to providing environmental benefits, is to develop and make both a water supply and storage capacity available to water purveyors and landowners within the Sacramento River watershed, and in other areas of California, who are willing to purchase either or both a water supply and storage capacity from the Sites Reservoir Project, and that the Project Agreement Members should have a preference to the water supply or storage capacity.

G. The Authority and the Project Agreement Members acknowledge that the approval and execution of this Project Agreement does not commit the Authority, the Project Agreement Members or any other party to any definite course of action regarding the Sites Reservoir Project. As

set forth in Section 6(a) of this Project Agreement, there are no assurances that the Sites Reservoir Project will be constructed. One of the prerequisites that would need to be fulfilled before the Sites Reservoir Project could be constructed is the completion of environmental review under the California Environmental Quality Act (“CEQA”). As part of this environmental review, the Authority, as the lead agency that is conducting the review, reserves all of its rights, responsibilities, obligations, powers, and discretion under the provisions of CEQA to: (i) evaluate the environmental impacts of the Sites Reservoir Project; (ii) deny and disapprove the Sites Reservoir Project if the environmental review reveals significant environmental impacts that cannot feasibly be mitigated; (iii) adopt feasible mitigation measures and/or an alternative to the Sites Reservoir Project to avoid or lessen significant environmental impacts; or (iv) determine that any significant environmental impacts that cannot feasibly be mitigated are outweighed by the economic, social or other benefits of the Sites Reservoir Project.

AGREEMENT

THEREFORE, in consideration of the facts recited above and of the covenants, terms and conditions set forth herein, the parties agree as follows:

Section 1 Definitions

“Authority” means the Sites Project Authority, a joint exercise of powers agency created pursuant to the Joint Powers Agreement.

“Authority Members” means the members of the Authority executing the Joint Powers Agreement, as such members may change from time-to-time in accordance with Section 3.3, Section 7.12 and Section 7.2 of the Joint Power Agreement.

“Board” means the Board of Directors of the Authority.

“Bylaws” means the Bylaws for Phase 2 of the Sites Reservoir Project adopted by the Authority on September 17, 2018, as such Bylaws may be amended or supplemented from time-to-time in accordance therewith.

“Committee” means the Reservoir Project Committee described in Section 3 of this Project Agreement.

“Fiscal Year” means the fiscal year of the Authority, which currently begins on January 1 of each calendar year and ends on December 31 of each calendar year, or such other twelve month period which may be designated by the Authority as its Fiscal Year.

“Joint Power Agreement” means the Fourth Amended and Restated Sites Project Authority Joint Exercise of Powers Agreement, dated November 21, 2016, as such agreement may be amended or supplemented from time-to-time in accordance therewith.

“Law” means Articles 1 through 4 (commencing with Section 6500), Chapter 5, Division 7, Title 1 of the California Government Code, as amended or supplemented from time-to-time.

“Material Change Item” shall have the meaning ascribed thereto in the Bylaws.

“Participation Percentage” means the Participation Percentages as set forth in **Exhibit A** hereto, as such Participation Percentages may be modified in accordance herewith.

“2019 Budget” means the 2019 Budget approved by the Committee on November 16, 2018 and the Authority on November 19, 2018, as such 2019 Budget may be amended or supplemented from time-to-time in accordance with the Joint Powers Agreement, this Project Agreement and the Bylaws.

“Project” or “Sites Reservoir Project” means the Sites Reservoir Project as described in **Exhibit B** hereto, as modified from time-to-time in accordance therewith.

“Project Agreement” means this Project Agreement, dated as of April 1, 2019, by and among the Authority and the Project Agreement Members listed on **Exhibit A** from time-to-time, as such Project Agreement may be amended or supplemented from time-to-time in accordance herewith.

“Project Agreement Members” means (a) the Authority Members listed in the attached **Exhibit A**, (b) the Non-Member Participating Parties listed in the attached **Exhibit A** and (c) additional Authority Members or Non-Member Participating Parties who execute this Project Agreement from time-to-time pursuant to Section 10 hereof.

“Work Plan” means the activities described in **Exhibit B** hereto as such description may be amended or supplemented from time-to-time.

Section 2 Purpose

The purpose of this Project Agreement is to permit the Authority and the Project Agreement Members to continue development of the Project in the name of the Authority consistent with the Joint Powers Agreement. The activities undertaken to carry out the purposes of this Project Agreement shall be those, and only those, authorized by the Authority and the Committee in accordance with this Project Agreement, the Joint Powers Agreement and the Bylaws. Without limiting in any way the scope of the activities that may be undertaken under this Project Agreement, such activities shall include funding the Authority’s costs undertaken to carry out the directions of the Committee. Notwithstanding any other provision of this Project Agreement, no activity undertaken pursuant to this Project Agreement shall conflict with the terms of the Joint Powers Agreement or the Bylaws, nor shall this Project Agreement be construed in any way as creating an entity or combination of entities that is separate and apart from the Authority.

Section 3 Reservoir Project Committee

(a) Committee Membership. The business of the Project Agreement Members under this Project Agreement shall be conducted by a Committee consisting of one member appointed by each Project Agreement Member. Appointment of each member of the Committee shall be by action of the governing body of the Project Agreement Member appointing such member, and shall be effective upon the appointment date as communicated in writing to the Authority. Project Agreement Members may also appoint one or more alternate Committee members, which alternate(s) shall assume the duties of the Committee member in case of absence or unavailability of such member. Project Agreement Members may also appoint an alternate Committee member from a different Project Agreement Member for convenience in attending Committee meetings, who may

cast votes for such Project Committee Members, provided that no person shall represent more than five other Project Committee Members and more than 20% of the weighted vote as provided in Subsection 3(g) at any given meeting; provided however, that if the appointing Project Committee Member is an officer of the Committee, the appointed alternate Committee member shall not assume the capacity of such officer position. In order to serve as an alternate Committee member, a written evidence of such designation shall be filed with the Committee Secretary. Each member and alternate member shall serve on the Committee from the date of appointment by the governing body of the Project Agreement Member he/she represents and at the pleasure of such governing body.

(b) Officers. The Committee shall select from among its members a Chairperson, who shall annually act as presiding officer, and a Vice Chairperson, to serve in the absence of the Chairperson. There also shall be selected a Secretary, who may, but need not be, a member of the Committee and a Treasurer. All elected officers shall be elected and remain in office at the pleasure of the Committee, upon the affirmative vote of at least a majority of the total weighted vote as provided at Subsection 3(g);

(c) Treasurer. The Authority Treasurer shall serve as the Committee's Treasurer and shall act as the Committee's liaison to the Authority's General Manager and Authority Board on financial matters affecting the Committee. The Treasurer shall prepare and provide regular financial reports to the Committee as determined by the Committee. The Treasurer shall not be required to be a member of the Board of Directors of the Authority.

(d) General Manager. The Authority's General Manager shall (1) serve as the Project Director responsible for advancing the Sites Reservoir Project, (2) be a non-voting member of the Committee, (3) ensure coordination of activities between the Authority and Committee, (4) convene, on an as needed basis, legal representatives from the Project Agreement Members and Authority Members to advise the General Manager on legal matters that will be reported to the Committee and Authority on a timely basis, and (5) coordinate the activities between the Committee and both the United States Bureau of Reclamation and Department of Water Resources.

(e) Meetings. The Chairperson of the Committee or a majority of a quorum of the members of the Committee are authorized to call meetings of the Committee as necessary and appropriate to conduct its business under this Project Agreement. All such meetings shall be open to the public and subject to the requirements set forth in the Ralph M. Brown Act (Government Code Sections 54950 et seq.).

(f) Quorum. A majority of the Committee members based on the weighted vote provided in Subsection 3(g) shall constitute a quorum of the Committee.

(g) Voting. Notwithstanding any provisions of the Bylaws that might be construed otherwise, for purposes of this Project Agreement, the voting rights of each Project Agreement Member shall be determined as follows:

(i) an equal number of voting shares for each Project Agreement Member as defined in **Exhibit A**, that being for each Project Agreement Member, 1 divided by the total number of Project Agreement Members, multiplied by 50; plus

- (ii) an additional number of voting shares for each Project Agreement Member equal to its respective Participation Percentage described in **Exhibit A**, multiplied by 50, using the version of **Exhibit A** in effect at the time the Committee votes.

The resulting weighted total of all voting shares shall equal 100. An Example of this weighted voting incorporating the formulas for determining participating percentages is attached at **Exhibit A**.

(h) Decision-making Thresholds. In accordance with Section 5.8 of the Bylaws, for purposes of this Project Agreement, approval by the Committee for material and non-material changes shall be as follows: for actions other than Material Change Items, action of the Committee shall be taken upon the affirmative vote of at least a majority of the total weighted vote as provided in Subsection 3(g); for Material Change Items, action shall be taken upon the affirmative vote of at least 75% of the total weighted vote as provided at Subsection 3(g).

(i) Delegation of Authority/Powers and Limitations Thereon. Subject to the direction of the governing bodies of the Project Agreement Members, the Committee shall undertake all actions necessary for carrying out this Project Agreement, including but not limited to setting policy for the Project Agreement Members acting under this Project Agreement with respect to the Project; recommending actions to be undertaken in the name of the Authority under this Project Agreement; determining the basis for calculation of the Participation Percentages for each fiscal year, and the timing required for payments of obligations hereunder; authorizing expenditure of funds collected under this Project Agreement within the parameters of the Work Plan and budget; and such other actions as shall be reasonably necessary or convenient to carry out the purposes of this Project Agreement. This Section 3(i) is subject to any and all limitations set forth in the Joint Powers Agreement and Bylaws, including but not limited to, any action that constitutes a material change as defined at Section 12.3 of the Bylaws requiring the approval of both the Committee and the Authority Board, and actions specified in Section 10 of the Bylaws which remain exclusively with the Authority Board.

Section 4 Funding

(a) Budget. The Committee shall, in cooperation with the Authority's Board, provide and approve both a Fiscal Year operating budget and reestablish a Phase 2 budget target, annually or more frequently as needed. On November 19, 2018, the Board approved the Fiscal Year 2019 operating budget. The Work Plan, including annual budget, dated November 19, 2018, is attached at Exhibit B, along with the budget approval process and requirements. The Project Agreement Members shall contribute their respective pro-rata share of the budgeted sums in accordance with Section 5 of this Project Agreement; provided, however, that in no event shall the amount paid by a Project Agreement Member exceed \$60 per acre-foot without the approval of such Project Agreement Member.

(b) Fiscal Responsibilities. Exhibit B specifies the Authority's requirements regarding the fiscal responsibilities of the Committee.

(c) Allocation of Project Agreement Expenses. The Project Agreement Members agree that all expenses incurred by them and/or by the Authority under this Project Agreement are the costs of the Project Agreement Members and not of the Authority or the Project Agreement Members of the Authority that do not execute this Project Agreement, and shall be paid by the Project Agreement Members; provided, however, that this Section shall not preclude the Project

Agreement Members from accepting voluntary contributions and/or Authority Board's pre-approval of in-kind services from other Authority Members, or Project Agreement Members, and applying such contributions to the purposes hereof. The Project Agreement Members further agree to pay that share of any Authority costs reasonably determined by the Authority's Board to have been incurred by the Authority to administer this Project Agreement. Before the Authority's costs of administering this Project Agreement become payable, the Authority will provide its calculation of such costs to the Committee, which will have the right to audit those costs and provide comments on the calculation to the Authority Board. The Authority Board shall consider the Committee's comments, if any, including the results of any such audit, in a public meeting before the Authority Board approves a final invoice for such costs.

Section 5 Participation Percentages

Subject to Section 4(a), each Project Agreement Member shall pay that share of costs for activities undertaken pursuant to this Project Agreement, whether undertaken in the name of the Authority or otherwise, equal to such Project Agreement Member Participation Percentage as established in this Section 5. The initial Participation Percentages of the Project Agreement Member are set forth in the attached **Exhibit A**. These initial Participation Percentages are for the purpose of establishing the Reservoir Project Agreement Members respective responsibilities for costs under this Project Agreement and other amounts contained in the approved Fiscal Year budget and Phase 2 budget target, which is defined as the "Reservoir Total" on **Exhibit B**. The Participation Percentages of each Project Agreement Member will be modified by the Committee from time to time as the result of the admission of a new Project Agreement Member to this Project Agreement or the withdrawal of a Project Agreement Member, and **Exhibit A** shall be amended to reflect all such changes. Such amended **Exhibit A** shall, upon approval by the Committee, be attached hereto and upon attachment, shall supersede all prior versions of **Exhibit A** without the requirement of further amendment of this Project Agreement.

Section 6 Future Development of the Sites Reservoir Project

(a) The Project Agreement Members acknowledge that the Sites Reservoir Project is still in the conceptual stage and there are no assurances that the Sites Reservoir Project will be constructed or that any water supplies will be developed as a result of this Project Agreement. **Exhibit B** includes a partial list of some of the risks and uncertainties that underlie the lack of assurances. The Project Agreement Members therefore recognize that they are not acquiring any interest in the Sites Reservoir Project other than their interest in the specific permitting, design, engineering and other materials that will be in the Work Plan Project as described in **Exhibit B**, and that the Project Agreement Members are not acquiring under this Project Agreement any interest in any future water supply or access to any other services from the Sites Reservoir Project except as provided hereunder.

(b) Without limiting the foregoing, any Project Agreement Member that elects to continue participating in the development, financing, and construction of the Sites Reservoir Project to the time when the Authority offers contracts for a water supply or other services, will be afforded a first right, equal to that Project Agreement Member's Participation Percentage, to contract for a share of any water supply that is developed, and for storage capacity that may be available from, the Sites Reservoir Project. In any successor phase agreements, Project Agreement Members who are parties to this Project Agreement that submitted a proposal to participate before February 15, 2019, shall be granted rights to contract for a share of any water supply that is developed, and for storage capacity

that may be available from the Sites Reservoir Project prior to the rights of those becoming parties to this Project Agreement after that date. The Authority and the Project Agreement Members will cooperate on the drafting of provisions in the water supply contract that will allow a Project Agreement Member or other eligible entity that commits to purchase a Sites Reservoir Project water supply to transfer water that the entity may not need from time to time on terms and conditions acceptable to the such Project Agreement Member.

Section 7 Indemnity and Contribution

(a) Each Project Agreement Member, including Authority Members acting in their capacity as Project Agreement Members, shall indemnify, defend and hold the Authority, Authority Members and other Project Agreement Members and their directors, trustees, officers, employees, and agents harmless from and against any liability, cause of action or damage (including, without limitation, reasonable attorneys' fees) arising out of the performance of this Project Agreement multiplied by each Project Agreement Member's Participation Percentage. Notwithstanding the foregoing, to the extent any such liability is caused by the negligent or intentional act or omission of an Authority Member or a Project Agreement Member, such Authority Member or Project Agreement Member shall bear such liability.

(b) Each Project Agreement Member, including Authority Members acting in their capacity as Project Agreement Members, shall indemnify, defend and hold the Authority and the members of the Authority that do not execute this Project Agreement and their directors, trustees, officers, employees and agents harmless from and against any liabilities, costs or expenses of any kind (including, without limitation, reasonable attorney's fees) arising as a result of the activities described in or undertaken pursuant to this Project Agreement multiplied by each Project Agreement Member's Participation Percentage. All assets, rights, benefits, debts, liabilities and obligations attributable to activities undertaken under this Project Agreement shall be assets, rights, benefits, debts, liabilities and obligations solely of the Project Agreement Members in accordance with the terms hereof, and shall not be the assets, rights, benefits, debts, liabilities and obligations of the Authority or of those members of the Authority that have not executed this Project Agreement. Members of the Authority not electing to participate in the Project Agreement shall have no rights, benefits, debts, liabilities or obligations attributable to the Project Agreement.

Section 8 Term

(a) No provision of this Project Agreement shall take effect until this Project Agreement has been duly executed and delivered by the Authority and by one Project Agreement Member.

(b) The term of this Project Agreement shall continue until December 31, 2019, unless extended in writing by the parties hereto.

Section 9 Withdrawal From Further Participation

To withdraw from this Project Agreement, a Project Agreement Member shall give the Authority and other Project Agreement Members written notice of such withdrawal not less than 30 days prior to the withdrawal date. As of the withdrawal date, all rights of participation in this Project Agreement shall cease for the withdrawing Project Agreement Member. The financial obligation as prescribed in the Bylaws' Section 5.11 in effect on the withdrawal date, shall consist of the

withdrawing Member's share of the following costs: (a) payment of its share of all non-contract costs incurred prior to the date of the written notice of withdrawal, and (b) those contract costs associated with funds approved in either contract amendments or task orders that were approved prior to the date of the written notice of withdrawal for which the contractor's work extends beyond the withdrawal date. However, a withdrawing member shall have no liability for any change order or extensions of any contractor's work that the remaining Project Agreement Members agree to after the withdrawing Member provides written notice of withdrawal. Withdrawal from this Project Agreement shall not be considered a Material Change Item and shall not be subject to the Dispute Resolution process provided for in Section 13.3 of the Bylaws.

Section 10 Admission of New Project Agreement Members

Additional Members of the Authority and Non-Member Participating Parties may become Project Agreement Members upon (a) confirmation of compliance with the membership requirements established in the Bylaws, (b) the affirmative vote of at least 75% of the total weighted vote as provided at Subsection 3(g) of the then-current Project Agreement Members, (c) the affirmative vote of at least 75% of the total number of Directors of the Authority, and (d) upon such conditions as are fixed by such Project Agreement Members.

Section 11 Amendments

This Project Agreement may be amended only by a writing executed by the Authority and at least 75% of the total weighted vote as provided in Subsection 3(g) of the then-current Committee members.

Section 12 Assignment; Binding on Successors

Except as otherwise provided in this Project Agreement, the rights and duties of the Project Agreement Members may not be assigned or delegated without the written consent of the other Project Agreement Members and the Authority, which consent shall not be unreasonably withheld. Any attempt to assign or delegate such rights or duties in contravention of this Project Agreement shall be null and void. Project Agreement Members may assign and delegate their rights and duties under this Project Agreement to other Project Agreement Members, and they may assign, sell, trade, or exchange all or a fraction of the potential benefits (e.g. acre-feet of water supply, megawatt-hours of power) they expect to receive through their participation in this Project Agreement. Any approved assignment or delegation shall be consistent with the terms of any contracts, resolutions, indemnities and other obligations of the Authority then in effect. This Project Agreement shall inure to the benefit of, and be binding upon, the successors and assigns of the Authority and the Project Agreement Members.

Section 13 Counterparts

This Project Agreement may be executed by the Authority and each Project Agreement Member in separate counterparts, each of which when so executed and delivered shall be an original, but all such counterparts shall together constitute but one and the same instrument. Facsimile and electronic signatures shall be binding for all purposes.

Section 14 Merger of Prior Agreements

This Project Agreement and the exhibits hereto constitute the entire agreement between the parties and supersede all prior agreements and understanding between the parties relating to the subject matter hereof. This Project Agreement is intended to implement, and should be interpreted consistent with, the Joint Powers Agreement.

Section 15 Severability

If one or more clauses, sentences, paragraphs or provisions of this Project Agreement shall be held to be unlawful, invalid or unenforceable, the remainder of the Project Agreement shall not be affected thereby.

Section 16 Choice of Law

This Project Agreement shall be governed by the laws of the State of California.

Section 17 Notices

Notices authorized or required to be given under this Project Agreement shall be in writing and shall be deemed to have been given when mailed, postage prepaid, or delivered during working hours, to the addresses set forth **Exhibit E (“Notifications”)**, or to such other address as a Project Agreement Member may provide to the Authority and other Project Agreement Members from time to time.

IN WITNESS WHEREOF, the Authority and Project Agreement Members hereto, pursuant to resolutions duly and regularly adopted by their respective governing bodies, have caused their names to be affixed by their proper and respective officers on the date shown below:

Dated: _____

SITES PROJECT AUTHORITY

By: _____

Name:

Title:

[PROJECT AGREEMENT MEMBER]

Dated: _____

(Authority & Project Agreement Member)

By: _____

Name:

Title:

EXHIBIT A

PROJECT AGREEMENT MEMBERS

Participant	Participation (Annualized Acre-Foot)	
	Preliminary	Percent
American Canyon, City of	~4,000	1.7%
Antelope Valley-East Kern Water Agency	~500	0.2%
Carter Mutual Water Company ‡	~500	0.2%
Coachella Valley Water District	~10,000	4.3%
Colusa County	~10,000	4.3%
Colusa County Water District	~13,100	5.6%
Desert Water Agency	~6,500	2.8%
Glenn-Colusa Irrigation District	~5,000	2.1%
Metropolitan Water District of S. CA	~50,000	21.4%
Pacific Resources Mutual Water Company ‡	~20,000	8.5%
Reclamation District 108	~5,000	2.1%
San Bernardino Valley Municipal Water District	~21,400	9.1%
San Geronio Pass Water Agency	~14,000	6.0%
Santa Clara Valley Water District	24,000	10.3%
Santa Clarita Valley Water Agency	~5,000	2.1%
TC-4: Cortina Water District	~300	0.1%
TC-4: Davis Water District	~2,000	0.9%
TC-4: Dunnigan Water District	~2,774	1.2%
TC-4: LaGrande Water District	~1,000	0.4%
Westside Water District	~15,000	6.4%
Wheeler Ridge-Maricopa Water Storage District	14,000	6.0%
Zone 7 Water Agency	~10,000	4.3%
Potential new participants	TBD	%
Total:	234,074	100.0%

Participation Percentages exclude State of California and United States Bureau of Reclamation share of the Project.

NOTE: Any annualized amounts listed for Phase 2 are preliminary and are based on best estimates received after participants' respective review of the draft financing plan and draft Phase 2 Reservoir Project Agreement. These amounts do not represent the results of any action having been taken by the participants' respective governing body to formally execute the Phase 2 Reservoir Project Agreements. Final participation amounts will be established after interim financing terms and conditions have been provided and incorporated into the final Phase 2 Reservoir Project Agreement.

‡ Denotes a non-public agency. Refer to California Corporations Code Section 14300 et. seq. with additional requirements provided in both the Public Utilities Code and Water Code.

EXHIBIT B

2019 WORK PLAN

2018 November 16 Reservoir Committee Meeting - Attachment A - Agenda Item 3-3

Category	(Multiple Items)
Action	(Multiple Items)
Funding Source	(Multiple Items)
Work Manager	(All)
Priority	(All)

Report: **Reservoir Committee 2019 Work Plan & Budget**
Report Date: 2018 Nov 12

Expense (-) or Revenue (+)	Cost Center	Task	Resource	Reprioritize	Proposed Budget
				Currently Approved Budget	Authority= 12 mon Res. Comm= 9 mon
				Sum of Total End of Phase 1	Sum of Total 2019
Expense	C.R. Policy			\$ -	\$ (2,067,094)
	Engagement			\$ -	\$ (135,000)
	Operations	Contingency		\$ -	\$ -
		Env Interests		\$ (44,936)	\$ (120,552)
		Exchange		\$ -	\$ (75,550)
		Modeling		\$ (325,000)	\$ (998,480)
		Op POA		\$ (59,488)	\$ (61,040)
		Staff+		\$ (69,705)	\$ (417,555)
		Storage		\$ (17,824)	\$ (136,300)
		Water Rights		\$ (29,712)	\$ (204,264)
		Water Rights+		\$ (29,712)	\$ (119,892)
	Operations Total			\$ (576,377)	\$ (2,133,633)
	Power	Grid Interconn+		\$ -	\$ (1,097,880)
		H2oPower+		\$ -	\$ (668,453)
		Staff Aug+		\$ -	\$ (632,880)
		Staff+		\$ -	\$ -
	Power Total			\$ -	\$ (2,399,213)
	Res. Comm. O	Advisory		\$ (43,200)	\$ (82,565)
		Office		\$ -	\$ (133,100)
		Participation		\$ (109,800)	\$ (210,600)
		PROCURE		\$ -	\$ (80,240)
		PROCURE-2		\$ -	\$ -
		Rebalance		\$ (8,400)	\$ (134,070)
		Staff		\$ (6,000)	\$ (1,739,573)
		Staff Aug		\$ -	\$ (4,237,495)
		Staff Aug+		\$ -	\$ (225,990)
		Staff+		\$ -	\$ -
		Support		\$ (26,925)	\$ (107,678)
		Technology		\$ (3,330)	\$ (13,280)
		USDA-1		\$ (10,000)	\$ (10,800)
		WSIP-1		\$ (51,440)	\$ (81,960)
	Res. Comm. OH Total			\$ (259,095)	\$ (7,057,351)
	Water	Dam Design		\$ -	\$ (8,776,500)
		Economics+		\$ -	\$ (329,880)
		EIR-EIS		\$ (165,000)	\$ (2,371,767)
		Field Studies		\$ (200,000)	\$ (887,876)
		Field Surveys		\$ -	\$ (91,980)
		Permit Coord		\$ (590,000)	\$ (8,095,900)
		Rights of Entry		\$ (306,000)	\$ (600,119)
	Water Total			\$ (1,261,000)	\$ (21,154,022)
Expense Total				\$ (2,096,472)	\$ (34,946,312)

Summary - Page 1 of 2

NOTE: 2019 proposed budget, which is applicable to this Agreement, was approved by the Reservoir Committee at their November 16, 2018 meeting with the Reservoir Committee's share of expenses listed on page B-2.

				Reprioritize Currently Approved Budget	Proposed Budget Authority= 12 mon Res. Comm= 9 mon
Expense (-) or Revenue (+)	Cost Center	Task	Resource	Sum of Total End of Phase 1	Sum of Total 2019
Revenue	Conversion			\$ -	\$ 2,067,094
	WIIN			\$ -	\$ 8,776,500
	WSIP			\$ 821,603	\$ 10,077,760
	Res. Comm.			\$ -	\$ 14,044,440
Revenue Total				\$ 821,603	\$ 34,965,795
Grand Total				\$ (1,274,870)	\$ 19,482

EXHIBIT C

NOTIFICATIONS

Attention: Mr. Steve Hartwig
City of American Canyon
4381 Broadway, Suite 201
American Canyon, CA 94503

Attention: Mr. Tom Charter
c/o Ms Jamie Traynham
Davis Water District
P.O. Box 83
Arbuckle, CA 95912

Attention: Mr. Dwayne Chisam
Antelope Valley-East Kern WA
6500 West Avenue N
Palmdale, CA 93551

Attention: Mr. Mark Krause
Desert Water Agency
1200 South Gene Autry Trail
Palm Springs, CA 92264

Attention: Mr. Ben Carter
Carter MWC
4245 River Road
Colusa, CA 95932

Attention: Mr. Bill Vanderwaal
Dunnigan Water District
P.O. Box 84
Dunnigan, CA 95937

Attention: Mr. Jim Barrett
Coachella Valley Water District
P.O. Box 1058
Coachella, CA 92236

Attention: Mr. Thad Bettner
Glenn-Colusa Irrigation District
P.O. Box 150
Willows, CA 95988

Attention: Ms. Wendy Tyler
Colusa County
547 Market St., Suite 102
Colusa, CA 95932

Attention: Mr. Matt LaGrande
LaGrande Water District
P.O. Box 370
Williams, CA 9598

Attention: Ms. Shelley Murphy
Colusa County Water District
P.O. Box 337
Arbuckle, CA 95912

Attention: Mr. Steve Arakawa
Metropolitan Water District of Southern
California
1121 L Street, Suite 900
Sacramento, CA 95814

Attention: Mr. Jim Peterson
Cortina Water District
P.O. Box 489,
Williams, CA 95987

Attention: Mr. Preston Brittain
Pacific Resources MWC
4831 Calloway Drive, Ste. 102
Bakersfield, CA 93312
Bakersfield, CA 93312

Attention: Mr. Bill Vanderwaal

Reclamation District 108
P.O. Box 50
Grimes, CA 95950

Attention: Mr. Dirk Marks

Santa Clarita Valley Water Agency
27234 Bouquet Canyon Road
Santa Clarita, CA 91350

Attention: Mr. Doug Headrick

San Bernardino Valley Municipal Water District
380 East Vanderbilt Way
San Bernardino, CA 92408-3593

Attention: Dan Ruiz

Westside Water District
5005 State Hwy 20
Williams, CA 95987

Attention: Mr. Jeff Davis

San Geronio Pass Water Agency
1210 Beaumont Ave,
Beaumont, CA 92223

Attention: Robert Kunde

Wheeler Ridge-Maricopa Water Storage District
12109 Highway 166
Bakersfield, CA 93313

Attention: Ms. Cindy Kao

Santa Clara Valley Water District
5750 Almaden Expressway
San Jose, CA 95118-3686

Attention: Ms. Valerie Pryor

Zone 7 Water Agency
100 North Canyons Parkway
Livermore, CA 945

Attention: Mr. Dirk Marks

THIRD AMENDMENT TO 2019 RESERVOIR PROJECT AGREEMENT

BY AND AMONG
SITES PROJECT AUTHORITY

and

THE PROJECT AGREEMENT MEMBERS LISTED HEREIN

Dated as of January 1, 2022

THIS THIRD AMENDMENT TO 2019 RESERVOIR PROJECT AGREEMENT (this “Third Amendment”), dated as of January 1, 2022, by and among SITES PROJECT AUTHORITY, a joint powers authority duly organized and existing under the laws of the State of California (the “Authority”), and the project agreement members listed in the Agreement referenced below (the “Project Agreement Members”) amends that certain 2019 Reservoir Project Agreement dated as of April 1, 2019 (the “Original Agreement”), as previously amended by the First Amendment to 2019 Reservoir Project Agreement dated as of January 1, 2020 (the “First Amendment”) and by the Second Amendment to 2019 Reservoir Project Agreement dated as of July 1, 2020 (the “Second Amendment” and, together with the Original Agreement, the First Amendment and the Second Amendment, the “Agreement”), each by and among the Authority and the Project Agreement Members;

WITNESSETH:

WHEREAS, Authority and the Project Agreement Members have determined to approve an Amendment 3 Work Plan and to extend the term of the Agreement to December 31, 2024; and

WHEREAS, under Section 11 of the Agreement, the Agreement may be amended by a writing executed by the Authority and at least 75% of the total weighted vote of the then current Committee members as provided in Subsection 3(g); and

WHEREAS, except as provided below in Section 2.07 below, all acts, conditions and things required by law to exist, to have happened and to have been performed precedent to and in connection with the execution and the entering into of this Third Amendment do exist, have happened and have been performed in regular and due time, form and manner as required by law, and the parties hereto are now duly authorized to execute and enter into this Third Amendment;

NOW, THEREFORE, THIS THIRD AMENDMENT WITNESSETH, the Authority and the Project Agreement Members agree, as follows:

ARTICLE I

DEFINITIONS

Section 1.01. Definitions. All capitalized terms not otherwise defined herein shall have the meaning set forth in the Agreement.

ARTICLE II

AMENDMENTS TO AGREEMENT

Section 2.01. Project Agreement Members.

(a) Effective January 1, 2022, Exhibit A to the Agreement titled “Project Agreement Members” shall be removed and replaced with Exhibit A to this Third Amendment titled “Project Agreement Members.”

Section 2.02. Work Plan.

(a) Effective January 1, 2022, the Amendment 2 Work Plan attached as Exhibit B to the Second Agreement shall be supplemented by the Work Plan attached hereto as Exhibit B (the “Amendment 3 Work Plan”).

Section 2.03. Funding.

The Agreement is hereby amended to remove Section 4(a) in its entirety and replace it with the following:

“(a) Budget. The Committee shall, in cooperation with the Authority’s Board, provide and approve both a Fiscal Year operating budget and reestablish a Phase 2 budget target, annually or more frequently as needed. The Project Agreement Members shall contribute their respective pro-rata share of the budgeted sums reflected in the Amendment 3 Work Plan in accordance with Section 5 of this Project Agreement. The contribution with respect to the pro-rata budgeted sums reflected in the Amendment 3 Work Plan shall be payable by each Project Agreement Member in three installments. The first installment shall be in an amount equal to \$100 per acre-foot and shall be payable by no later than May 1, 2022. The second installment shall be in an amount equal to up to \$140 per acre-foot and shall be payable by no later than January 1, 2023. The third installment shall be in an amount equal to up to \$160 per acre-foot and shall be payable by no later than January 1, 2024. The obligation of the Project Agreement Members to make the second installment and third installment shall be conditioned upon the Authority and the Committee reapproving the Amendment 3 Work Plan or approving an amendment thereto by (i) an affirmative vote of at least 75% of the total number of Directors of the Authority Board and (ii) an affirmative vote of at least 75% of the total weighted vote as provided at Subsection 3(g) of the then-current Committee members, prior to January 1, 2023 or January 1, 2024, as applicable.”

Section 2.04. Future Development of the Proposed Sites Reservoir Project.

The Agreement is hereby amended to add the below Sections 6(c), 6(d) and 6(e):

“(c) On or prior to March 31, 2022, each Project Agreement Member shall provide the Authority with a completed Project Agreement Member Project Payment Annex in the form attached hereto as Exhibit C. The Project Agreement Members, upon written request of the Authority, will meet with Authority staff from time to time, but not more often than once per calendar quarter, at which meeting, Authority staff will provide such Project Agreement Members with information regarding the then-current financing options being considered by the Authority and the expected terms of such financing options and the Project Agreement Member will provide updates regarding the status of the items identified in the Project Agreement Member Project Payment Annex.

(d) On or prior to June 30, 2023, each Project Agreement Member shall provide the Authority with a written update (the “Project Agreement Member Update”) with respect to the progress in the implementation of such repayment option, the remaining actions to be taken and the estimated completion dates.

For those Project Agreement Members that identified special benefit assessments or land based charges imposed in an improvement district as a source of repayment for an Authority

financing in its Project Agreement Member Payment Annex, the Project Agreement Member Update will also include a confirmation that such Project Agreement Member has the legal or contractual authority to discontinue water service to a water user that is delinquent in the payment of such special benefit assessment or land based charge, as applicable.

The Project Agreement Member Update will also include a confirmation that the Project Agreement Member has adopted a debt management policy that is compliant with California Government Code Section 8855(i), or, if such Project Agreement Member has not adopted such a debt management policy, the Project Agreement Member Update will include a statement that such Project Agreement Member expects to adopt such a debt management policy or an opinion from the general counsel to such Project Agreement Member to the effect that such a debt management policy is not required to be adopted by the Project Agreement Member to finance its share of the Project.

The Project Agreement Member Update shall also identify any change in the proposed source of repayment from the source identified in the Project Agreement Member Payment Annex previously submitted to the Authority.

(c) The Project Agreement Members that identified the repayment options of either special benefit assessments or land based charges imposed in an improvement district in their respective Project Agreement Member Payment Annexes agree to use best efforts to complete the necessary procedures to comply with the applicable requirements of Proposition 218 by no later than June 30, 2023.”

Section 2.05. Term. The Agreement is hereby amended to remove Section 8(b) in its entirety and replace it with the following:

“(b) The term of this Project Agreement shall continue until December 31, 2024. In the event that this Third Amendment is not approved by Project Agreement Members with the requisite percentage of the total weighted vote as set forth in the Agreement by March 31, 2022, the Agreement shall be revived immediately upon approval by such requisite percentage, without any additional approval of the Project Agreement Members, and this Third Amendment shall become effective.”

Section 2.06. Admission of New Project Agreement Members. The Agreement is hereby amended to add the following sentence to end of the paragraph included under Section 10 of the Agreement:

“The Authority shall have the right to charge Project Agreement Members executing the Agreement after a date determined by the Board a fee, which such fee shall be established by the Board, to compensate Project Agreement Members who executed the Agreement prior to a date determined by the Board, for providing funding for the initial phases of the Project.”

Section 2.07. California Environmental Quality Act. The Agreement is hereby amended to add the following Section 18:

“Section 18 California Environmental Quality Act

Notwithstanding any provision of this Agreement, the Authority and the Project Agreement Members fully reserve all of their respective rights, powers, authority and discretion with respect to

the proposed Project pursuant to the agencies' respective obligations and responsibilities under the California Environmental Quality Act ("CEQA"). This includes: (A) the power and discretion of the Authority as the lead agency, upon the completion of its CEQA review, to adopt feasible mitigation measures or a feasible project alternative, to approve the proposed Project based on the requisite CEQA findings, or to disapprove the proposed Project; and (B) the powers and discretion of the Project Agreement Members concerning the specific matters within their respective jurisdiction and authority acting as responsible agencies under CEQA. Any future decisions on whether to issue an approval of the proposed Project, and if so, how to issue such approval, will not be made until the agency making the decision has first completed its CEQA review of the proposed Project."

ARTICLE III

PROJECT AGREEMENT MEMBER PARTICIPATION

Section 3.01. Project Agreement Participation. Each Project Agreement Member shall specify its participation in the Sites Reservoir Project by indicating its storage amount in the Sites Reservoir Project on the signature page to this Third Amendment. Based upon the respective participation elections of the Project Agreement Members, the Authority shall update Exhibit A pursuant to Section 5 of the Agreement.

ARTICLE IV

MISCELLANEOUS

Section 4.01. Effectiveness of Agreement. Except as expressly amended by this Third Amendment, the Agreement is hereby ratified and confirmed and shall continue in full force and effect in accordance with the terms and provisions thereof. The amendments set forth in this Third Amendment shall be incorporated as part of the Agreement upon their effectiveness in accordance with Section 11 of the Agreement.

Section 4.02. Execution in Several Counterparts. This Third Amendment may be executed in any number of counterparts and each of such counterparts shall for all purposes be deemed to be an original; and all such counterparts, or as many of them as the Authority and the Project Agreement Members shall preserve undestroyed, shall together constitute but one and the same instrument.

Section 4.03. Laws Governing Third Amendment. The effect and meaning of this Third Amendment and the rights of all parties hereunder shall be governed by, and construed according to, the laws of the State.

IN WITNESS WHEREOF, the Authority and Project Agreement Members hereto, pursuant to resolutions duly and regularly adopted by their respective governing bodies, have caused their names to be affixed by their proper and respective officers on the date shown below:

Dated: _____

SITES PROJECT AUTHORITY

By: _____
Name: _____
Title: _____

[PROJECT AGREEMENT MEMBER]

Dated: _____

(Authority & Project Agreement Member)

By: _____
Name: _____
Title: _____

[PROJECT AGREEMENT MEMBER]
REPRESENTATIVES

The primary and alternate representatives of the [PROJECT AGREEMENT MEMBER] are identified below.

Primary Representative:

Alternate Representative:

ELECTION OF PARTICIPATION AMOUNT

[PROJECT AGREEMENT MEMBER] hereby elects to participate in the Sites Reservoir Project in the below amount.

- a) **Annualized Acre-Foot**
(acre-feet of releases)
- b) **Storage Allocation**
(acre-feet of storage)
*Box "a" * 6.234*
- c) **Total Budget Authorization**
*Box "a" * \$400 per acre-foot*

*****PARTICIPATION LEVELS ARE PRELIMINARY AND MAY BE ADJUSTED FOLLOWING REBALANCING*****

EXHIBIT A

PROJECT AGREEMENT MEMBERS

Participant	Third Amendment Participation		Percent
	Annualized Acre-Foot (Box "a")	Storage Allocation (Box "b")	
American Canyon, City of	4,000	24,936	2.4%
Antelope Valley-East Kern Water Agency	500	3,117	0.3
Carter Mutual Water Company #	300	1,870	0.2
Coachella Valley Water District	10,000	62,340	6.0
Colusa County	10,000	62,340	6.0
Colusa County Water District	10,073	62,795	6.0
Cortina Water District	450	2,805	0.3
Davis Water District	2,000	12,468	1.2
Desert Water Agency	6,500	40,521	3.9
Dunnigan Water District	2,972	18,527	1.8
Glenn-Colusa Irrigation District	5,000	31,170	3.0
Irvine Ranch Water District	1,000	6,234	0.6
LaGrande Water District	1,000	6,234	0.6
Metropolitan Water District of S. CA	50,000	311,700	29.8
Reclamation District 108	4,000	24,936	2.4
Rosedale-Rio Bravo Water Storage District	500	3,117	0.3
San Bernardino Valley Municipal Water District	21,400	133,408	12.8
San Geronio Pass Water Agency	14,000	87,276	8.4
Santa Clara Valley Water District	500	3,117	0.3
Santa Clarita Valley Water Agency	5,000	31,170	3.0
Westside Water District	5,375	33,508	3.2
Wheeler Ridge-Maricopa Water Storage District	3,050	19,014	1.8
Zone 7 Water Agency	10,000	62,340	6.0
Total:	167,620	1,044,943	100.0

Participation Percentages exclude State of California and United States Bureau of Reclamation share of the Project.

Denotes a non-public agency. Refer to California Corporations Code Section 14300 et. seq. with additional requirements provided in both the Public Utilities Code and Water Code.

EXHIBIT B
AMENDMENT 3 WORK PLAN

Exhibit B
Reservoir Committee
2022, 2023 and 2024 Work Plan Summary

Reservoir Committee and Authority Board Annual Budget for FY 2022, FY 2023 and FY 2024 (\$000)

Work Plan	Subject Area	2022	2023	2024	Total
Revenue	Participation Revenue	\$16,762	\$23,467	\$26,819	\$67,048
	Authority Board Seats	\$505	\$505	\$505	\$1,515
	Federal Revenue	\$10,000	\$20,000	\$20,000	\$50,000
	State Revenue	\$18,300	\$0	\$0	\$18,300
	Carry-over Funds	\$6,000	\$0	\$0	\$6,000
Revenue Total		\$51,567	\$43,972	\$47,324	\$142,863
Expenses	Communications	(\$477)	(\$477)	(\$495)	(\$1,449)
	Engineering	(\$18,715)	(\$30,516)	(\$20,485)	(\$69,716)
	External Affairs	(\$273)	(\$273)	(\$282)	(\$828)
	General Project Activities	(\$620)	(\$545)	(\$565)	(\$1,730)
	Permitting	(\$7,503)	(\$4,731)	(\$2595)	(\$14,829)
	Planning	(\$5,092)	(\$1,212)	(\$278)	(\$6,582)
	Program Operations	(\$8,594)	(\$7,440)	(\$5690)	(\$21,724)
	Real Estate	(\$902)	(\$903)	(\$935)	(\$2,740)
Expenses Total		(\$42,176)	(\$46,097)	(\$31,325)	(\$119,598)
Grand Total		\$9,391	(\$2,125)	\$15,999	\$23,265

EXHIBIT C

FORM OF PROJECT AGREEMENT MEMBER
PROJECT PAYMENT ANNEX**Project Agreement Member:****Date:**

Expected Source(s) of Repayment For Authority Financing (Check Each Box That Applies):	<input type="checkbox"/> Amounts Collected Through Department of Water Resources State Water Project Annual Statement of Charges	<input type="checkbox"/> Water Rates and Charges (Proposition 218 Compliance Required)	<input type="checkbox"/> Water Rates and Charges (Proposition 218 Compliance Not Required)	<input type="checkbox"/> Special Benefit Assessment-Districtwide	<input type="checkbox"/> Special Benefit Assessment Levied by District on Certain Lands	<input type="checkbox"/> Land-Based Charges Imposed Within an Improvement District
If An Improvement District, Has It Been Formed?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If no, is it anticipated to be formed by June 30, 2023? <input type="checkbox"/> Yes <input type="checkbox"/> No			
If A Special Benefit Assessment, Has the Special Benefit Been Approved In An Amount To Pay Debt Service On The Authority Financing?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	If no, is it anticipated to be presented for landowner approval by June 30, 2023? <input type="checkbox"/> Yes <input type="checkbox"/> No			
Does the District Have A Debt Management Policy Compliant With Section 8855(i) of the California Government Code?	<input type="checkbox"/> Yes	<input type="checkbox"/> No				

Sites Reservoir Project

Project Participants in the Sites Project Planning

Sacramento Valley

- Carter Municipal Water Company
- City of American Canyon
- Colusa County
- Colusa County Water District
- Cortina Water District
- Davis Water District
- Dunnigan Water District
- Glenn County
- Glenn-Colusa Irrigation District
- La Grande Water District
- Reclamation District 108
- City of Roseville
- Sacramento County Water Agency
- City of Sacramento
- Tehama Colusa Canal Authority
- Westside Water District
- Western Canal Water District

Bay Area

- Santa Clara Valley Water District
- Zone 7 Water Agency

Southern California

- Antelope Valley - East Kern Water Agency
- Coachella Valley Water District
- Desert Water Agency
- Irvine Ranch Water District
- Metropolitan Water District of Southern California
- San Bernardino Valley Municipal Water District
- San Geronio Pass Water Agency
- Santa Clarita Valley Water Agency

San Joaquin Valley

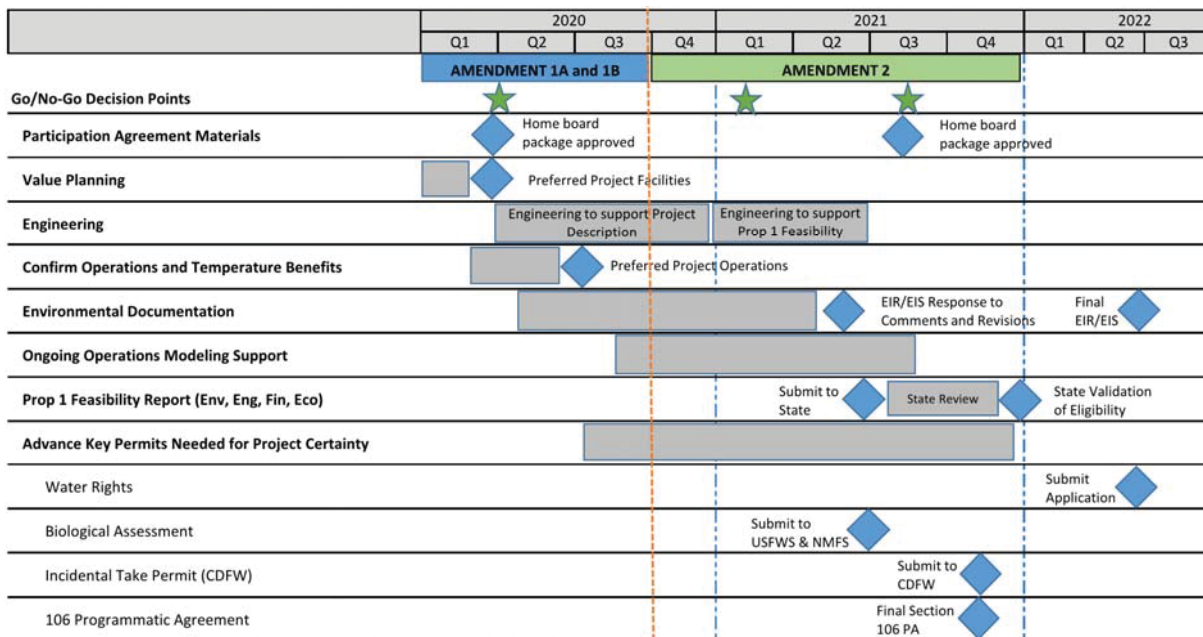
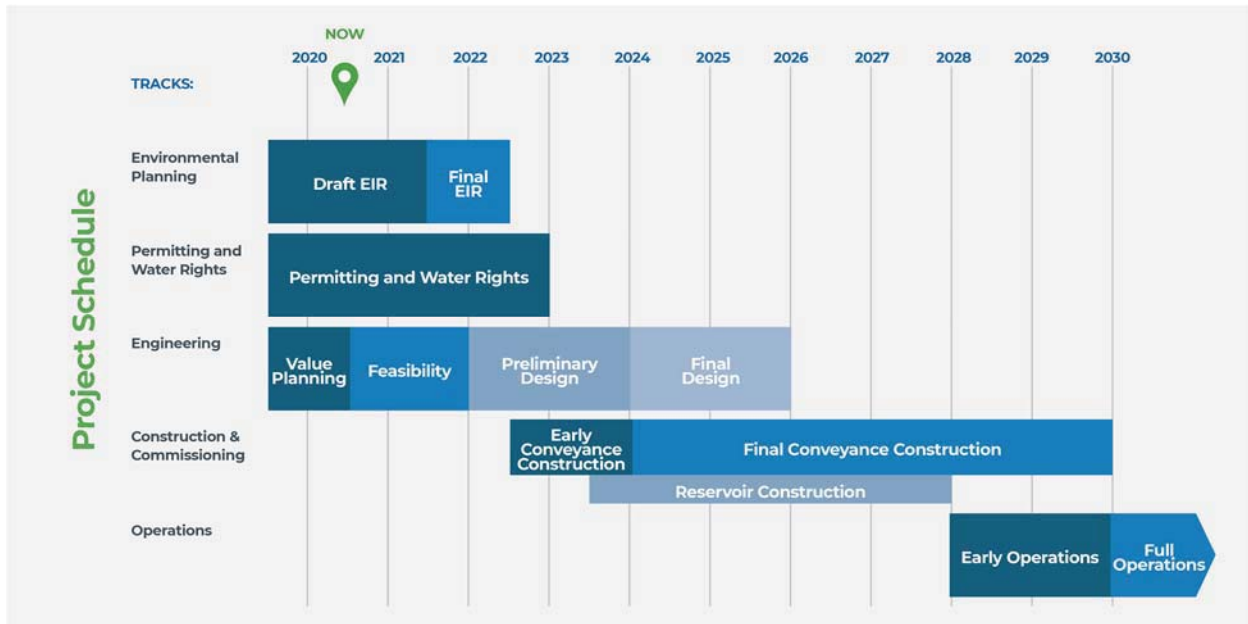
- Rosedale-Rio Bravo Water Storage District
- Wheeler Ridge - Maricopa Water Storage District

State/Federal

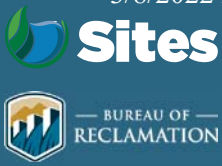
- California Department of Water Resources
- US Bureau of Reclamation



Sites Reservoir Schedule



NOTE: This graphic includes schedule drivers only and does not include all activities/deliverables. This work plan is based on current participation commitments.



Sites Reservoir Project

RDEIR/SDEIS Frequently Asked Questions

The following questions and answers are meant to respond to common questions about the potential environmental impacts of the proposed Sites Reservoir Project.

1. Would Sites Reservoir divert water from the Sacramento River during dry and critically dry years?

Yes, even during drier years there can be significant precipitation events that present conditions where water can be diverted safely from the river and placed in Sites Reservoir. All diversions would be subject to the highly protective operating conditions that are currently being proposed for the Sites Reservoir Project.

2. Would Sites Reservoir meaningfully address future droughts?

Sites Reservoir is an insurance policy for future droughts. Sites Reservoir does not rely on snowpack and if the scientific projections are correct about the impacts of climate change (i.e., California is expected to receive about the same annual precipitation that it currently does but more will come as rain than snow and be subject to year-to-year variability), then having Sites Reservoir would mean we can collect more water in the reservoir for use during future droughts.

3. Would Sites Reservoir decrease Delta flows?

Yes, slightly, when the Project is diverting. However, since the Sites Reservoir diversions would occur only when there are high river flows, any reduction to Delta flows would be minor and would not impact any of the beneficial uses of the water in the Delta. Storing water in Sites Reservoir during times when there is a lot of flow in the Sacramento River for use during times when the flows are low, including during drought periods, is part of the statewide strategy for adapting to changing climate conditions and to return much needed flexibility to our statewide water management system.

4. Have concerns about the impact of Sites Reservoir operations on the environment been addressed in the current proposal?

The Project operations have been modified substantially over the last two years to be more protective of the environment. These modifications have reduced the Project diversions from the Sacramento River substantially (almost in half) as compared to the criteria proposed in 2017. The current Project operations strikes the needed balance between environmental protections and Project affordability that has to exist for the Project to proceed.

5. Does this Project impact the Trinity River?

The Project would not affect or result in changes in the operation of the Central Valley Project (CVP), Trinity River Division facilities (including Clear Creek). Reclamation would continue to operate the Trinity River Division consistent with all applicable statutory, legal, and contractual obligations, including but not limited to the Trinity River Record of Decision (ROD), the 2017 ROD for the Long-Term Plan for the Lower Klamath River, and the provision of (not less than) 50,000 acre-feet identified in Trinity River Division Central Valley Project Act of 1955 to be made available to Humboldt County and downstream water users.



6. How does this Project impact water quality in the Sacramento River and Delta?

The Project would have some impacts to water quality and would also enhance beneficial uses of water, even improving water quality in some areas. For example, increases in outflow in drier years could reduce seawater intrusion into the Delta. During those same periods, exchanges with Sites water could benefit fish by preserving cold-water supplies from Shasta Lake, Lake Oroville, and Folsom Lake later into the year. The Sites Project Authority would implement best management practices to minimize any potential water quality impacts associated with facility operations and maintenance. These would include actions to prevent spills and reduce runoff that may cause sediment or contaminants to flow into waterbodies. Monthly water quality testing would be performed for discharges moving into and through the Yolo Bypass, and mitigation measures – such as mercury sediment management – would be implemented to counteract any impacts to water quality.

7. How will the Project benefit anadromous fish?

The additional water supply provided by Sites Reservoir may provide opportunities for improved management of salmonid habitat, particularly in the Sacramento River above Red Bluff Diversion Dam. By exchanging Sites water for CVP water, Reclamation has an additional tool to maintain and improve habitat for salmonid spawning, incubation, rearing, and migration. By delivering water to CVP contractors from Sites Reservoir, Reclamation may maintain supply in Shasta Lake for important periods to support these habitat conditions. The possible additional water supply in Shasta Lake can then be allocated during real-time management scenarios for a number of uses (e.g., cold-water pool maintenance, spring pulse or fall pulse flow events, reduced fall flows) that may provide enhanced anadromous fish benefits.

8. Will this Project curtail or otherwise reduce allocations for other water right holders?

Sites Reservoir would only divert water when flows in the Sacramento River meet minimum diversion criteria, when the Delta is in “excess” conditions, when all senior downstream water rights have been met, when all environmental permit conditions have been met, and when there is excess capacity within the conveyance facilities, such as the Tehama-Colusa and Glenn-Colusa Canals. The Project would not curtail or otherwise reduce allocations of water for other water right holders.





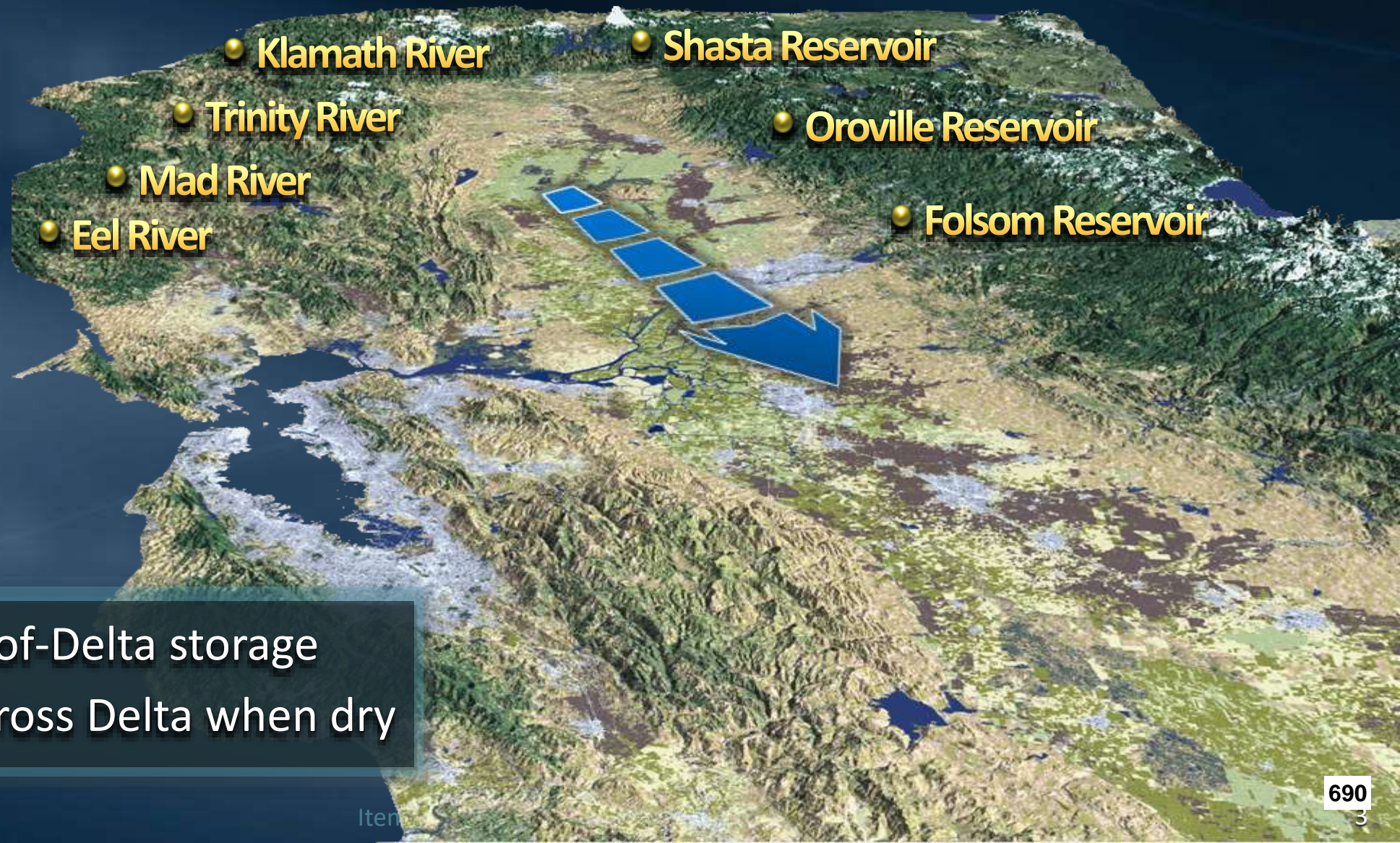
Review of the Remaining Planning Process and Funding Needs for Sites Reservoir Project

Water Planning & Stewardship Committee
Item 9-3
March 7, 2022

Topics

- Storage Supplies & Lessons Learned
Integrated Groundwater & Surface Storage
- Sites Reservoir Planning Status
Key Progress & 2022-2024 Workplan
- Project Benefits
Statewide & Metropolitan Specific
- Participation & Funding Consideration
Previous & Upcoming Decision
- Next Steps

The Original Vision 1950s



- Large North-of-Delta storage
- Deliveries across Delta when dry

Environmental Priorities 1970s



- Wild & Scenic Rivers Act (Fed & State)
- SWP plan loses key North Coast storage

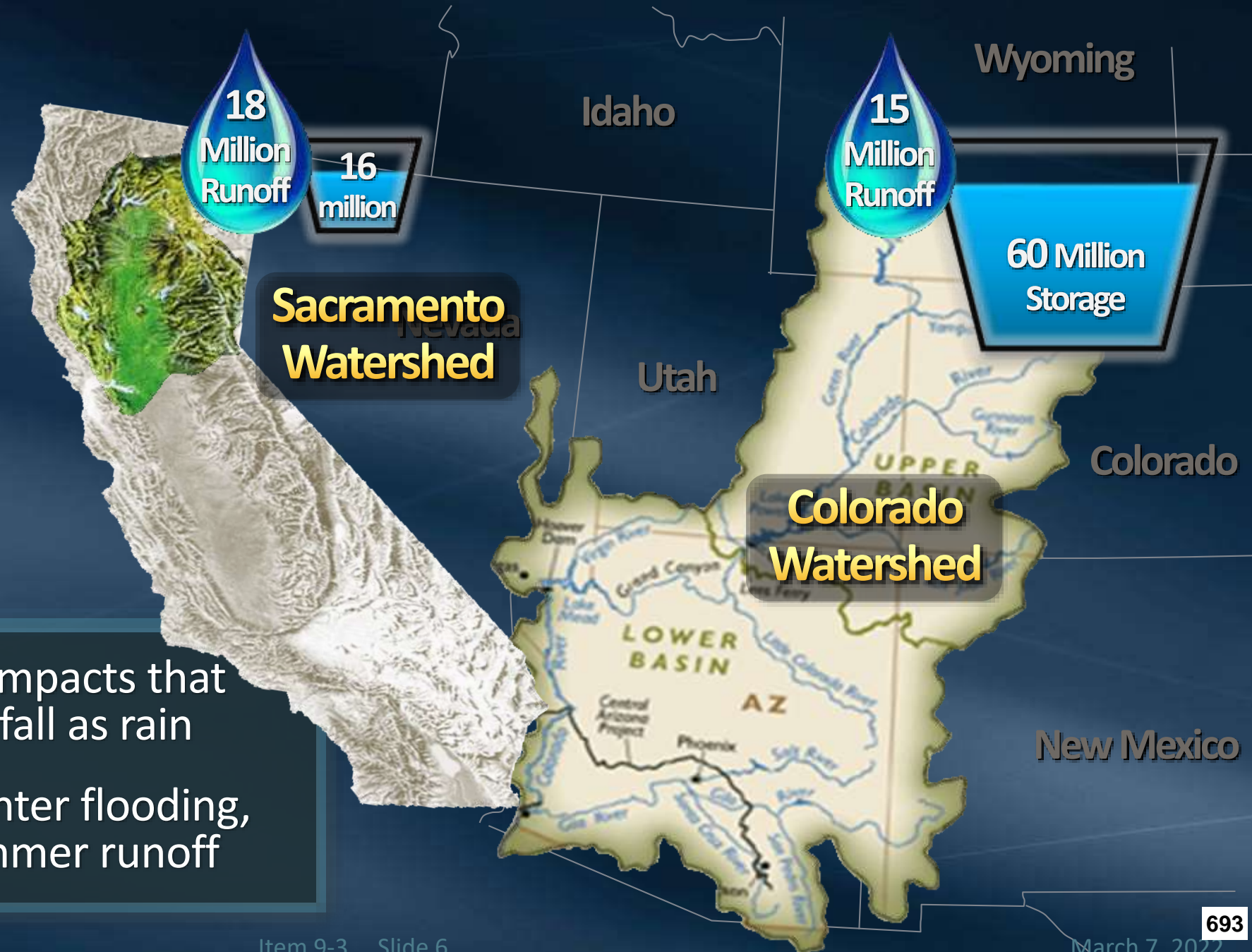
Integrated Operations 1990s

- Develop diverse portfolio, including GW banking & off-stream storage
- Integrate surface reservoir and groundwater recharge operations



Climate Resiliency 2010s

- Adapt & mitigate the impacts that snow will increasingly fall as rain
- Adapt to increased winter flooding, & reduced Spring/Summer runoff

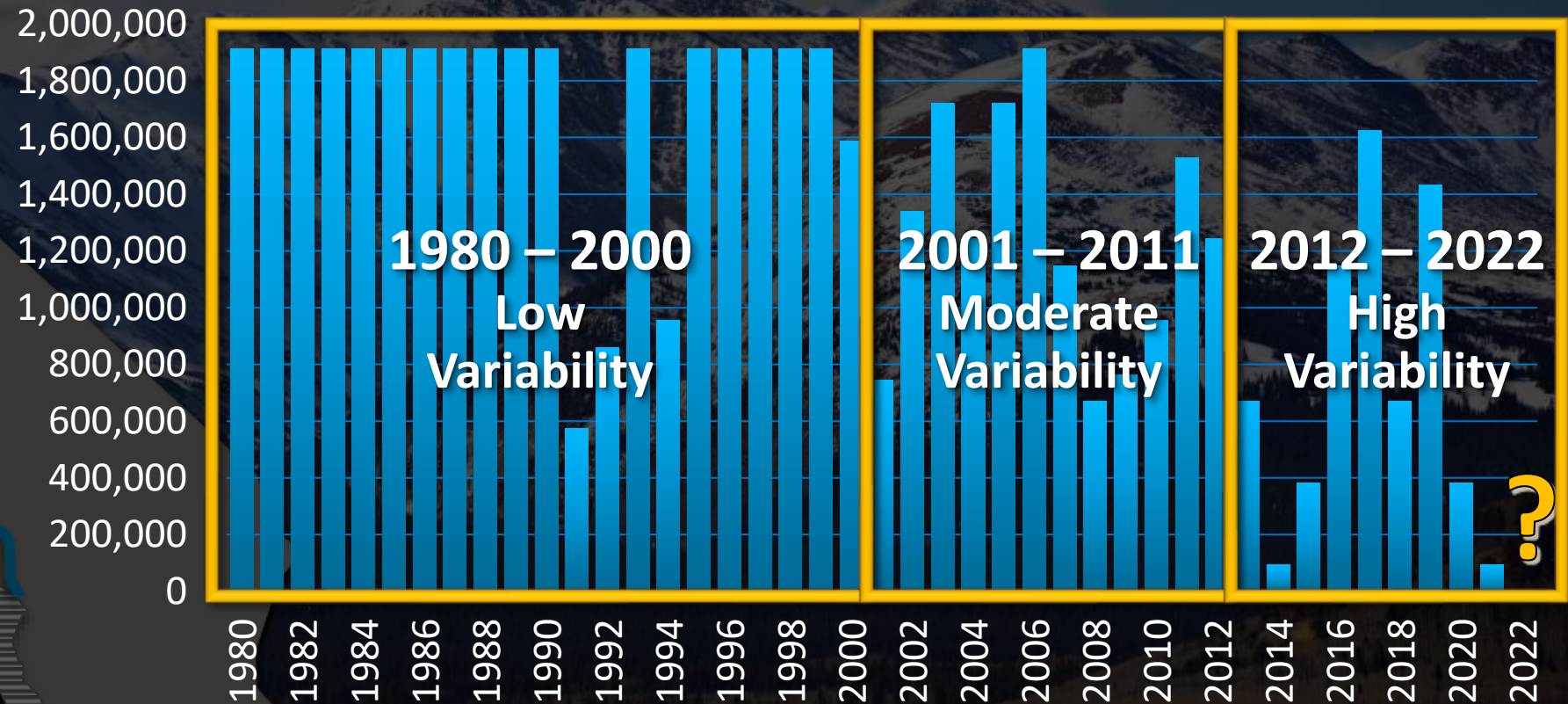


Lessons Learned

Snowpack Reservoir & SWP Water Allocation

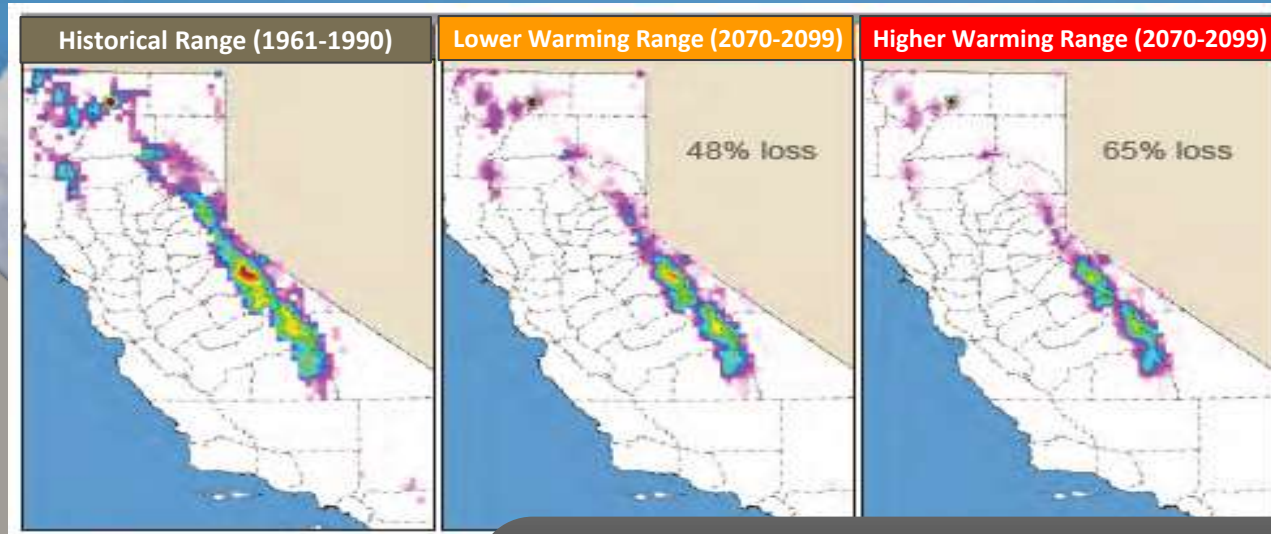


State Water Project Allocation



Lessons Learned

Snowpack Reservoir & SWP Water Allocation



Climate Research

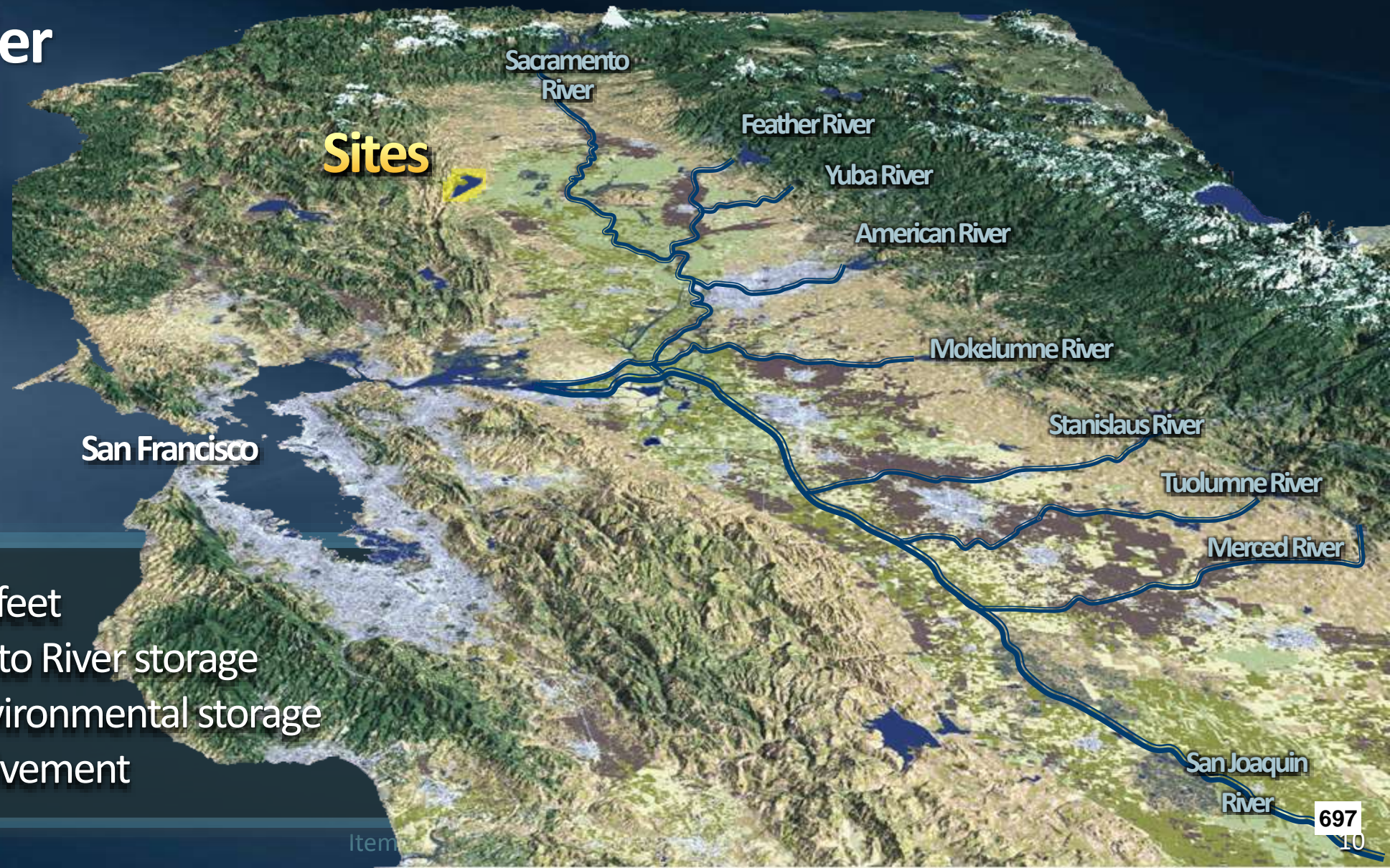
- 30 to 65% of snowpack (4-9 million AF) will fall as rain by 2100
- Existing reservoirs not designed to handle faster runoff
- Lower river flows in the spring/summer for fish and water supply

Topics

- Storage Supplies & Lessons Learned
Integrated Groundwater & Surface Storage
- Sites Reservoir Planning Status
Key Progress & 2022-2024 Workplan
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- Next Steps

Sites Reservoir

Proposal Under Analysis



- 1.3 – 1.5 million acre-feet
- Off-stream Sacramento River storage
- Largest dedicated environmental storage
- Broad statewide involvement

Sites Reservoir

Project Storage (1.5 million AF)

Metropolitan Share

● Storage – 311,700 AF (22.6%)



**North-of-Delta
Participants**
~ 257,000 AF (18%)

**South-of-Delta
Participants**
~ 788,000 AF (57%)

**Bureau of
Reclamation**
~ 91,000 AF (7%)

**State of
California**
~ 244,000 AF (18%)

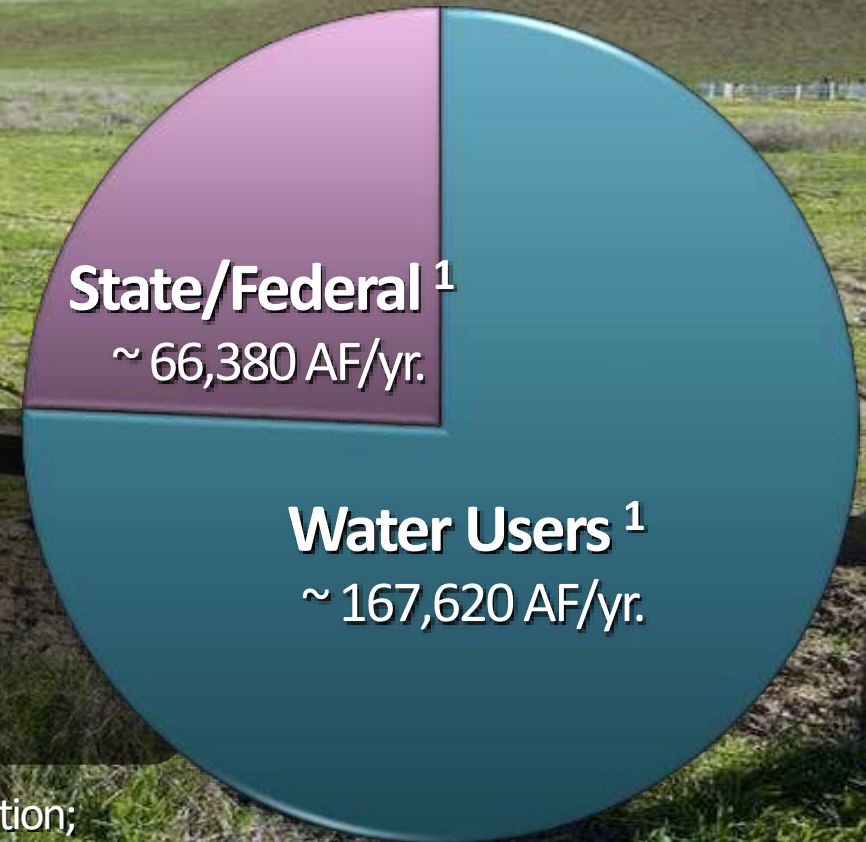
Deadpool (non active) ~ 120,000 AF

Sites Reservoir

Project Yield Estimate

Annual Reservoir Release Estimate

- Average – 207,000 to 260,000 AF/yr. all participants (50,000 AF/yr. MWD's share)
- Dry/Critical – 348,000 to 427,000 AF/yr.



¹. Federal share subject to appropriation; User share subject to Board authorization; State share subject to final approval by California Water Commission

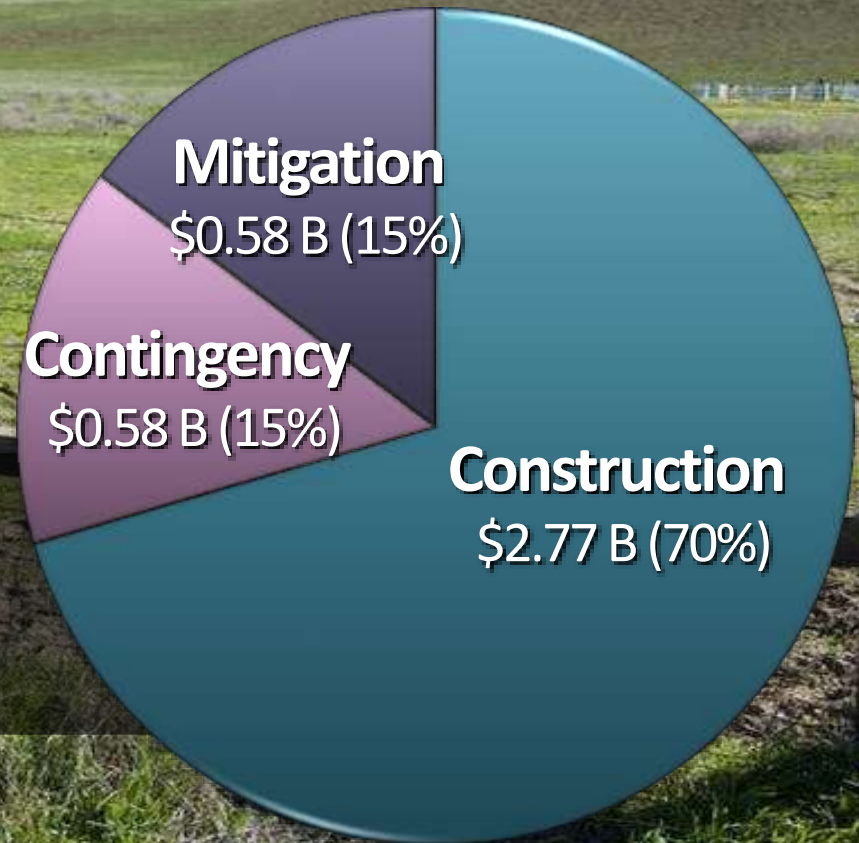
Sites Reservoir

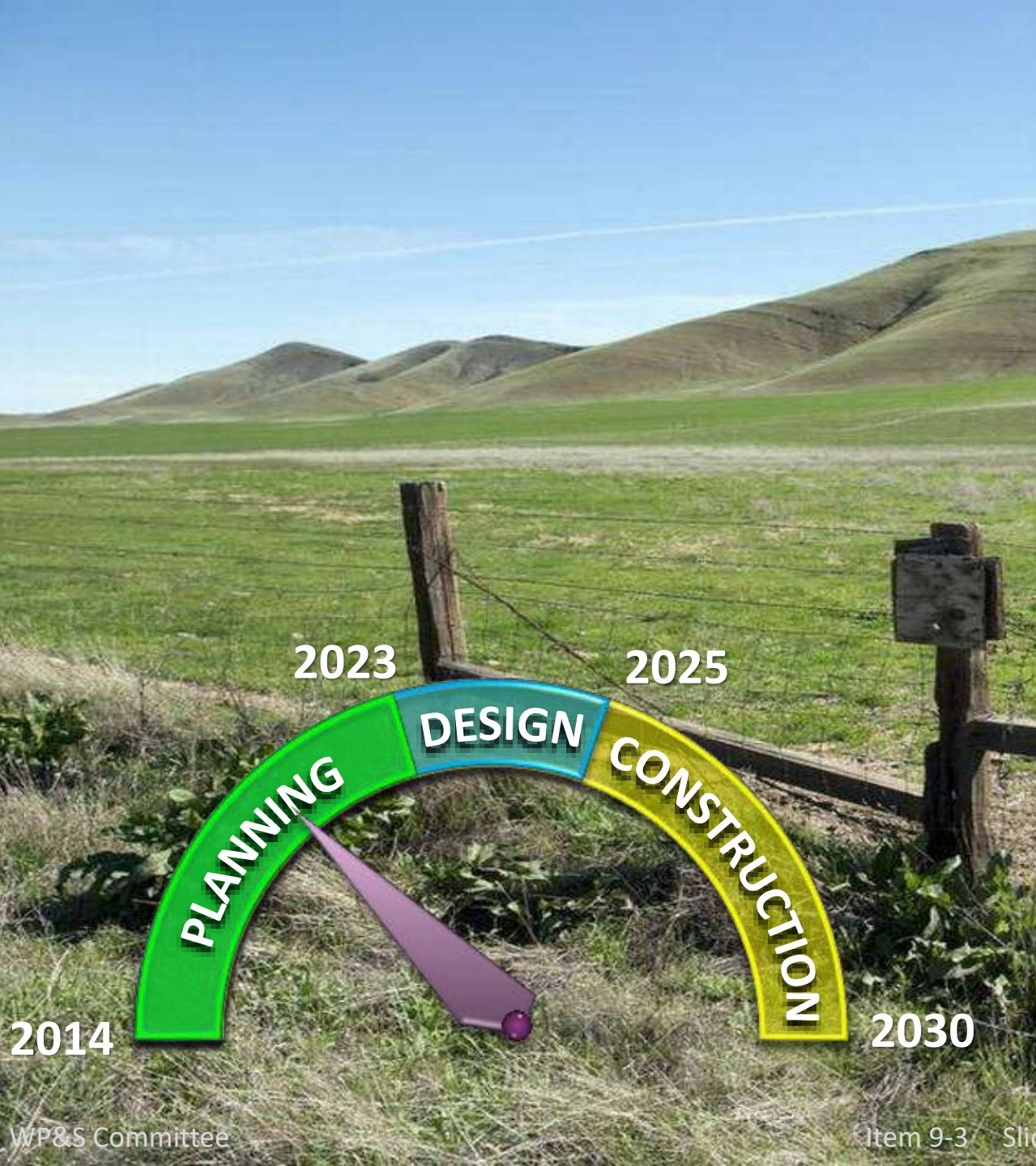
Project Cost Estimate

Cost Estimate (2021\$)¹

- Total Project Cost Estimate ~ \$3.93 billion
- Reservoir Release Estimate ~ \$700-900/acre-ft.

¹ Construction costs are based on a Class 4 cost estimate;





Key Progress

✓ Technical Analyses

- Initial water supply modeling & operations
- Initial engineering design & cost estimates
- Value Planning project improvements

✓ Regulatory/Environmental

- Revised Draft Environmental Impact Report/Statement
- Regulatory agency consultation & initial permit application development

✓ State/Federal Funding

- \$836 million State Proposition 1 grant
- \$104 million federal WIIN Act grant
- \$449 million US Dept. of Agriculture loan
- \$600 million federal WIFIA loan (application)

Topics

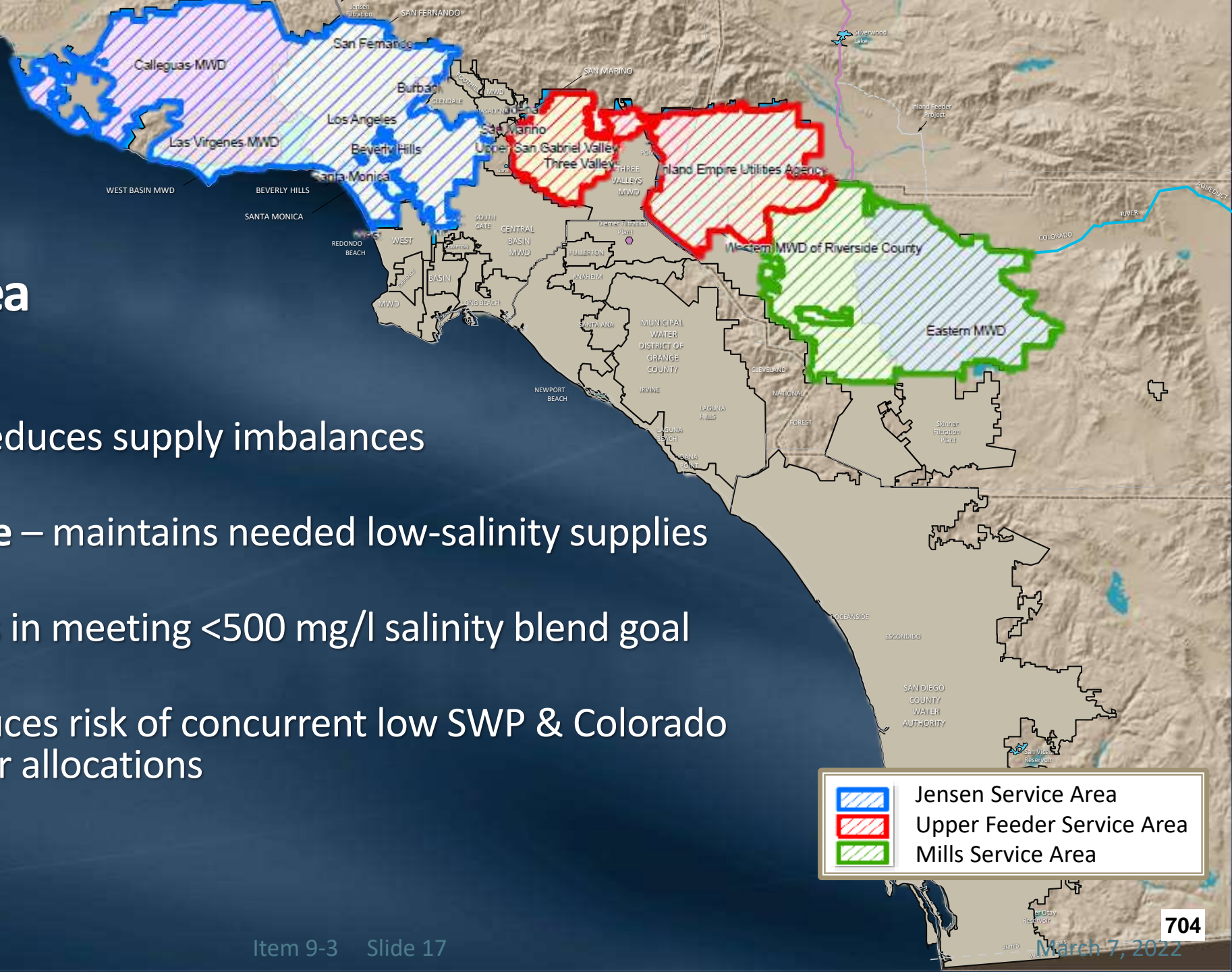
- Storage Supplies & Lessons Learned
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Key Benefits – Overall

- Improves ability in meeting future climate change challenges
- Mitigates for decreased snowpack and increased rainfall
- Dedicates portion of new storage for environmental use only
- Important collaborative approach among northern & southern California water agencies

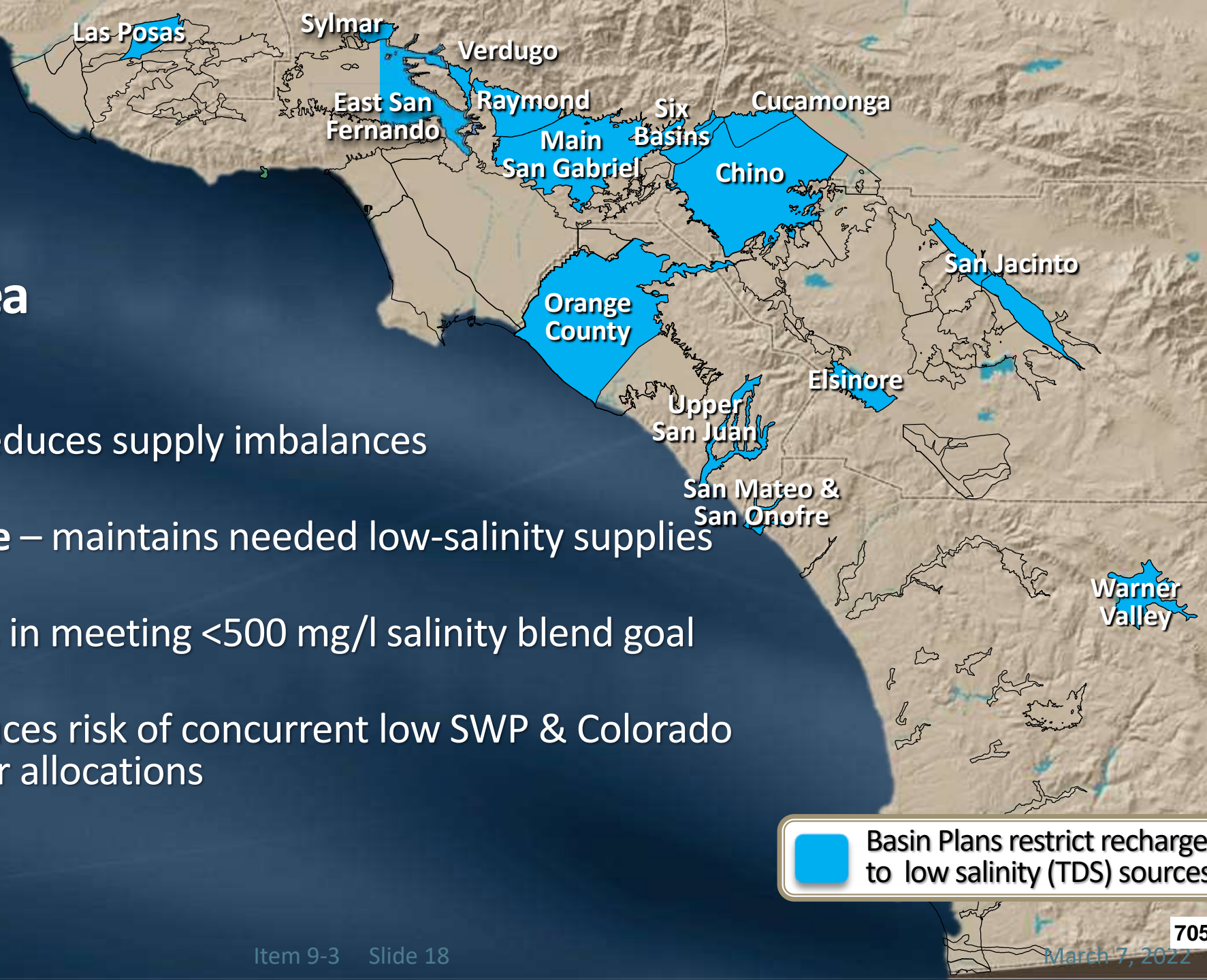
Key Benefits MWD Service Area

- ✓ SWP Reliant Areas – reduces supply imbalances
- Groundwater Recharge – maintains needed low-salinity supplies
- Water Quality – assists in meeting <500 mg/l salinity blend goal
- Perfect Drought – reduces risk of concurrent low SWP & Colorado River allocations



Key Benefits MWD Service Area

- ☐ SWP Reliant Areas – reduces supply imbalances
- ☒ Groundwater Recharge – maintains needed low-salinity supplies
- ☐ Water Quality – assists in meeting <500 mg/l salinity blend goal
- ☐ Perfect Drought – reduces risk of concurrent low SWP & Colorado River allocations



its
Area

- reduces supply imbalances
- maintains needed low-salinity supplies
- reduces risk of concurrent low SWP & Colorado River allocations

Item 9-3 Slide 19

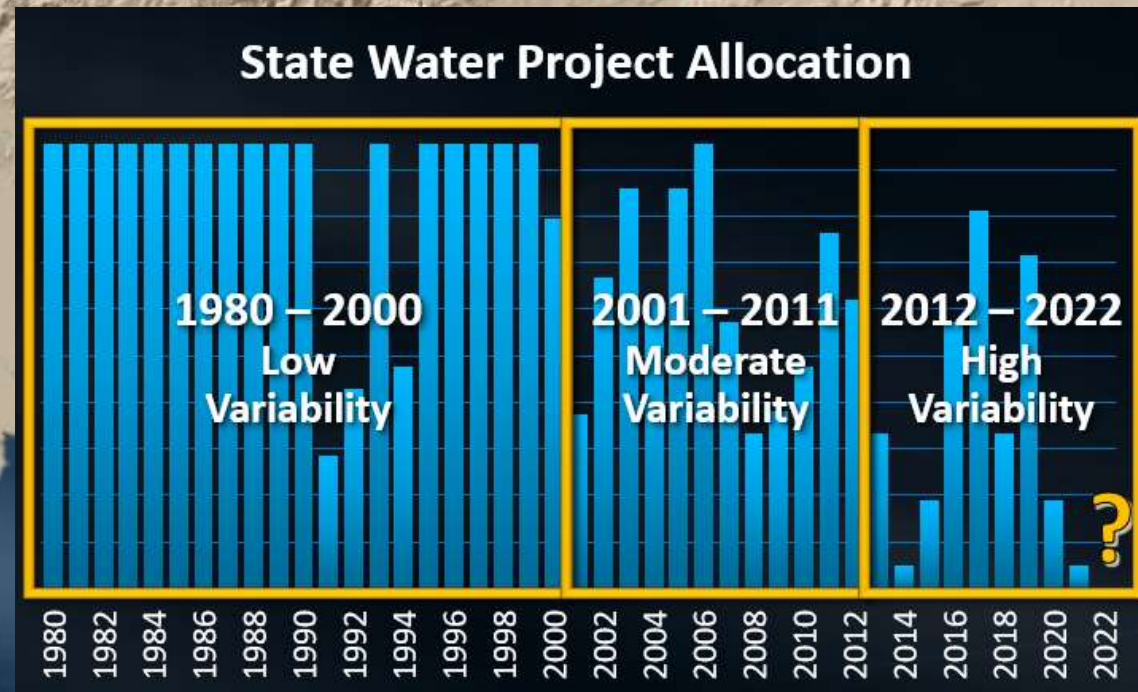
706

March 7, 2022

-
- its
Area
- reduces supply imbalances
 - maintains needed low-salinity supplies
 - reduces risk of concurrent low SWP & Colorado River allocations
- Item 9-3 Slide 19
- 706
- March 7, 2022

Key Benefits MWD Service Area

- ☐ SWP Reliant Areas – reduces supply imbalances
- ☐ Groundwater Recharge – maintains needed low-salinity supplies
- ☐ Water Quality – assists in meeting < 500 mg/l salinity blend goal
- ☒ Perfect Drought – reduces risk of concurrent low SWP & Colorado River allocations



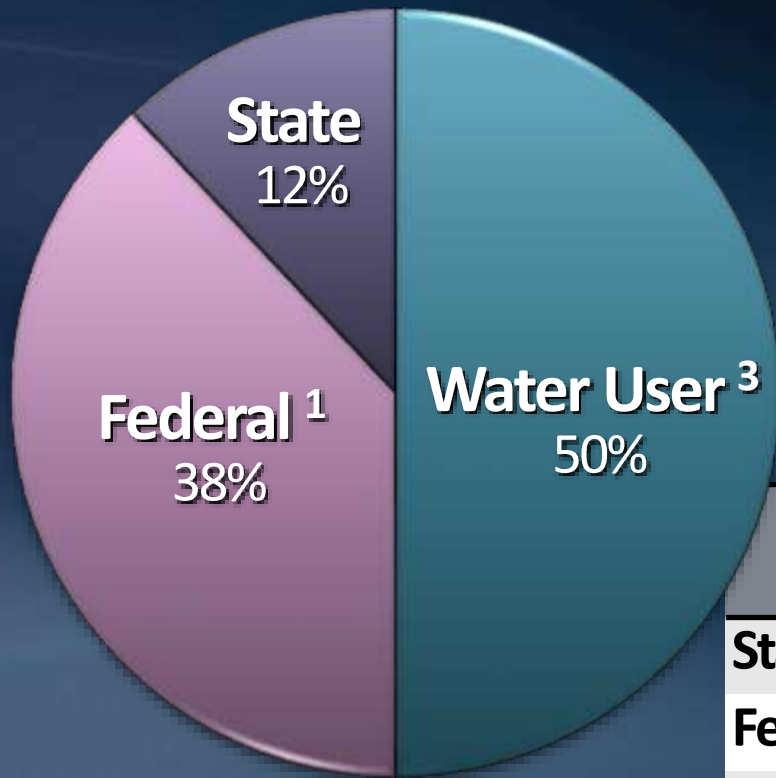
Topics

- Storage Supplies & Lessons Learned
Integrated Groundwater & Surface Storage
- Sites Reservoir Planning Status
Key Progress & 2022-2024 Workplan
- Project Benefits
Statewide & Metropolitan Specific
- Participation & Funding Consideration
Previous & Upcoming Decision
- Next Steps

A photograph of a large, circular meeting room with a curved wooden table. Numerous people are seated around the table, facing each other. The room has a high ceiling with a circular light fixture. On the wall, there is a large map and a framed document. The title "Metropolitan Board Funding Considerations" is overlaid in yellow and white text.

Metropolitan Board Funding Considerations

- 2017
 - \$1.5 million cost-share for 2017-18 Sites Reservoir workplan
- 2019
 - \$4,212,500 cost-share for 2019-20 Sites Reservoir workplan
- 2020
 - \$5 million cost-share for 2020-21 Sites Reservoir workplan
- 2022 (proposed)
 - \$20 million cost-share for 2022-24 Sites Reservoir workplan



2022-24 Workplan 3-Year Budget¹

Source	2022	2023	2024	Total
State (Prop 1 Grant)	\$ 18,300,000	--	--	\$ 18,300,000
Federal (WIIN Act) ²	\$ 10,000,000	\$ 20,000,000	\$ 20,000,000	\$ 50,000,000
Water Users ³	\$ 17,267,000	\$ 23,972,000	\$ 27,324,000	\$ 68,563,000
Carryover Funds	\$ 6,000,000			\$ 6,000,000
TOTAL³	\$ 51,567,000	\$ 43,972,000	\$ 47,324,000	\$ 142,863,000
MWD Share ⁴	\$ 5,000,000	\$ 7,000,000	\$ 8,000,000	\$20,000,000

1. 2022-24 Workplan, also referred to as the Amendment 3 Workplan, is for the period of Jan. 1, 2022, through Dec. 31, 2024.

2. Subject to federal appropriation

3. Subject to individual participating agency Board approval

4. Assumes participation by Metropolitan based a 311,700 acre-ft of storage (also defined as an average yield of 50,000 AF/year)



2022-24 Workplan

Focus & Key Deliverables

- Environmental
 - Final EIR/EIS & Record of Decision
- Permits/Agreements
 - Water rights permit
 - Environmental permits
 - Local agency agreements
- Project Operations
 - Final coordinated operations agreement with DWR/USBR
- Engineering
 - Advance 30% design & geotechnical investigations
- Develop mitigation & land acquisition master plan

1. 2022-24 Workplan, also referred to as the Amendment 3 Workplan

Reservoir overlook – Governor Brown (2018)

Broad Statewide Involvement

● Bay Area

- Santa Clara Valley WD
- Zone 7 Water Agency

● San Joaquin Valley

- Rosedale-Rio Bravo WSD
- Wheeler Ridge - Maricopa

● Southern California

- Antelope Valley - East Kern WA
- Coachella Valley WD
- Desert Water Agency
- Irvine Ranch Water District
- Metropolitan Water District
- San Bernardino Valley MWD
- San Geronio Pass Water Agency
- Santa Clarita Valley Water Agency

● State/Federal

- California Dept. of Water Resources
- U.S. Bureau of Reclamation



● Sacramento Valley

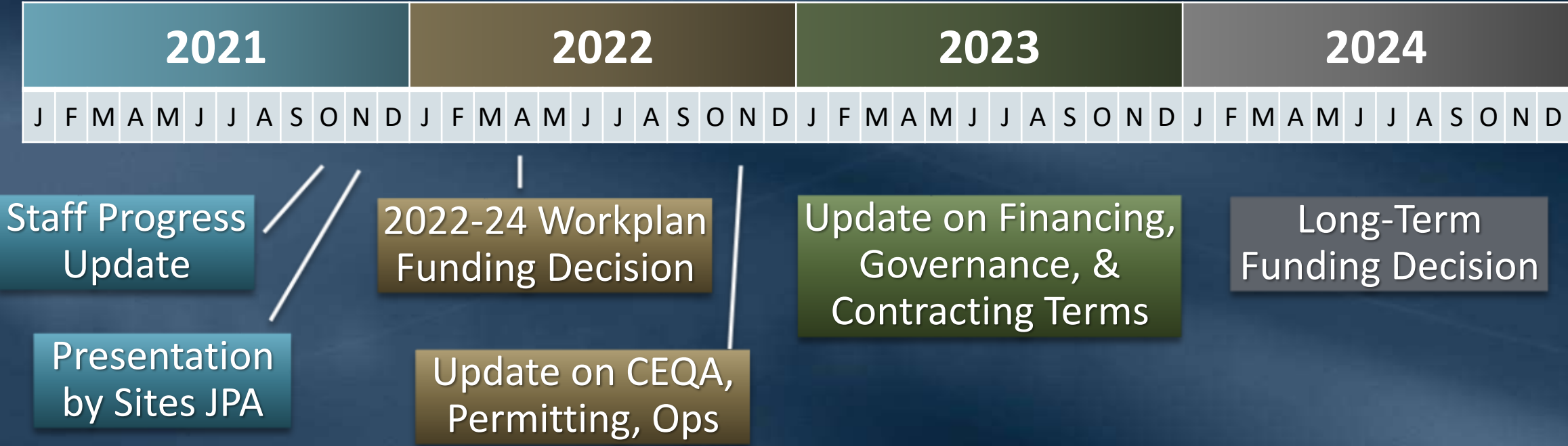
- Carter Municipal Water Co.
- City of American Canyon
- Colusa County
- Colusa County Water District
- Cortina Water District
- Davis Water District
- Dunnigan Water District
- Glenn County
- Glenn-Colusa Irrigation District
- La Grande Water District
- Reclamation District 108
- Rosedale-Rio Bravo WSD
- City of Roseville
- Sacramento County WA
- City of Sacramento
- Tehama Colusa Canal Authority
- Westside Water District
- Western Canal Water District

Topics

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Metropolitan Board

Proposed Timeline ¹



1. Subject to change

Next Steps

- April 2022 Board letter on funding 2022-24 Workplan
- Final environmental documents by Oct 2022
- Decision on project implementation in 2024

